

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

February 21, 2020

Co-Chairs:

The Administrative Rules Subcommittee met on Wednesday, February 19, 2020, at 9:00 a.m., in Room A, MAC.

- 1. The Subcommittee adopted the attached Executive Subcommittee Reports concerning emergency rules.**
- 2. The Subcommittee reviewed and filed the following agencies' Quarterly Reports on Administrative Directives pursuant to Act 1258 of 2015, for the quarter ending December 31, 2019:**
 - a. Department of Corrections (Mr. Solomon Graves)**
 - b. Parole Board (Ms. Brooke Cummings)**
- 3. The Subcommittee reviewed and approved the following rules filed pursuant to Ark. Code Ann. § 10-3-309:**

DEPARTMENT OF COMMERCE, ARKANSAS ECONOMIC DEVELOPMENT COMMISSION (AEDC) (Mr. Mike Preston, Mr. Steven Porch)

 - a. Arkansas Rural Connect Broadband Grant Program**

DEPARTMENT OF EDUCATION, DIVISION OF ELEMENTARY AND SECONDARY EDUCATION (Ms. Mary Claire Hyatt and Ms. Stacy Smith, item a; Ms. Lori Freno, item b; Ms. Mary Claire Hyatt, item c)

 - a. DESE Rules Governing the Right to Read Act**
 - b. DESE Rules Governing Eye and Vision Screening, Sections 1.0, 2.0, and 11.0**
 - c. DESE Rules Governing Public Charter Schools**

DEPARTMENT OF EDUCATION, DIVISION OF HIGHER EDUCATION (Dr. Maria Markham)

- a. Arkansas Concurrent Challenge Scholarship Program**

DEPARTMENT OF FINANCE AND ADMINISTRATION, ARKANSAS RACING COMMISSION (Mr. Byron Freeland, Mr. Skip Ebel)

- a. Rule 1050(a) Definition of “Objection”**
- b. Rule 2169(a) Jockey Mount Fees**
- c. Rule 2212(b) Entries**
- d. Rule 2224(c) Entries**
- e. Rule 2359 Protests**
- f. Rule 2426-A Claiming**

DEPARTMENT OF HEALTH, CENTER FOR HEALTH PROTECTION (Ms. Laura Shue, Ms. Jamie Turpin)

- a. Rules Pertaining to Arkansas Prescription Drug Monitoring Program**

DEPARTMENT OF HEALTH, HEALTH FACILITY SERVICES (Ms. Laura Shue, Ms. Becky Bennett)

- a. Rules for Perfusionists in Arkansas**

DEPARTMENT OF HUMAN SERVICES, DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES (DDS) (Ms. Melissa Stone, Mr. Thomas Tarpley)

- a. Autism Waiver and the Autism Waiver Medicaid Provider Manual**

DEPARTMENT OF PARKS, HERITAGE AND TOURISM, DIVISION OF HERITAGE (Mr. Jim Andrews, Mr. David Bell, Mr. Ralph Wilcox)

- a. Rules Governing the Addition of “Criterion E” and the Addition of the “Arkansas Heritage Site” Designation to the Arkansas State Register of Historic Places Program**

DEPARTMENT OF PUBLIC SAFETY, CRIME VICTIMS REPARATIONS BOARD (Ms. Jamie Cook, Ms. Amanda Yarbrough, Ms. Lynette Parham)

- a. Crime Victims Reparations Board Rules**

4. The following agencies provided updates on delinquent rulemaking under Act 517 of 2019:

Department of Agriculture, Arkansas Bureau of Standards (Act 501)

Department of Agriculture, Veterinary Medical Examining Board (Act 169)

Department of Commerce, State Insurance Department (Acts 500, 698, 823)

Department of Commerce, Office of Skills Development (Act 179)

Department of Corrections, Arkansas Correctional School (Act 1088)

Department of Education, Division of Elementary and Secondary Education (Acts 536, 640, 843)

Department of Education, Division of Higher Education (Acts 456, 549)

Department of Energy and Environment, Pollution Control and Ecology Commission (Act 1067)

Department of Finance and Administration, Alcoholic Beverage Control Division (Act 691)

Department of Finance and Administration, Director (Act 822)

Department of Health (Acts 216, 708, 811)

Department of Health, Division of Health Related Boards and Commissions, State Board of Chiropractic Examiners (Act 645)

Department of Health, Division of Health Related Boards and Commissions, State Board of Nursing (Act 837)

Department of Health, Division of Health Related Boards and Commissions, Arkansas Board of Podiatric Medicine (112)

Highway Commission (Act 468)

Department of Parks, Heritage, and Tourism, Division of Heritage (Act 818)

Department of Transformation and Shared Services, Office of State Procurement (Act 422)

Respectfully submitted,

Senator Lance Eads, Co-Chair

Representative Dan Sullivan, Co-Chair

ARKANSAS LEGISLATIVE COUNCIL

Officers

Senator Cecile Bledsoe
Senate Chair
Representative Jeff Wardlaw
House Chair
Senator Terry Rice
Senate Vice Chair
Representative Jim Dotson
House Vice Chair



Room 315, State Capitol Building
Little Rock, AR 72201

Marty Garrity
Executive Secretary

Tel: 501-682-1937
Fax: 501-682-1936

February 5, 2020

Senator Lance Eads
Senate Co-Chair
Administrative Rules Review Section
via email

Representative Dan Sullivan
House Co-Chair
Administrative Rules Review Section
via email

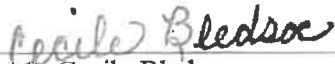
Dear Co-Chairs:

This letter is to notify you that, pursuant to Act 1258 of 2015, the Executive Subcommittee met on January 16, 2020 to consider the request from the Department of Finance & Administration – Arkansas Racing Commission to review and approve the following emergency rules:

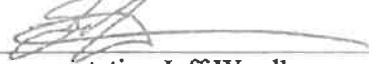
- Rule 2169(a) Jockey Mount Fees;
- Rule 1050(a) Definition of “Objection”;
- Rule 2212(b) Entries;
- Rule 2224(c) Entries;
- Rule 2359 Protests;
- Rule 2426-A Claiming.

A copy of the emergency rules are attached for your information. The emergency rules were reviewed and approved, and the review and approval was effective upon adjournment of the Legislative Council meeting on Friday, January 17, 2020.

Respectfully,



Senator Cecile Bledsoe
Senate Co-Chair
Executive Subcommittee



Representative Jeff Wardlaw
House Co-Chair
Executive Subcommittee

CB/JW:sla

Attachment

cc: Ms. Jessica Sutton, Administrator, Administrative Rules and Regulations Review Section
Mr. Byron Freeland, MITCHELL, WILLIAMS, SELIG, GATES, & WOODYARD, P.L.L.C.
via email

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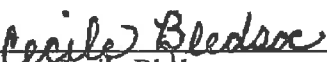
Representative Dan Sullivan
House Co-Chair
Administrative Rules Review Section
via email

Dear Co-Chairs:


This letter is to notify you that, pursuant to Act 1258 of 2015, the Executive Subcommittee met on January 17, 2020 to reconsider the request from the Benton County Regional Solid Waste Management District to review and approve the emergency rule, "amending the type and amount of District fees". A copy of the emergency rule is attached for your information.

The emergency rule was reviewed and approved, and the review and approval was effective upon adjournment of the Executive Subcommittee meeting on Friday, January 17, 2020.

Respectfully,



Senator Cecile Bledsoe
Senate Co-Chair
Executive Subcommittee



Representative Jeff Wardlaw
House Co-Chair
Executive Subcommittee

CB/JW:sla

Attachment

cc: Ms. Jessica Sutton, Administrator, Administrative Rules and Regulations Review Section
Ms. Wendy Bland, Director, Benton County Regional Solid Waste Management District
via email