

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

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**November 17, 2017**  
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**Co-Chairs:**

**The Administrative Rules and Regulations Subcommittee met on Tuesday, November 14, 2017 at 1:00 p.m. in Room A, MAC.**

**1. The Subcommittee reviewed and filed the quarterly report for the quarter ending September 30, 2017 issued pursuant to Sections 14 and 15 of Act 1258 of 2015 concerning Administrative Directives and Administrative Memoranda by the Department of Community Correction.**

**2. The Subcommittee reviewed and approved the following rule that was deferred from the August 15, 2017 Administrative Rules and Regulations Subcommittee meeting:**

**REAL ESTATE COMMISSION (Gary Isom, Doyle Yates, and Maurice Taylor)**

**a. Regulation 11.5: Post License Education Requirements**

**3. The Subcommittee reviewed and approved the following rules filed pursuant to Ark. Code Ann. § 10-3-309:**

**ALCOHOLIC BEVERAGE CONTROL (Mary Robin Casteel)**

**a. Section 1.23 – Publication of Notice that Application has been made for Permit.**

**b. Section 1.26 – Notice of Application to be Posted at Premises**

**c. Section 1.33(2) – Premises Operated in Conjunction with Certain Other Businesses**

- d. Section 2.28 (4) – Gifts and Services to Retailers Prohibited**
- e. Section 2.53 – Microbrewery-Restaurant and Separate Brewing Facility Application and Operations**
- f. Section 2.66 – Separate Brewing Facility – Applications**
- g. Section 2.67 – Small Brewery Tap Room – Applications**
- h. Section 3.17.3 – Retailer Loyalty Programs**
- i. Section 5.15 – Local Ordinance Required, Presumption that the Application is Qualified to be Received by Agency; Information, Statements and Documents to be Furnished by Applicant**
- j. Section 5.50 – Hotel or Large Event Facility Private Club Permit for Dry Areas Only**

**CONTRACTORS LICENSING BOARD (Gregory Crow)**

- a. Issuance of License**
- b. License Expiration and Renewal**
- c. Inactive Status**
- d. Classification and Experience; Number of Years of Experience Needed to Obtain a Specialty License**
- e. Classification and Experience; Modification to the License Classifications**
- f. Classification and Experience; Licenses Issued with a Compiled Financial Statement**
- g. Financial Requirements**
- h. Definitions**

**DEPARTMENT OF EDUCATION (Jennifer Dedman and Cheryl Reinhart)**

- a. Educator Support and Development and Repeal of Leader Excellence and Development System, Teacher Excellence and Support System, and Educator Mentoring Program**

**DEPARTMENT OF FINANCE AND ADMINISTRATION, BUILDING AUTHORITY DIVISION (Anne Laidlaw, Susan Wilson, and Doran White)**

- a. 3-101 Capital Improvements**

**DEPARTMENT OF HEALTH, CENTER FOR HEALTH ADVANCEMENT (Robert Brech)**

- a. Licensed Lay Midwifery**

**DEPARTMENT OF HEALTH, EMERGENCY MEDICAL SERVICES (Robert Brech)**

- a. Emergency Medical Services**

**DEPARTMENT OF HUMAN SERVICES, COUNTY OPERATIONS (Larry Crutchfield, items a and b; Dave Mills and Brad Nye, item c)**

- a. SNAP 17-6 Resource Eligibility Standards**
- b. SNAP 3500 The SNAP Requirement to Work**
- c. Medical Services Policy Manual Sections B-270, E-110, E-268, E-269, F-200, F-201, G-190, I-600, I-610, and Appendix F**

**DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES (Tami Harlan)**

- a. Patient Centered Medical Home (PCMH-17 and Section V-4-17)**

**DEPARTMENT OF LABOR, LABOR STANDARDS DIVISION (Denise Oxley)**

- a. Rules 010.14-200 through -225; Prevailing Wage Rules**

**DEPARTMENT OF PARKS AND TOURISM, STATE PARKS DIVISION  
(Grady Spann and Joe Jacobs)**

- a. **CY 2018 Arkansas State Parks Fees and Rates**

**STATE BOARD OF PHARMACY (John Kirtley)**

- a. **Regulation 9 – Pharmaceutical Care/Patient Counseling**

**PUBLIC EMPLOYEES RETIREMENT SYSTEM (Gail Stone, Jay Wills,  
and Jessica Middleton)**

- a. **Declaratory Order**

**WORKERS COMPENSATION COMMISSION (Barbara Webb, Mark  
McGuire, and Kirk Lane)**

- a. **Workers’ Compensation Drug Formulary**

- 4. **The following rules were deferred to the December 12, 2017 meeting of the Administrative Rules and Regulations Subcommittee:**

**ALCOHOLIC BEVERAGE CONTROL (Mary Robin Casteel)**

- c. **Section 1.27 – Application for Transfer of Location of Premises**
- e. **Section 1.34 – Continuation of Permit Conditioned Upon Operation of Originally Proposed Business**

**DEPARTMENT OF LABOR, BOARD OF ELECTRICAL EXAMINERS  
(Denise Oxley)**

- a. **Rule 010.13-008 - The National Electrical Code**

- 5. **The following rule will be rescheduled on the December 12, 2017 agenda of the Administrative Rules and Regulations Subcommittee pending the review by the Senate and House Interim Committees on Agriculture:**

**STATE PLANT BOARD, PESTICIDE DIVISION**

- a. **Pesticide Enforcement and Response Regulation Civil Penalties**

**6. The following rule was held for consideration by the full Legislative Council:**

**STATE BOARD OF PHARMACY (John Kirtley)**

**a. Regulation 7 – Drug Products/Prescriptions**

**Respectfully submitted,**

**Senator David Sanders, Co-Chair**

**Representative Kim Hammer, Co-Chair**