

**REPORT OF THE  
ADMINISTRATIVE RULES AND REGULATIONS SUBCOMMITTEE  
OF THE  
ARKANSAS LEGISLATIVE COUNCIL**

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**August 8, 2014**

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Mr. Co-Chairmen:

The Subcommittee on Administrative Rules and Regulations met at 9:00 a.m. on Wednesday, July 9, 2014, in Room 171 of the State Capitol. The following committee members attended: Senator Johnny Key, Chair; Representative James L. Word, Vice-Chair; Senators Ronald Caldwell, Bruce Maloch, and Bill Sample; Representatives Ann Clemmer, Lane Jean, Joe Jett, Andrea Lea, Terry Rice, and Jeff Wardlaw. Other legislators attended as follows: Senators Jimmy Hickey, Bryan King, Linda Chesterfield, and Joyce Elliott; Representatives Walls McCrary, Gary Deffenbaugh, Charlotte Vining Douglas, Jon Eubanks, Bill Gossage, Scott Baltz, Harold Copenhaver, John K. Hutchison, Sheilla Lampkin, Homer Lenderman, Stephanie Malone, Mark McElroy, Betty Overbey, James Ratliff, Chris Richey, and Mary L. Slinkard.

1. **The Subcommittee reviewed the following rules filed pursuant to Ark. Code Ann. § 10-3-309.**

**DEPARTMENT OF CORRECTION, SEX OFFENDER ASSESSMENT  
COMMITTEE (Bobby G. Smith and Lori Kumpuris)**

- a. **Minor Adjudicated Delinquent of a Sex Offense Moving to Arkansas Guidelines**

**DEPARTMENT OF EDUCATION (Jeremy Lasiter, items a and e; Lori Freno, item b; and Kendra Clay, items c and d)**

- a. **Repeal of Rules Governing Public School End of Course Assessments and Remediation**
- b. **How to Meet the Needs of Children with Dyslexia**
- c. **Instructional Materials**
- d. **Public Charter Schools**
- e. **Arkansas Fiscal Assessment and Accountability**

**STATE MEDICAL BOARD (Kevin Odwyer)**

- a. **Regulation 28; Renewal Fees for Educational Licensees**
- b. **Regulation 6; Renewal Fees for Occupational Therapists**
- c. **Regulation 10; Licensing and Practice of Respiratory Care Practitioners**
- d. **Regulation 29; Renewal Fees for Radiology Assistants/Radiology Practitioner Assistants**

**STATE PLANT BOARD (Terry Walker)**

- a. **Arkansas Boll Weevil Eradication Program**
2. **Due to absence of the agency personnel, the following two rules will be rescheduled on the August 6, 2014 agenda:**

**STATE BOARD OF CHIROPRACTIC EXAMINERS**

- a. **Amendments to Rules and Regulations**

**PUBLIC SERVICE COMMISSION**

- a. **Conservation and Energy Efficiency Program Rules, Sections 7 and 9**
3. **The following rule was referred to the Senate Interim Committee on Education and the House Interim Committee on Education:**

**DEPARTMENT OF EDUCATION (Jeremy Lasiter)**

- a. **Arkansas Comprehensive Testing, Assessment and Accountability (ACTAAP)**
4. **The following rule was referred to the Senate Interim Committee on Revenue and Taxation and the House Interim Committee on Revenue and Taxation:**

**DEPARTMENT OF FINANCE AND ADMINISTRATION, REVENUE DIVISION (John Theis)**

- a. **Rule 2014-2: Alternative Fuels Tax/Liquefied Natural Gas (LNG) Rule**

5. **The following rule was referred to the Senate Interim Committee on Public Health, Welfare and Labor and the House Interim Committee on Public Health, Welfare and Labor:**

**ARKANSAS PSYCHOLOGY BOARD (Art Gillaspy, Maggie Sponer)**

- a. **Psychology Intern Supervision**

## **August 6, 2014 Meeting**

The Subcommittee on Administrative Rules and Regulations met at 9:00 a.m. on Wednesday, August 6, 2014, in Room 171 of the State Capitol. The following committee members attended: Representative Kelley Linck, Chair; Senator Bruce Maloch, Vice Chair; Senators Ronald Caldwell, Jonathan Dismang, Jim Hendren, Michael Lamoureux, Uvalde Lindsey, Bill Sample, Larry Teague, and Bobby J. Pierce; Representatives Joe Jett, Andrea Lea, Terry Rice, Kim Hammer, and Jeff Wardlaw. Other legislators attended as follows: Senators Cecile Bledsoe, Jimmy Hickey, David Wyatt, Joyce Elliott, and Jane English; Representatives Scott Baltz, Nate Bell, David L. Branscum, John Burris, Gary Deffenbaugh, Jody Dickinson, Jim Dotson, Charlotte Vining Douglas, Dan M. Douglas, Charlene Fite, Jeremy Gillam, John K. Hutchison, Homer Lenderman, Stephanie Malone, Mark McElroy, Micah S. Neal, Betty Overbey, Mary L. Slinkard, Marshall Wright, Walls McCrary, Mike Holcomb, Jim Nickels, and Henry "Hank" Wilkins IV.

1. **The Subcommittee reviewed the following rules filed pursuant to Ark. Code Ann. § 10-3-309.**

### **STATE BOARD OF CHIROPRACTIC EXAMINERS (Rebecca Wright)**

- a. **Amendments to Rules and Regulations**

### **DEPARTMENT OF CORRECTION, SEX OFFENDER ASSESSMENT COMMITTEE (Bobby G. Smith, Lori Kumpuris)**

- a. **Revisions to Sex Offender Assessment Committee Guidelines and Procedures**

### **ARKANSAS STATE CRIME LABORATORY (Kermit B. Channell II)**

- a. **Child Maltreatment Act**

### **EAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT DISTRICT (Melissa Rivers, Mike Cone, Tim Phillips)**

- a. **Implementation of Solid Waste Fee**
- b. **Administration of Recycling Fund Grant Program**
- c. **Procedure for Obtaining Certificate of Need**
- d. **Licensing of Haulers of Solid Waste**

**DEPARTMENT OF EDUCATION (Kendra Clay, item a; Jeremy Lasiter, item b.; Cheryl Reinhart, item c)**

- a. 2014 Open Enrollment Charter New Application**
- b. Consolidation and Annexation of School Districts**
- c. Professional Development**

**DEPARTMENT OF ENVIRONMENTAL QUALITY, AIR DIVISION (Teresa Marks)**

- a. Regulation No. 19; Arkansas Plan of Implementation for Air Pollution Control**

**FAULKNER COUNTY SOLID WASTE MANAGEMENT DISTRICT (Brandy Rakes, Cheryl Harrington)**

- a. Faulkner County Solid Waste Management District Recycling Grants Program**

**DEPARTMENT OF HEALTH, CENTER FOR PUBLIC HEALTH PRACTICE (Robert Brech)**

- a. Proposed Revision to the Rules and Regulations for Trauma Systems**

**DEPARTMENT OF HUMAN SERVICES, CHILDREN AND FAMILY SERVICES (Christin Harper, Michelle Martin)**

- a. Revisions to Child Maltreatment Central Registry Name Removal Request Procedures**
- b. Updates to Adoption Subsidy Policy and Procedure**
- c. Volunteer Application Process**

**DEPARTMENT OF HUMAN SERVICES, COUNTY OPERATIONS (Delia Anderson, Shirley Mason)**

- a. Low-Income Home Energy Assistance Program (LIHEAP) State Plan for FFY 2015**

**DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES  
(Tami Harlan)**

- a. State Plan Amendment #2014-006**
- b. 2014 CPT and 2014 HCPCS Code Conversion**
- c. Dental 5-13, Nurse Practitioner 4-13, Physician 7-13, SPA #2014-004;  
Fluoride Varnish**
- d. RSPMI Update No. 2-14**

**DEPARTMENT OF HUMAN SERVICES, OFFICE OF POLICY AND LEGAL  
SERVICES (Misty Bowen-Eubanks)**

- a. Financial Guidelines for Purchased Services**

**ARKANSAS NATURAL RESOURCES COMMISSION (Crystal Phelps, Mike  
Chandler)**

- a. Public Water Authorities; Title 17**

**PUBLIC SERVICE COMMISSION (John Bethel)**

- a. Conservation and Energy Efficiency Program Rules, Sections 7 and 9**
- 2. The Subcommittee received the Report of the Senate and House Interim  
Committees on Education concerning the following rule that was referred to the  
committees by the Subcommittee on Administrative Rules and Regulations on July  
9, 2014 (attached). The Subcommittee reviewed the following rule:**

**DEPARTMENT OF EDUCATION (Jeremy Lasiter)**

- a. Arkansas Comprehensive Testing, Assessment and Accountability  
(ACTAAP)**
- 3. The Subcommittee received the Report of the Senate and House Interim  
Committees on Public Health, Welfare and Labor concerning the following rule that  
was referred to the committees by the Subcommittee on Administrative Rules and  
Regulations on July 9, 2014 (attached). The Subcommittee reviewed the following  
rule:**

**ARKANSAS PSYCHOLOGY BOARD (Lisa McNeir)**

- a. Psychology Intern Supervision**

4. **The Subcommittee had referred the following rule to the Senate and House Interim Committees on Revenue and Taxation at its July 9, 2014 meeting, but reconsidered its referral at this meeting. The Administrative Rules and Regulations Subcommittee subsequently reviewed the following rule:**

**DEPARTMENT OF FINANCE AND ADMINISTRATION, REVENUE DIVISION  
(John Theis)**

- a. **Rule 2014-2: Alternative Fuels Tax/Liquefied Natural Gas (LNG) Rule**

**Respectfully submitted,**

**Representative Kelley Linck, Co-Chair**

**Senator Bruce Maloch, Vice Co-Chair**

**ARKANSAS GENERAL ASSEMBLY**  
**HOUSE INTERIM COMMITTEE ON EDUCATION**  
and  
**SENATE INTERIM COMMITTEE ON EDUCATION**

Senator Johnny Key  
Senate Chair

Representative James McLean  
House Chair

REPORT  
of the  
Joint Meeting of the  
Senate Interim Committee on Education and  
House Interim Committee on Education  
to the  
Administrative Rules and Regulations Subcommittee  
of the Arkansas Legislative Council

August 6, 2014

Senator Johnny Key, Senate Chair  
Representative Kelly Linck, House Chair  
Administrative Rules and Regulations Subcommittee  
Arkansas Legislative Council

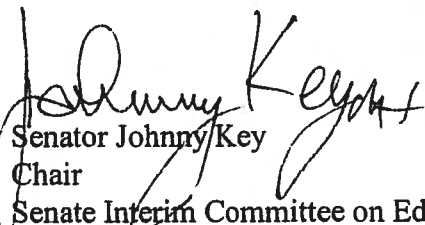
Chairman Key and Chairman Linck:

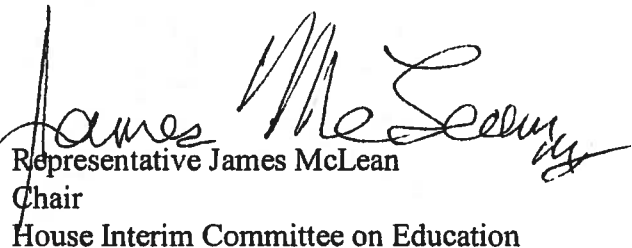
At a joint meeting on July 14, 2014, the Senate Interim Committee on Education and the House Interim Committee on Education heard a presentation by the Arkansas Department of Education (ADE) concerning the following proposed ADE rule:

- Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program

Following examination of the proposed rule, testimony from representatives of the Arkansas Department of Education, and discussion by the Committees, this is to advise that the Committees have reviewed the rule.

Respectfully submitted,

  
Senator Johnny Key  
Chair  
Senate Interim Committee on Education

  
Representative James McLean  
Chair  
House Interim Committee on Education




**Report of the  
Senate and House Committees on Public Health, Welfare & Labor  
To The  
Administrative Rules & Regulations Subcommittee  
Of the Arkansas Legislative Council  
August 6, 2014**

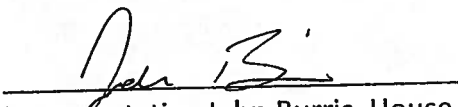
Senator Johnny Key, Chair  
Representative Kelly Linck, Chair  
Administrative Rules & Regulations Subcommittee, Arkansas Legislative Council

Mr. Chairmen:

The Administrative Rules & Regulations Subcommittee of the Arkansas Legislative Council referred a rule from the Arkansas Psychology Board, which allows Board Supervision of Psychology Interns providing services to Medicaid patients to the Senate and House Public Health, Welfare and Labor Committees for review.

At a meeting on July 25, 2014, the Senate and House Interim Committees on Public Health, Welfare and Labor Committees reviewed the proposed rule by the Arkansas Psychology Board.  
Respectfully Submitted,

  
Senator Cecile Bledsoe, Senate Chair

  
Representative John Burris, House Chair