

REVISED AGENDA
Administrative Rules Subcommittee
of the
Arkansas Legislative Council

Thursday, December 15, 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 from the Executive Subcommittee Concerning Emergency Rules**
- C. Reports from ALC Subcommittees Concerning the Review of Rules**
- D. Rules Filed Pursuant to Ark. Code Ann. § 10-3-309**
 - 1. ARKANSAS PUBLIC SERVICE COMMISSION (Angela Sartori, Michael Brechlin)**
 - a. Amendments to the Arkansas Gas Pipeline Code (p.1)**
 - 2. DEPARTMENT OF AGRICULTURE, ARKANSAS NATURAL RESOURCES COMMISSION (Chris Colclasure, Tate Wentz, Wade Hodge)**
 - a. Title 10: Water Resource Agricultural Cost-Share Program Rules (p.4)**
 - b. Rules Governing the Tax Credit Program for the Creation, Restoration, and Conservation of Private Wetland and Riparian Zones (p.7)**
 - 3. DEPARTMENT OF FINANCE AND ADMINISTRATION, MEDICAL MARIJUANA COMMISSION (Doralee Chandler)**
 - a. Rules Governing the Licensure of Medical Marijuana Cultivation Facilities, Processors, and Dispensaries (Section VII-Section IX) (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'*.

4. **DEPARTMENT OF HEALTH, ARKANSAS STATE BOARD OF PHARMACY (John Kirtley, Matt Gilmore)**
 - a. **Rule 7 – Drug Products/Prescriptions (p.10)**
5. **DEPARTMENT OF HEALTH, STATE BOARD OF EXAMINERS OF ALCOHOLISM AND DRUG ABUSE COUNSELORS (Matt Gilmore, Pam Fite, Carol Moore)**
 - a. **Rules Governing Alcoholism and Drug Abuse Counselors (p.12)**
6. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF AGING, ADULT, AND BEHAVIORAL HEALTH SERVICES (Jay Hill, John Finkbeiner)**
 - a. ~~Amendment to ARChoices to Allow Inpatient Attendant Care~~
 - b. **Procedures for Name Removal from Arkansas Adult Maltreatment Registry (p.13)**
7. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF COUNTY OPERATIONS (Mary Franklin, items a-e; Larry Crutchfield, items a-d; Rosaura Page, items a-d; Phil Harris, item c; Tammy Hull-Richardson, item c; Derwin Taylor, item c; Elizabeth Pitman, item e)**
 - a. **SNAP and Medicaid – Office of Child Support Enforcement Related Changes (p.17)**
 - b. **SUPPORT Act Changes for Former Foster Care Youth (p.19)**
 - c. **TEA Income Limit Increase (p.20)**
 - d. **Adding Unborn Child to Pregnant Woman Need Standard (p.23)**
 - e. **Expansion of Pregnant Women Medicaid (p.24)**
8. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES (Elizabeth Pitman, items a-e, g-l; Paula Stone, Melissa Weatherton, Patricia Gann, items a, k; Cynthia Neuhofel, items b, e, i; Jay Hill, John Finkbeiner, item f)**
 - a. **Arkansas Independent Assessment (ARIA) Manual, 1915(i) (p.28)**
 - b. **Pharmacy (1-22) Provider Manual Change for Combining the DUR Board and DRC (p.39)**
 - c. **Prosthetics Rate Review – State Plan Amendment (SPA) and Prosthetics Provider Manual (p.40)**
 - d. ~~Hospital Cost Settlement Reopening Process (p.55)~~

- e. **National Drug Code (NDC) Billing Updates (p.56)**
 - f. **Living Choices Waiver Rate Adjustment (p.57)**
 - g. **Primary Care Case Management (PCCM) Reconciliation (p.60)**
 - h. **Long Acting Reversible Contraceptive Rate Increase (p.61)**
 - i. **340B Modifiers on Physician Administered Drugs (p.63)**
 - j. **Life360 HOME Program (p.66)**
 - k. **Rebalancing Services for Clients with Intellectual and Developmental Disabilities and Behavioral Health Needs (p.71)**
 - l. **ARHOME, Workers with Disabilities, Transitional Medicaid Cost Sharing (p.78)**
- 9. DEPARTMENT OF HUMAN SERVICES, DIVISION OF PROVIDER SERVICES AND QUALITY ASSURANCE (Martina Smith)**
- a. **Rules for the Arkansas Long Term Care Facility Nursing Assistant Training Program (p.81)**
- E. Request for Expedited Repeal of Rules Not Meeting the Definition of a Rule Under the Arkansas Administrative Procedure Act Pursuant to Act 65 of 2021**
- 1. DEPARTMENT OF FINANCE AND ADMINISTRATION (Jan Bartlett, Andy Babbitt)**
 - a. **Financial Management Guide**
 - 2. DEPARTMENT OF HUMAN SERVICES (Sarah Linam)**
 - a. **Policy 1009 – Equal Opportunity Policy**
 - b. **Policy 1078 – Americans with Disabilities Act**
 - c. **Policy 1094 – DHS DRC Cooperation Rule**
- F. Review of Recommendation Reports from the House and Senate Committees on Agriculture, Forestry, and Economic Development Relating to the Review and Sunset of State Agency Rules Pertaining to Milk and Cattle Production Pursuant to Act 1076 of 2021**
- G. Agency Updates on the Status of Outstanding Rulemaking Pursuant to Act 595 of 2021**
- 1. Department of Agriculture (Wade Hodge)**

- 2. Department of Education (Courtney Salas-Ford)**
 - 3. Department of Health, State Board of Health (Laura Shue)**
 - 4. Office of Arkansas Lottery (Brent Standridge)**
- H. Agency Updates on the Status of Outstanding Rulemaking Pursuant to Act 517 of 2019**
- 1. Department of Agriculture, Arkansas Bureau of Standards (Wade Hodge)**
- I. Monthly Written Agency Updates Pursuant to Act 595 of 2021**
- J. Adjournment**