

**REVISED AGENDA**  
**Administrative Rules Subcommittee**  
**of the**  
**Arkansas Legislative Council**

---

**Wednesday, January 26, 2022**  
**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. Rule Amendments Pursuant to Act 704 of 2021.**
  - 1. DEPARTMENT OF ENERGY AND ENVIRONMENT, ARKANSAS POLLUTION CONTROL & ECOLOGY COMMISSION (Mr. Shane Khoury)**
- D. Rules Filed Pursuant to Ark. Code Ann. § 10-3-309.**
  - 1. DEPARTMENT OF AGRICULTURE, ARKANSAS NATURAL RESOURCES COMMISSION (Mr. Chris Colclasure, Mr. Wade Hodge, Mr. Kolton Jones)**
    - a. Rules Implementing Act 605 of 2021 (p.1)**
  - 2. DEPARTMENT OF AGRICULTURE, STATE PLANT BOARD (Mr. Wade Hodge, Ms. Brandi Reynolds)**
    - a. Abandoned Pesticide Disposal Fee (p.6)**
  - 3. DEPARTMENT OF COMMERCE, STATE INSURANCE DEPARTMENT (Ms. Amanda Rose, Mr. Mel Anderson)**
    - a. Proposed Rule 31: Pre-License Education for Insurance Producers and Adjustors (p.8)**

**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](http://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'.**

- b. Rule 65: Credit for Reinsurance (p.9)**
- 4. DEPARTMENT OF COMMERCE, DIVISION OF WORKFORCE SERVICES (Mr. Derwin Taylor, Ms. Tammy Richardson)**
  - a. Amendment to Transitional Employment Assistance (TEA)/Work Pays Policy (p.11)**
- 5. ARKANSAS ETHICS COMMISSION (Ms. Jill Barham, Mr. Drew Blankenship)**
  - a. Rules on Political Committees (p.19)**
  - b. Rules on Campaign Finance & Disclosure (p.20)**
- 6. DEPARTMENT OF FINANCE AND ADMINISTRATION, ALCOHOLIC BEVERAGE CONTROL DIVISION (Ms. Doralee Chandler, Mr. Michael Lewis)**
  - a. Prohibited Activities; Grounds for Cancellation, Suspension, Revocation, or Placing of Monetary Fine Against Any Permit (Title 1, Subtitle G, Rule 1.79(27)) (p.22)**
  - b. Microbrewery-Restaurant Delivery (Title 2, Subtitle H, Rule 2.58.1) (p.23)**
  - c. Small Brewery Delivery (Title 2, Subtitle H, Rule 2.65.1) (p.23)**
  - d. Hard Cider Manufacturing Delivery (Title 2, Subtitle J, Rule 2.83.1) (p.24)**
  - e. To Go and Delivery (Title 3, Subtitle F, Rules 3.20 – 3.28) (p.24)**
  - f. Manufacturer to Sell Only to Wholesalers; Exception for Small Farm Wine and Brandy (Title 2, Subtitle C, Rule 2.12) (p.25)**
  - g. Disposition of Distiller or Liquor Manufacturer Products (Title 2, Subtitle K, Rule 2.85) (p.25)**
  - h. Retailer to Purchase Only from Permitted Wholesaler (Title 3, Subtitle C, Rule 3.7) (p.26)**
  - i. Subtitle G – Excursion Train Permits (Title 3, Subtitle G, Rule 3.29 – 3.34) (p.26)**
  - j. Definitions: Mead (Title 2, Subtitle B, Rule 2.10.3) (p.27)**
  - k. Section 2.75 Direct Shipment of Vinous Liquor or Mead to Arkansas Residents (Title 2, Subtitle B, Rule 2.75) (p.27)**

- l. **Advertising for a Microbrewery-Restaurant Private Club (Title 5, Subtitle H, Rule 5.90) (p.28)**
  - m. **Advertising for a Microbrewery-Restaurant Private Club in a Dry Area (Title 5, Subtitle H, Rule 5.91) (p.28)**
  - n. **Types of Permits for Which Application May Be Made (Title 1, Subtitle C, Rule 1.19(39)) (p.29)**
- 7. **DEPARTMENT OF HEALTH, ARKANSAS STATE BOARD OF ACUPUNCTURE AND RELATED TECHNIQUES (Mr. Russell Burns, Mr. Matt Gilmore)**
  - a. **State Board of Acupuncture & Related Techniques Rule (p.30)**
- 8. **DEPARTMENT OF HEALTH, ARKANSAS STATE BOARD OF ATHLETIC TRAINING (Mr. Russell Burns, Mr. Matt Gilmore)**
  - a. **State Board of Athletic Training Rule (p.31)**
- 9. **DEPARTMENT OF HEALTH, ARKANSAS BOARD OF EXAMINERS IN COUNSELING (Ms. Lenora Erickson, Mr. Matt Gilmore)**
  - a. **Rules of the Arkansas Board of Examiners in Counseling (p.33)**
- 10. **DEPARTMENT OF HEALTH, ARKANSAS BOARD OF DISPENSING OPTICIANS (Ms. Jerry Himes, Mr. Matt Gilmore)**
  - a. **Arkansas Board of Dispensing Opticians Rules (p.37)**
- 11. **DEPARTMENT OF HEALTH, ARKANSAS BOARD OF HEARING INSTRUMENT DISPENSERS (Ms. Stephanie Pratt, Mr. Matt Gilmore)**
  - a. **State Board of Hearing Instrument Dispensers Rule (p.39)**
- 12. **DEPARTMENT OF HEALTH, ARKANSAS STATE BOARD OF NURSING (Ms. Sue Tedford, Mr. David Dawson)**
  - a. **Chapter One – General Provisions (p.41)**
  - b. **Chapter Five – Delegation (p.44)**
  - c. **Chapter Six – Standards for Nursing Education Programs (p.45)**
  - d. **Chapter Seven – Rules of Procedure (p.46)**
- 13. **DEPARTMENT OF HEALTH, ARKANSAS STATE BOARD OF PHARMACY (Mr. John Kirtley, Mr. Luke Daniel)**

- a. **Rule 1 – General Operations (p.47)**
- b. **Rule 5 – Long-Term Care Facilities (p.48)**
- c. **Rule 9 – Pharmaceutical Care/Patient Counseling (p.49)**

**14. DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES  
(Mr. Mark White, Ms. Elizabeth Pittman)**

- a. **COVID-19 Vaccinations for Home-Bound Medicaid Clients (p.51)**

**15. DEPARTMENT OF LABOR AND LICENSING, DIVISION OF OCCUPATIONAL AND  
PROFESSIONAL LICENSING BOARDS AND COMMISSIONS, ARKANSAS STATE  
BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, AND INTERIOR  
DESIGNERS (Ms. Shana Bryant, Ms. Denise Oxley)**

- a. **Administrative Rules (p.54)**

**E. Monthly Written Agency Updates Pursuant to Act 595 of 2021.**

**F. Agency Requests to Be Excluded from Act 595 Reporting Requirements.**

- 1. **DEPARTMENT OF COMMERCE, ARKANSAS ECONOMIC DEVELOPMENT  
COMMISSION (Act 594)**
- 2. **DEPARTMENT OF HUMAN SERVICES (Act 1017)**

**G. Adjournment.**

**SUPPLEMENTAL AGENDA**  
**Administrative Rules Subcommittee**  
**of the**  
**Arkansas Legislative Council**  
**Wednesday, January 26, 2022**  
**9:00 AM**  
**Committee Room A, MAC**  
**Little Rock, Arkansas**

- A. Rules Filed Pursuant to Ark. Code Ann. § 10-3-309 to Be Considered Pending Suspension of the Subcommittee Rules Due to Public Comment Period Expiring After December 15, 2021 Deadline**
- 1. DEPARTMENT OF FINANCE AND ADMINISTRATION, ARKANSAS RACING COMMISSION (Mr. Byron Freeland)**
    - a. CGR Rule 4 Operation of Gaming Establishments (p.1)**
    - b. CGR Rule 6 Accounting Regulations (p.2)**
    - c. CGR Rule 20 Race Books and Sports Pools (p.3)**
    - d. CGR Rule 22 Off-Track Pari-Mutuel Wagering (p.3)**
    - e. CGR Rule 24 Off-Track Pari-Mutuel Horse Race Account Wagers (p.4)**
  - 2. DEPARTMENT OF COMMERCE, ARKANSAS ECONOMIC DEVELOPMENT COMMISSION (Mr. Jim Hudson, Mr. Steven Porch)**
    - a. Arkansas Rural Connect Broadband Grant Program Rule (p.5)**
- B. 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 LABOR AND LICENSING, DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSING BOARDS AND COMMISSIONS, ARKANSAS FIRE PROTECTION LICENSING BOARD (Ms. Patricia White)**
    - a. Rules for Sprinkler Systems**
    - b. Rules for Portable/Fixed Systems**
- C. Adjournment.**

**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](http://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'*.**