

REVISED AGENDA
Administrative Rules Subcommittee
of the
Arkansas Legislative Council

Wednesday, August 19, 2020
9:00 AM
Room A, MAC
Little Rock, Arkansas

Sen. Lance Eads, Co-Chair
Sen. Kim Hammer, Vice-Chair
Sen. Missy Irvin
Sen. Jonathan Dismang
Sen. Jane English
Sen. Keith Ingram
Sen. Jim Hendren
Sen. Blake Johnson
Sen. Cecile Bledsoe, ex officio
Sen. Terry Rice, ex officio

Rep. Dan Sullivan, Co-Chair
Rep. Lane Jean, Vice-Chair
Rep. Fredrick J. Love
Rep. Reginald Murdock
Rep. Matthew J. Shepherd
Rep. Jon S. Eubanks
Rep. Bruce Cozart
Rep. DeAnn Vaught
Rep. Jeff Wardlaw, ex officio
Rep. Jim Dotson, ex officio

Committee meetings are open to the public. However, there is limited seating due to the social distancing requirements, and members of the public shall wear a mask while in the Big MAC Building.

- A. Call to Order.**
- B. Reports of the Executive Subcommittee.**
- C. Rules Filed Pursuant to Ark. Code Ann. § 10-3-309.**
 - 1. DEPARTMENT OF AGRICULTURE, STATE PLANT BOARD (Mr. Wade Hodge, Mr. Scott Bray)**
 - a. Criminal Background Check Rule (p.1)**
 - 2. DEPARTMENT OF AGRICULTURE, ARKANSAS WATER WELL CONSTRUCTION COMMISSION (Mr. Wade Hodge)**
 - a. Arkansas Water Well Construction Commission Rules (p.3)**
 - 3. DEPARTMENT OF COMMERCE, ARKANSAS ECONOMIC DEVELOPMENT COMMISSION (Mr. Steven Porch)**
 - a. Arkansas Rural Connect Coronavirus Rule (p.6)**
 - 4. DEPARTMENT OF COMMERCE, STATE INSURANCE DEPARTMENT (Mr. Booth Rand)**
 - a. Rule 116: Arkansas Firefighter Cancer Relief Trust Fund (p.9)**

Note: All exhibits for this meeting are available by electronic means and are accessible on the General Assembly's website at www.arkleg.state.ar.us

Notice: Silence your cell phones. Keep your personal conversations to a minimum. Observe restrictions designating areas as 'Members and Staff Only'.

- 5. DEPARTMENT OF COMMERCE, ARKANSAS WATERWAYS COMMISSION
(Ms. Cassandra Caldwell)**
 - a. Arkansas Port, Intermodal, and Waterway Development Grant Program Rules
(p.11)**

- 6. DEPARTMENT OF EDUCATION, DIVISION OF EARLY AND SECONDARY
EDUCATION (DESE) (Ms. Jennifer Dedman, items a-c; Ms. Mary Claire Hyatt, item d;
and Ms. Courtney Salas-Ford, items e-g)**
 - a. Repeal of ADE Rules Governing the Calculation of Arkansas Smart Core Incentive
Funding (p.12)**
 - b. DESE Rules Governing the Enrollment of Children of Military Families and Repeal
(p.13)**
 - c. DESE Rules Governing Consolidation and Annexation of School Districts (p.19)**
 - d. DESE Rules Governing Nutrition and Physical Activity Standards and Body Mass
Index for Age Assessment Protocols in Arkansas Public Schools (p.21)**
 - e. Repeal of ADE Rules Governing Minimum Qualifications for General Business
Managers (p.23)**
 - f. Repeal of DESE Rules Governing Special Education and Related Services Sec. 22.00
Home Schooling; Sec. 23.00 ACTAAP; Sec 27.00 Charter Schools; Sec. 28.00
Uniform Grading Scales (p.24)**
 - g. DESE Rules Governing the Arkansas Fiscal Assessment and Accountability
Program (p.24)**

- 7. DEPARTMENT OF FINANCE AND ADMINISTRATION, REVENUE DIVISION
(Mr. Paul Gehring, Ms. Lauren Ballard)**
 - a. Automatic Car Wash, Car Wash Tunnel, and Self-Service Bay Rules (p.27)**

- 8. DEPARTMENT OF HEALTH, DIVISION OF HEALTH RELATED BOARDS AND
COMMISSIONS, ARKANSAS BOARD OF DISPENSING OPTICIANS (Mr. Lonnie
Burrow, Mr. Matt Gilmore)**
 - a. Arkansas Board of Dispensing Opticians Rules (p.28)**

- 9. DEPARTMENT OF HUMAN SERVICES, DIVISION OF AGING, ADULT, AND
BEHAVIORAL HEALTH SERVICES (Mr. Mark White, Ms. Patricia Gann)**
 - a. Arkansas Long Term Care Ombudsman Program Policies (p.30)**

- 10. DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES
(Mr. Mark White, Ms. Janet Mann)**
 - a. Medication Assisted Treatment Including the Following Provider Manuals:
Federally Qualified Health Center 1-19, Hospital-5-19, Nurse Practitioner-3-19,
Outpatient Behavioral Health Services-1-19, Physician-4-19 and Rural Health**

**Clinic-1-19; Pharmacy-2-19; Section I-4-19; State Plan Amendment #2020-0013
(p.43)**

- 11. DEPARTMENT OF LABOR AND LICENSING, DIVISION OF OCCUPATIONAL & PROF. LICENSING BOARDS AND COMMISSIONS, STATE BOARD OF PUBLIC ACCOUNTANCY (Mr. Jimmy Corley)**
 - a. Rule 19 Licensure for Military Members/Veterans/Spouses (p.49)**
- 12. DEPARTMENT OF LABOR AND LICENSING, DIVISION OF OCCUPATIONAL & PROF. LICENSING BOARDS AND COMMISSIONS, AUCTIONEER’S LICENSING BOARD (Ms. Kristy Arnold, Mr. Brad Wooley)**
 - a. Rules of the Arkansas Auctioneer’s Licensing Board (p.51)**
- 13. DEPARTMENT OF LABOR AND LICENSING, DIVISION OF OCCUPATIONAL & PROF. LICENSING BOARDS AND COMMISSIONS, STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS (Ms. Denise Oxley, Ms. Heather Richardson)**
 - a. Rules of the Board of Licensure for Professional Engineers and Professional Surveyors (p.53)**
- 14. DEPARTMENT OF LABOR AND LICENSING, DIVISION OF OCCUPATIONAL & PROF. LICENSING BOARDS AND COMMISSIONS, HVAC LICENSING BOARD (Ms. Denise Oxley)**
 - a. Administrative Rules Pertaining to the Licensing of Heating, Ventilation, Air Conditioning and Refrigeration Contractors (p.59)**
- 15. DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES, DIVISION OF BUILDING AUTHORITY (Ms. Ann Purvis)**
 - a. Building Authority Minimum Standards and Criteria, Section Three: Construction; 3-324 (p.61)**

D. Agency Updates on Delinquent Rulemaking under Act 517 of 2019.

- 1. Department of Agriculture, Arkansas Bureau of Standards (Act 501) (REPORT BY LETTER PURSUANT TO MOTION ADOPTED AT JULY 22, 2020 MEETING)**
- 2. Department of Commerce, State Insurance Department (Acts 698, 823)**
- 3. Department of Finance and Administration, Director (Act 822)**
- 4. Department of Health (Act 216)**
- 5. Highway Commission (Act 468)**
- 6. Department of Transformation and Shared Services, Office of State Procurement (Act 422)**

E. Adjournment.