

REVISED AGENDA
Administrative Rules Subcommittee
of the
Arkansas Legislative Council

Wednesday, December 15, 2021
9:00 AM
Room A, MAC
Little Rock, Arkansas

Sen. Kim Hammer, Chair
Sen. Bill Sample, Vice-Chair
Sen. Ronald Caldwell
Sen. Jane English
Sen. Gary Stubblefield
Sen. Jimmy Hickey, Jr
Sen. David Wallace
Sen. Ricky Hill
Sen. Missy Irvin, ex officio
Sen. Terry Rice, ex officio

Rep. Les Eaves, Chair
Rep. Lane Jean, Vice-Chair
Rep. Reginald Murdock
Rep. Matthew J. Shepherd
Rep. Jon S. Eubanks
Rep. Bruce Cozart
Rep. Michelle Gray
Rep. DeAnn Vaught
Rep. Jeff Wardlaw, ex officio
Rep. Jim Dotson, ex officio

- A. Call to Order.**
- B. Reports of the Executive Subcommittee.**
- C. Report of the State Board of Physical Therapy, Pursuant to Act 932 of 2021. (Ms. Nancy Worthen, Mr. Matt Gilmore)**
- D. Rules Filed Pursuant to Ark. Code Ann. § 10-3-309.**
- 1. DEPARTMENT OF COMMERCE, DIVISION OF WORKFORCE SERVICES, ARKANSAS REHABILITATION SERVICES (Mr. Charles Lyford, Ms. Christy Lamas)**
 - a. Forgiveness of Student Loan Program Rules (p.1)**
 - b. Telecommunications Access Program Rules (p.3)**
 - 2. DEPARTMENT OF CORRECTIONS, ARKANSAS SENTENCING COMMISSION (Ms. Lindsay Wallace)**
 - a. Sentencing Standards Grid & Seriousness Reference Table (p.6)**
 - 3. DEPARTMENT OF HEALTH, ARKANSAS SOCIAL WORK LICENSING BOARD (Ms. Ruthie Bain, Mr. Matt Gilmore)**
 - a. Rules II, VII, IX, and XIV (p.7)**

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'.

4. **STATE HIGHWAY COMMISSION (Mr. Gill Rogers)**
 - a. **Amendment to Autonomous Vehicle Program (p.10)**
5. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF AGING, ADULT & BEHAVIORAL HEALTH SERVICES (Mr. Mark White, Mr. Jay Hill, Ms. Patricia Gann)**
 - a. **Division of Aging, Adult, and Behavioral Health Services (DAABHS) Manual Extension (p.11)**
6. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF COUNTY OPERATIONS (Mr. Mark White, Ms. Mary Franklin)**
 - a. **Updates to TEA Policy 2000-2013 (p.14)**
 - b. **SNAP 9000 Expedited Case Actions (p.15)**
 - c. **ARHOME Integration (p.17)**
7. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES (Mr. Mark White, Ms. Melissa Stone)**
 - a. **Occupational Therapy, Physical Therapy, and Speech-Language Pathology Medicaid Manual (p.25)**
 - b. **Division of Developmental Disabilities Services (DDS) Manual Extension (p.34)**
8. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES (Mr. Mark White, Ms. Elizabeth Pitman)**
 - a. **Outpatient Acute Crisis Unit (p.36)**
 - b. **Arkansas Medicaid Procedure Code Linking Table Project (p.38)**
 - c. **SPA 21-0011; FQHC 2-21; FQHC Mental Health Clinicians Added (p.40)**
 - d. **Pharmacy 2-21 and Medicaid State Plan Amendment (SPA) 2021-0009, Based on Act 758 (p.44)**
 - e. **Section I 1-21 – Telemedicine (p.47)**
 - f. **Division of Medical Services (DMS) Manual Extension (p.51)**
 - g. **Continuous Glucose Monitors (p.54)**
 - h. ~~ARHOME Cost Sharing; SPA 21-0010, Section I 3-21 (p.70)~~

9. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF PROVIDER SERVICES & QUALITY ASSURANCE (Mr. Mark White, Ms. Martina Smith)**
 - a. **Direct Care Staffing Requirements Update Pursuant to Act 715 of 2021 (p.73)**
 - b. **Licensure Update Pursuant to Acts 135 and 746 (p.78)**
 - c. **Division of Provider Services & Quality Assurance (DPSQA) Manual Extension (p.80)**
10. **DEPARTMENT OF PUBLIC SAFETY, STATE CRIME LABORATORY (Ms. Amanda Yarbrough)**
 - a. **To Establish the State Crime Laboratory Student Loan Forgiveness Program (p.81)**
11. **DEPARTMENT OF PUBLIC SAFETY, CRIME VICTIM REPARATIONS BOARD (Ms. Amanda Yarbrough)**
 - a. **CVRB Rules (p.82)**
12. **DEPARTMENT OF PUBLIC SAFETY, DIVISION OF LAW ENFORCEMENT STANDARDS & TRAINING (Ms. Amanda Yarbrough)**
 - a. **CLEST Rules (p.85)**
13. **DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES, DIVISION OF INFORMATION SYSTEMS (Mr. Mitch Rouse)**
 - a. **REPEAL Standard Statement – Data and System Security (p.90)**
 - b. **REPEAL Standard Statement – Domain Name Service (DNS) Resolution (p.91)**
 - c. **REPEAL Standard Statement – Machine Readable Privacy Policy (p.91)**
 - d. **REPEAL Standard Statement – Subdomains of Arkansas.gov and AR.gov (p.92)**
 - e. **REPEAL Standard Statement – Spyware Scanning (p.93)**
 - f. **REPEAL Standard Statement – Physical and Logical Security (p.94)**

14. **DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES, OFFICE OF PERSONNEL MANAGEMENT (Mr. Mitch Rouse)**
 - a. **REPEAL Dispute Resolution Appeal Rules (p.94)**
 15. **DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES, OFFICE OF STATE PROCUREMENT (Mr. Mitch Rouse)**
 - a. **Rule Governing Time Period for Submission of Resolution of Protested Solicitations and Awards, R2:19-11-244.3 (p.95)**
- E. Proposed Rules Recommending Expedited Process for Occupational Licensure Pursuant to Ark. Code Ann. § 17-4-109, as Amended by Act 135 of 2021.**
1. **DEPARTMENT OF HEALTH, ARKANSAS STATE BOARD OF NURSING (Ms. Sue Tedford)**
 - a. **Chapter Two – Licensure: RN, LPN, and LPTN**
 - b. **Chapter Three – Registered Nurse Practitioner**
 - c. **Chapter Four – Advanced Practice Registered Nurse**
 - d. **Chapter Eight – Medication Assistant-Certified**
 2. **DEPARTMENT OF HEALTH, ARKANSAS STATE BOARD OF PHARMACY (Mr. John Kirtley)**
 - a. **Rule 1 – General Operations**
 3. **DEPARTMENT OF LABOR AND LICENSING, DIVISION OF OCCUPATIONAL & PROFESSIONAL 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**
- F. Agency Updates on Delinquent Rulemaking under Act 517 of 2019.**
1. **Department of Agriculture, Arkansas Bureau of Standards (Act 501 of 2019) (REPORT BY LETTER PURSUANT TO MOTION ADOPTED AT JULY 22, 2020 MEETING)**
- G. Monthly Written Agency Updates Pursuant to Act 595 of 2021.**

H. Agency Requests to Be Excluded from Act 595 Reporting Requirements.

1. **Department of Commerce, State Insurance Department (Acts 965, 1103, and 1105)**
2. **Department of Commerce, Division of Workforce Services (Act 770)**
3. **Department of Education (Acts 69, 539, and 959)**
4. **Board of Finance (Act 1004)**
5. **Department of Finance and Administration, Arkansas Racing Commission (Act 682)**
6. **Department of Human Services (Acts 357, 651, 745, and 937)**
7. **Department of Labor and Licensing (Acts 746 and 811)**
8. **Arkansas Teacher Retirement System (Act 711)**
9. **Department of Transformation and Shared Services (Acts 379 and 1004)**

I. Initial Rule Reports Pursuant to Act 1076 of 2021.

1. **Department of Agriculture (Mr. Wade Hodge)**
2. **Department of Health (Mr. J. Terry Paul)**

J. Adjournment.