

Stricken language will be deleted and underlined language will be added.

State of Arkansas  
92nd General Assembly  
Fiscal Session, 2020

# A Bill

HOUSE BILL 1076

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 COMMERCE  
- ARKANSAS REHABILITATION SERVICES FOR THE FISCAL  
YEAR ENDING JUNE 30, 2021; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE DEPARTMENT OF COMMERCE -  
ARKANSAS REHABILITATION SERVICES  
APPROPRIATION FOR THE 2020-2021 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 Commerce - Arkansas Rehabilitation Services for the 2020-2021  
fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2020-2021
(1)	U012U	REHABILITATION SERVICES COMMISSIONER	1	GRADE SE01
(2)	L011N	DENTIST	1	GRADE MP06
(3)	L013N	GENERAL PHYSICIAN	3	GRADE MP06
(4)	L016N	REGISTERED PHARMACIST	1	GRADE MP05
(5)	L021N	PHYSICAL THERAPIST	1	GRADE MP03
(6)	L003C	PSYCHOLOGIST	4	GRADE MP03
(7)	L015C	CLINICAL SPEECH PATHOLOGIST	1	GRADE MP02



(8)	L022N OCCUPATIONAL THERAPIST	4	GRADE MP02
(9)	L027C REGISTERED NURSE SUPERVISOR	1	GRADE MP02
(10)	L032C REGISTERED NURSE - HOSPITAL	2	GRADE MP01
(11)	N178N ARS CHIEF INFORMATION OFFICER	1	GRADE IT09
(12)	D052C SOFTWARE SUPPORT ANALYST	1	GRADE IT05
(13)	D064C WEBSITE DEVELOPER	1	GRADE IT04
(14)	G001N ADE LITIGATION ATTORNEY	1	GRADE GS15
(15)	N172N ACE REHAB OPERATIONS DIRECTOR	3	GRADE GS13
(16)	N098N ACTI DIRECTOR OF PHYSICAL THERAPY	1	GRADE GS13
(17)	G004C MANAGING ATTORNEY	1	GRADE GS13
(18)	P078C ARS DIRECTOR OF COMMUNICATION	1	GRADE GS12
(19)	A014C FISCAL DIVISION MANAGER	1	GRADE GS12
(20)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
(21)	N170N REHAB DIRECTOR - ACTI	1	GRADE GS12
(22)	N138N REHAB DIRECTOR FIELD SVCS	1	GRADE GS12
(23)	G040C REHAB DIRECTOR - SPECIAL PROGRAMS	2	GRADE GS10
(24)	E005C REHAB DIRECTOR OF VOCATIONAL TRAINING	1	GRADE GS10
(25)	A052C ACCOUNTING COORDINATOR	3	GRADE GS09
(26)	L040C DIETARY SERVICES DIRECTOR	1	GRADE GS09
(27)	G070C DIRECTOR OF FIELD OPERATIONS	1	GRADE GS09
(28)	L033C PSYCHOLOGICAL EXAMINER	13	GRADE GS09
(29)	X038C QUALITY ASSURANCE MANAGER	1	GRADE GS09
(30)	L037C REHAB AREA MANAGER	13	GRADE GS09
(31)	E011C VOCATIONAL EDUCATION COORDINATOR	3	GRADE GS09
(32)	L098C CERTIFIED VOCATIONAL REHAB COUNSELOR	99	GRADE GS08
(33)	S004C MAINTENANCE MANAGER	1	GRADE GS08
(34)	V007C PROCUREMENT COORDINATOR	1	GRADE GS08
(35)	X062C QUALITY ASSURANCE COORDINATOR	4	GRADE GS08
(36)	L018C REHAB ASST DIRECTOR - ACTI	1	GRADE GS08
(37)	G121C REHAB PROGRAM MANAGER	9	GRADE GS08
(38)	A060C SENIOR AUDITOR	1	GRADE GS08
(39)	R024C ASSISTANT PERSONNEL MANAGER	2	GRADE GS07
(40)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE GS07
(41)	M026C LICENSED SOCIAL WORKER	2	GRADE GS07
(42)	L061C MEDICAL TECHNOLOGIST	1	GRADE GS07
(43)	P013C PUBLIC INFORMATION COORDINATOR	1	GRADE GS07

(44)	L064C RADIOLOGY TECHNICIAN	1	GRADE GS07
(45)	G163C REHAB PROGRAM COORDINATOR	10	GRADE GS07
(46)	L057C REHAB SVS FACILITY SPECIALIST	2	GRADE GS07
(47)	E040C STAFF DEVELOPMENT COORDINATOR	1	GRADE GS07
(48)	M032C VOCATIONAL REHAB PLACEMENT SPEC	14	GRADE GS07
(49)	C037C ADMINISTRATIVE ANALYST	2	GRADE GS06
(50)	E043C CERTIFIED VOCATIONAL TEACHER	22	GRADE GS06
(51)	R025C HUMAN RESOURCES ANALYST	2	GRADE GS06
(52)	M050C INTERPRETER	4	GRADE GS06
(53)	L069C LICENSED PRACTICAL NURSE	4	GRADE GS06
(54)	S017C MAINTENANCE COORDINATOR	1	GRADE GS07
(55)	P027C PUBLIC INFORMATION SPECIALIST	1	GRADE GS06
(56)	T062C PUBLIC SAFETY DIRECTOR	1	GRADE GS06
(57)	C036C ADMINISTRATIVE REVIEW ANALYST	1	GRADE GS05
(58)	R033C BENEFITS ANALYST	1	GRADE GS05
(59)	C022C BUSINESS OPERATIONS SPECIALIST	1	GRADE GS05
(60)	V014C BUYER	2	GRADE GS05
(61)	G215C CAREER PLANNING & PLACE SPECIALIST	1	GRADE GS05
(62)	A091C FISCAL SUPPORT ANALYST	2	GRADE GS05
(63)	S033C MAINTENANCE SUPERVISOR	1	GRADE GS05
(64)	C028C MEDICAL RECORDS SUPERVISOR	1	GRADE GS05
(65)	T055C PUBLIC SAFETY OFFICER	1	GRADE GS05
(66)	V015C PURCHASING SPECIALIST	1	GRADE GS05
(67)	M065C RECREATIONAL ACTIVITY SUPERVISOR	1	GRADE GS05
(68)	S022C SKILLED TRADES SUPERVISOR	1	GRADE GS06
(69)	E049C VOCATIONAL INSTRUCTOR	1	GRADE GS05
(70)	M061C VOCATIONAL REHAB EVALUATOR	2	GRADE GS05
(71)	V018C WAREHOUSE MANAGER	1	GRADE GS05
(72)	C056C ADMINISTRATIVE SPECIALIST III	8	GRADE GS04
(73)	A098C FISCAL SUPPORT SPECIALIST	4	GRADE GS04
(74)	S044C FOOD PREPARATION MANAGER	1	GRADE GS04
(75)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
(76)	V020C INVENTORY CONTROL MANAGER	1	GRADE GS04
(77)	V022C PURCHASING TECHNICIAN	2	GRADE GS04
(78)	C043C RECORDS MANAGEMENT ANALYST	2	GRADE GS04
(79)	S031C SKILLED TRADESMAN	12	GRADE GS05

(80)	S099C STATIONARY ENGINEER	5	GRADE GS04
(81)	V023C STOREROOM SUPERVISOR	1	GRADE GS04
(82)	V025C WAREHOUSE SPECIALIST	1	GRADE GS04
(83)	C073C ADMINISTRATIVE SPECIALIST II	81	GRADE GS03
(84)	S056C FOOD PREPARATION SUPERVISOR	2	GRADE GS03
(85)	V027C INVENTORY CONTROL TECHNICIAN	2	GRADE GS03
(86)	C062C LOCAL OFFICE ADMINISTRATIVE ASSISTANT	1	GRADE GS03
(87)	T084C PUBLIC SAFETY SECURITY OFFICER	1	GRADE GS03
(88)	M081C RESIDENTIAL CARE SHIFT SUPERVISOR	2	GRADE GS03
(89)	T087C SECURITY OFFICER	7	GRADE GS03
(90)	C087C ADMINISTRATIVE SPECIALIST I	12	GRADE GS02
(91)	S083C BAKER	1	GRADE GS02
(92)	S070C EQUIPMENT TECHNICIAN	5	GRADE GS02
(93)	S068C FOOD PREPARATION COORDINATOR	3	GRADE GS02
(94)	S085C FOOD PREPARATION SPECIALIST	1	GRADE GS02
(95)	S084C INSTITUTIONAL SERVICES SUPERVISOR	5	GRADE GS02
(96)	M076C RECREATIONAL ACTIVITY LEADER II	3	GRADE GS02
(97)	M083C RESIDENTIAL CARE TECHNICIAN	6	GRADE GS02
(98)	S086C COOK	6	GRADE GS01
(99)	S080C EQUIPMENT OPERATOR	2	GRADE GS01
(100)	S089C FOOD PREPARATION TECHNICIAN	8	GRADE GS01
(101)	S087C INSTITUTIONAL SERVICES ASSISTANT	<u>13</u>	GRADE GS01
	MAX. NO. OF EMPLOYEES	476	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Commerce - Arkansas Rehabilitation Services for the 2020-2021 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 Commerce - Arkansas Rehabilitation Services, to be payable from the paying account as determined by the Chief Fiscal Officer of the State, for personal services, operating expenses, and grants and aid by

the Department of Commerce - Arkansas Rehabilitation Services - Operations for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) REGULAR SALARIES	\$19,509,401
(02) EXTRA HELP	252,000
(03) PERSONAL SERVICES MATCHING	6,859,918
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	7,401,096
(B) CONF. & TRAVEL	141,178
(C) PROF. FEES	344,903
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) REHABILITATION PROGRAM GRANTS	2,647,183
(06) CONTRACT SERVICES	17,904,363
(07) PROJECT SEARCH	<u>2,782,159</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$57,842,201</u></u>

SECTION 4. APPROPRIATION - INCREASING CAPABILITIES ACCESS NETWORK - FEDERAL. There is hereby appropriated, to the Department of Commerce, 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 Commerce - Arkansas Rehabilitation Services - Increasing Capabilities Access Network - Federal for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) REGULAR SALARIES	\$165,594
(02) PERSONAL SERVICES MATCHING	57,667
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	110,758
(B) CONF. & TRAVEL	3,402
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>

TOTAL AMOUNT APPROPRIATED \$337,421

SECTION 5. APPROPRIATION - STATEWIDE DISABILITY TELECOMMUNICATION EQUIPMENT PROGRAM. There is hereby appropriated, to the Department of Commerce, to be payable from the Telecommunication Equipment Fund, for personal services and operating expenses of the Department of Commerce - Arkansas Rehabilitation Services - Statewide Disability Telecommunication Equipment Program for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) REGULAR SALARIES	\$121,211
(02) PERSONAL SERVICES MATCHING	42,575
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	50,402
(B) CONF. & TRAVEL	3,165
(C) PROF. FEES	5,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) ASSISTIVE EQUIPMENT PURCHASE GRANTS	<u>175,191</u>
TOTAL AMOUNT APPROPRIATED	<u>\$397,544</u>

SECTION 6. APPROPRIATION - PEOPLE WITH DISABILITIES PROGRAM - SPECIAL. There is hereby appropriated, to the Department of Commerce, to be payable from the Governors Commission on People with Disabilities Fund, for operating expenses of the Department of Commerce - Arkansas Rehabilitation Services - People with Disabilities Program - Special for the fiscal year ending June 30, 2021, the following:

ITEM NO.	FISCAL YEAR 2020-2021
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$6,325
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0

(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$6,325</u></u>

SECTION 7. APPROPRIATION - TECHNOLOGY EQUIPMENT REVOLVING LOAN PROGRAM. There is hereby appropriated, to the Department of Commerce, 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 Commerce - Arkansas Rehabilitation Services - Technology Equipment Revolving Loan Program for the fiscal year ending June 30, 2021, the following:

ITEM <u>NO.</u>	FISCAL YEAR <u>2020-2021</u>
(01) LOANS	<u><u>\$532,085</u></u>

SECTION 8. APPROPRIATION - CASH OPERATIONS. There is hereby appropriated, to the Department of Commerce, 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 Commerce - Arkansas Rehabilitation Services - Cash Operations for the fiscal year ending June 30, 2021, the following:

ITEM <u>NO.</u>	FISCAL YEAR <u>2020-2021</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$346,542
(B) CONF. & TRAVEL	10,000
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$356,542</u></u>

SECTION 9. 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 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, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 10. 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 Arkansas Legislative Council or Joint Budget Committee under § 10-3-309 and receive 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, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 11. 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 12. 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 13. 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, 2020 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, 2020 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, 2020.