

State of Arkansas  
90th General Assembly  
Fiscal Session, 2016

# A Bill

HOUSE BILL 1035

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE DEPARTMENT OF CAREER EDUCATION - ARKANSAS REHABILITATION SERVICES FOR THE FISCAL YEAR ENDING JUNE 30, 2017; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE DEPARTMENT OF CAREER EDUCATION - ARKANSAS REHABILITATION SERVICES APPROPRIATION FOR THE 2016-2017 FISCAL YEAR.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. REGULAR SALARIES. There is hereby established for the Department of Career Education - Arkansas Rehabilitation Services for the 2016-2017 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
(1)	U012U	REHABILITATION SERVICES COMMISSIONER	1	\$120,901
(2)	L011N	DENTIST	1	GRADE N916
(3)	L013N	GENERAL PHYSICIAN	4	GRADE N916
(4)	G001N	ADE LITIGATION ATTORNEY	1	GRADE N912
(5)	L016N	REGISTERED PHARMACIST	1	GRADE N911
(6)	N172N	ACE REHAB OPERATIONS DIRECTOR	2	GRADE N906



(7)	N098N	ACTI DIRECTOR OF PHYSICAL THERAPY	1	GRADE N906
(8)	N178N	ARS CHIEF INFORMATION OFFICER	1	GRADE N904
(9)	N170N	REHAB DIRECTOR - ACTI	1	GRADE N902
(10)	N138N	REHAB DIRECTOR FIELD SVCS	1	GRADE N902
(11)	L022N	OCCUPATIONAL THERAPIST	5	GRADE N901
(12)	L021N	PHYSICAL THERAPIST	4	GRADE N901
(13)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
(14)	L003C	PSYCHOLOGIST	4	GRADE C127
(15)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
(16)	L004C	REHAB DIR. - PROG, PLAN, DEV & EVAL	1	GRADE C126
(17)	G040C	REHAB DIRECTOR - SPECIAL PROGRAMS	2	GRADE C126
(18)	E005C	REHAB DIRECTOR OF VOCATIONAL TRAINING	2	GRADE C126
(19)	L015C	CLINICAL SPEECH PATHOLOGIST	1	GRADE C124
(20)	G070C	DIRECTOR OF FIELD OPERATIONS	1	GRADE C124
(21)	E011C	VOCATIONAL EDUCATION COORDINATOR	3	GRADE C124
(22)	L020C	NURSING SERVICES UNIT MANAGER	1	GRADE C123
(23)	P004C	PUBLIC INFORMATION MANAGER	1	GRADE C123
(24)	L018C	REHAB ASST DIRECTOR - ACTI	1	GRADE C123
(25)	L027C	REGISTERED NURSE SUPERVISOR	2	GRADE C122
(26)	A052C	ACCOUNTING COORDINATOR	3	GRADE C121
(27)	S004C	MAINTENANCE MANAGER	1	GRADE C121
(28)	L033C	PSYCHOLOGICAL EXAMINER	12	GRADE C121
(29)	X038C	QUALITY ASSURANCE MANAGER	2	GRADE C121
(30)	L032C	REGISTERED NURSE - HOSPITAL	2	GRADE C121
(31)	D052C	SOFTWARE SUPPORT ANALYST	2	GRADE C121
(32)	L040C	DIETARY SERVICES DIRECTOR	1	GRADE C120
(33)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
(34)	L037C	REHAB AREA MANAGER	14	GRADE C120
(35)	G121C	REHAB PROGRAM MANAGER	13	GRADE C120
(36)	L098C	CERTIFIED VOCATIONAL REHAB COUNSELOR	112	GRADE C119
(37)	V007C	PROCUREMENT COORDINATOR	1	GRADE C119
(38)	X062C	QUALITY ASSURANCE COORDINATOR	4	GRADE C119
(39)	R024C	ASSISTANT PERSONNEL MANAGER	2	GRADE C118
(40)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
(41)	M026C	LICENSED SOCIAL WORKER	2	GRADE C118
(42)	G163C	REHAB PROGRAM COORDINATOR	12	GRADE C118

(43)	D064C	WEBSITE DEVELOPER	1	GRADE C118
(44)	E043C	CERTIFIED VOCATIONAL TEACHER	22	GRADE C117
(45)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
(46)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
(47)	E040C	STAFF DEVELOPMENT COORDINATOR	1	GRADE C117
(48)	M032C	VOCATIONAL REHAB PLACEMENT SPEC	9	GRADE C117
(49)	V014C	BUYER	2	GRADE C116
(50)	M050C	INTERPRETER	4	GRADE C116
(51)	T055C	PUBLIC SAFETY OFFICER	1	GRADE C116
(52)	P027C	PUBLIC INFORMATION SPECIALIST	1	GRADE C116
(53)	L057C	REHAB SVS FACILITY SPECIALIST	2	GRADE C116
(54)	S022C	SKILLED TRADES SUPERVISOR	2	GRADE C116
(55)	C037C	ADMINISTRATIVE ANALYST	3	GRADE C115
(56)	C036C	ADMINISTRATIVE REVIEW ANALYST	2	GRADE C115
(57)	R033C	BENEFITS ANALYST	1	GRADE C115
(58)	A091C	FISCAL SUPPORT ANALYST	2	GRADE C115
(59)	S033C	MAINTENANCE SUPERVISOR	1	GRADE C115
(60)	C028C	MEDICAL RECORDS SUPERVISOR	1	GRADE C115
(61)	L061C	MEDICAL TECHNOLOGIST	1	GRADE C115
(62)	T062C	PUBLIC SAFETY DIRECTOR	1	GRADE C115
(63)	V015C	PURCHASING SPECIALIST	1	GRADE C115
(64)	S031C	SKILLED TRADESMAN	14	GRADE C115
(65)	E049C	VOCATIONAL INSTRUCTOR	1	GRADE C115
(66)	G215C	CAREER PLANNING & PLACEMENT SPECIALIST	1	GRADE C114
(67)	S044C	FOOD PREPARATION MANAGER	1	GRADE C114
(68)	L064C	RADIOLOGY TECHNICIAN	1	GRADE C114
(69)	M065C	RECREATIONAL ACTIVITY SUPERVISOR	1	GRADE C114
(70)	E051C	STAFF DEVELOPMENT SPECIALIST	1	GRADE C114
(71)	S099C	STATIONARY ENGINEER	5	GRADE C114
(72)	M061C	VOCATIONAL REHAB EVALUATOR	2	GRADE C114
(73)	R036C	HUMAN RESOURCES SPECIALIST	2	GRADE C113
(74)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
(75)	L069C	LICENSED PRACTICAL NURSE	5	GRADE C113
(76)	C043C	RECORDS MANAGEMENT ANALYST	2	GRADE C113
(77)	C056C	ADMINISTRATIVE SPECIALIST III	10	GRADE C112
(78)	A098C	FISCAL SUPPORT SPECIALIST	5	GRADE C112

(79)	V022C	PURCHASING TECHNICIAN	1	GRADE C112
(80)	S056C	FOOD PREPARATION SUPERVISOR	2	GRADE C111
(81)	M076C	RECREATIONAL ACTIVITY LEADER II	3	GRADE C111
(82)	V023C	STOREROOM SUPERVISOR	1	GRADE C111
(83)	T084C	PUBLIC SAFETY SECURITY OFFICER	1	GRADE C110
(84)	L074C	THERAPY ASSISTANT	1	GRADE C110
(85)	V025C	WAREHOUSE SPECIALIST	3	GRADE C110
(86)	C073C	ADMINISTRATIVE SPECIALIST II	96	GRADE C109
(87)	L082C	CERTIFIED NURSING ASSISTANT	7	GRADE C109
(88)	C070C	DUPLICATION ASSISTANT	1	GRADE C109
(89)	S068C	FOOD PREPARATION COORDINATOR	3	GRADE C108
(90)	V027C	INVENTORY CONTROL TECHNICIAN	3	GRADE C108
(91)	M083C	RESIDENTIAL CARE TECHNICIAN	10	GRADE C108
(92)	S070C	EQUIPMENT TECHNICIAN	5	GRADE C107
(93)	C087C	ADMINISTRATIVE SPECIALIST I	12	GRADE C106
(94)	V029C	PURCHASING ASSISTANT	1	GRADE C106
(95)	T087C	SECURITY OFFICER	5	GRADE C106
(96)	S080C	EQUIPMENT OPERATOR	3	GRADE C105
(97)	C088C	MAIL SERVICES ASSISTANT	1	GRADE C105
(98)	S083C	BAKER	1	GRADE C104
(99)	S086C	COOK	5	GRADE C104
(100)	S085C	FOOD PREPARATION SPECIALIST	1	GRADE C104
(101)	S084C	INSTITUTIONAL SERVICES SUPERVISOR	6	GRADE C104
(102)	S087C	INSTITUTIONAL SERVICES ASSISTANT	15	GRADE C103
(103)	S089C	FOOD PREPARATION TECHNICIAN	<u>9</u>	GRADE C102
		MAX. NO. OF EMPLOYEES	537	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Career Education - Arkansas Rehabilitation Services for the 2016-2017 fiscal year, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: nineteen (19) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to the Department of Career Education - Arkansas Rehabilitation Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Career Education - Arkansas Rehabilitation Services - Operations for the fiscal year ending June 30, 2017, the following:

ITEM NO.	FISCAL YEAR 2016-2017
(01) REGULAR SALARIES	\$19,729,585
(02) EXTRA HELP	252,000
(03) PERSONAL SERVICES MATCHING	7,550,766
(04) EXTRA SALARIES	8,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	8,691,380
(B) CONF. & TRAVEL	155,506
(C) PROF. FEES	882,029
(D) CAP. OUTLAY	1,100,000
(E) DATA PROC.	0
(06) REHABILITATION PROGRAM GRANTS	1,900,000
(07) CONTRACT SERVICES	20,941,993
(08) DATA PROCESSING SERVICES	100,000
(09) ARKANSAS KIDNEY DISEASE COMMISSION	950,000
(10) PROJECT SEARCH	<u>1,200,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$63,461,259</u>

SECTION 4. APPROPRIATION - INCREASING CAPABILITIES ACCESS NETWORK - FEDERAL. There is hereby appropriated, to the Department of Career Education - Arkansas Rehabilitation Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Career Education - Arkansas Rehabilitation Services - Increasing Capabilities Access Network - Federal for the fiscal year ending June 30, 2017, the following:

ITEM NO.	FISCAL YEAR 2016-2017
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(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$291,500
(B) CONF. & TRAVEL	7,190
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$298,690</u></u>

SECTION 5. APPROPRIATION - STATEWIDE DISABILITY TELECOMMUNICATION EQUIPMENT PROGRAM. There is hereby appropriated, to the Department of Career Education - Arkansas Rehabilitation Services, to be payable from the Telecommunication Equipment Fund, for personal services and operating expenses of the Department of Career Education - Arkansas Rehabilitation Services - Statewide Disability Telecommunication Equipment Program for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REGULAR SALARIES	\$102,549
(02) PERSONAL SERVICES MATCHING	40,470
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	70,000
(B) CONF. & TRAVEL	7,000
(C) PROF. FEES	5,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) ASSISTIVE EQUIPMENT PURCHASE GRANTS	<u>305,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$530,019</u></u>

SECTION 6. APPROPRIATION - PEOPLE WITH DISABILITIES PROGRAM - SPECIAL. There is hereby appropriated, to the Department of Career Education - Arkansas Rehabilitation Services, to be payable from the Governors Commission on People with Disabilities Fund, for operating expenses of the Department of Career Education - Arkansas Rehabilitation Services - People with Disabilities Program - Special for the fiscal year ending June 30, 2017, the following:

ITEM NO.	FISCAL YEAR 2016-2017
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$45,000
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$45,000</u></u>

SECTION 7. APPROPRIATION - TECHNOLOGY EQUIPMENT REVOLVING LOAN PROGRAM. There is hereby appropriated, to the Department of Career Education - Arkansas Rehabilitation Services, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for providing loans to individuals with disabilities for essential assistive technology, adaptive equipment, and for loan administration/servicing by the Department of Career Education - Arkansas Rehabilitation Services - Technology Equipment Revolving Loan Program for the fiscal year ending June 30, 2017, the following:

ITEM NO.	FISCAL YEAR 2016-2017
(01) LOANS	<u><u>\$1,580,000</u></u>

SECTION 8. APPROPRIATION - CASH OPERATIONS. There is hereby appropriated, to the Department of Career Education - Arkansas Rehabilitation Services, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses of the Department of Career Education - Arkansas Rehabilitation Services - Cash Operations for the fiscal year ending June 30, 2017, the following:

ITEM NO.	FISCAL YEAR 2016-2017
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$741,400

(B) CONF. & TRAVEL	10,000
(C) PROF. FEES	112,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$863,400</u></u>

SECTION 9. APPROPRIATION - PROMISE GRANT. There is hereby appropriated, to the Department of Career Education - Arkansas Rehabilitation Services, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Career Education - Arkansas Rehabilitation Services - Promise Grant for the fiscal year ending June 30, 2017, the following:

ITEM NO.	FISCAL YEAR 2016-2017
(01) REGULAR SALARIES	\$248,878
(02) PERSONAL SERVICES MATCHING	96,802
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	0
(B) CONF. & TRAVEL	35,000
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$380,680</u></u>

SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT. Section 101(a)(7) of the Rehabilitation Act Amendments of 1992, commonly referred to as the Comprehensive System of Personnel Development (CSPD), requires State Vocational Rehabilitation (VR) agencies to establish qualified personnel standards for rehabilitation personnel, including VR counselors, that are consistent with any national or State-approved or recognized certification, licensing, or registration that apply to a particular profession. In order to comply with the Rehabilitation Act and its State Plan requirements, there is hereby authorized for the Department of Career Education-Arkansas

Rehabilitation Services a general waiver of the Financial Management Guide, R1-19-4-522 Continuing Professional Education. This waiver allows the agency to provide college level coursework in degree programs for any eligible employees selected by the agency. This provision covers any and all formula and discretionary grants funded by the U.S.D.O.E. Rehabilitation Services Administration, now or in the future, including, but not limited to, the Vocational Rehabilitation Program, Supported Employment, Independent Living, and the Staff Development Grant. The waiver applies to federal financial participation (FFP), state general revenue share, and program income.

The provisions of this section shall be in effect from July 1, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

FORGIVENESS OF STUDENT LOAN PROGRAM. The Forgiveness of Student Loan Program shall be available to counselors employed by Arkansas Rehabilitation Services that have been determined eligible by rules promulgated by Arkansas Rehabilitation Services as required by Arkansas Code §25-30-206. These rules shall be submitted to the ~~Administrative Rules and Regulations Subcommittee of the~~ Arkansas Legislative Council or Joint Budget Committee under § 10-3-309 and receive ~~prior~~ review and approval. These rules must include the following eligibility requirements:

- (1) Satisfactory completion of any probationary period;
- (2) Proof of a student loan that remains unpaid, including the name and address of the creditor;
- (3) An executed employment contract in which the counselor agrees to the following:
  - (a) work for Arkansas Rehabilitation Services for a term that equals two (2) years for each year that the program makes a payment on the counselor's student loan and
  - (b) reimburse the program the full amount of any loan payments made under this program in the event that the counselor resigns or is terminated for cause before the term of the contract terminates.

The amount of payment to be made directly to the counselor's student loan creditor may not exceed:

- (1) Two thousand dollars (\$2,000) per year; or

(2) Ten thousand dollars (\$10,000) per employee.

The Arkansas Rehabilitation Services agency shall pay for the Forgiveness of Student Loan Program from the Rehabilitation Program Grants - Grants and Aid line item authorized for the appropriation entitled Rehabilitation Services - Operations in an amount not to exceed eighty thousand dollars (\$80,000) per fiscal year.

In addition, the Arkansas Rehabilitation Services agency shall provide a formal, written notification to all counselors employed by Arkansas Rehabilitation Services of the availability of the Forgiveness of Student Loan Program by July 1 of each fiscal year. The agency shall include with the notification, the promulgated rules which shall outline the eligibility requirements for participation.

The agency shall submit a copy of this notification to the Arkansas Legislative Council or Joint Budget Committee by July 1 of each fiscal year. In addition, Arkansas Rehabilitation Services shall report bi-annually, by the 15th day of the month following the end of each six month period, to the Arkansas Legislative Council or Joint Budget Committee the number of employees participating in the program.

The provisions of this section shall be in effect only from July 1, ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

SECTION 12. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Procurement Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

SECTION 13. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget

manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 14. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2016 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2016 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2016.