

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

June 16, 2017

Co-Chairs:

The Administrative Rules and Regulations Subcommittee met on Tuesday, June 13, 2017 at 1:00 p.m. in Room A, MAC.

- 1. The Subcommittee adopted the attached reports of the Executive Subcommittee concerning emergency rules.**
- 2. The Subcommittee reviewed and filed the quarterly report for the quarter ending March 31, 2017 issued pursuant to Sections 14 and 15 of Act 1258 of 2015 concerning Administrative Directives and Administrative Memoranda by the Department of Correction.**
- 3. The Subcommittee reviewed and approved the following rules filed pursuant to Ark. Code Ann. § 10-3-309 concerning medical marijuana:**

DEPARTMENT OF FINANCE AND ADMINISTRATION, ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION (Mary Robin Casteel and Lauren Ballard)

- a. Rule 2017-1: ABC Medical Marijuana Rules**

DEPARTMENT OF HEALTH, CENTER FOR HEALTH PROTECTION (Robert Brech)

- a. Medical Marijuana Registration, Testing, and Labeling in Arkansas**

MEDICAL MARIJUANA COMMISSION (Mary Robin Casteel and Lauren Ballard)

- a. Rule 2017-1: AMMC Rules**

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

DEPARTMENT OF EDUCATION (Jennifer Davis)

- a. **Education Service Cooperatives**

**DEPARTMENT OF ENVIRONMENTAL QUALITY, WATER DIVISION
(Caleb Osborne, ADEQ and Michael Heister, Halliburton)**

- a. **Regulation No. 2, Water Quality Standards; Third-Party Rulemaking
by Halliburton Energy Services, Inc.**

**DEPARTMENT OF FINANCE AND ADMINISTRATION, REVENUE
DIVISION (Michelle Baker)**

- a. **Rule 2016-3: Standard Mileage Rates for Income Tax Purposes**

**DEPARTMENT OF HUMAN SERVICES, BEHAVIORAL HEALTH
(Robert Nix)**

- a. **DHS Behavioral Health Provider Certification Manuals and Forms**

**DEPARTMENT OF HUMAN SERVICES, CHILDREN AND FAMILY
SERVICES
(Christin Harper)**

- a. **Policy Regarding Child Involved in a Protective Services Case Who is
Missing**
- b. **Internal Review of Assessment Decisions**
- c. **Procedure Regarding Family Assessments**

**DEPARTMENT OF HUMAN SERVICES, DEVELOPMENTAL
DISABILITIES SERVICES (Melissa Stone and Dennis Smith)**

- a. **DDS Community and Employment Services Waiver Certification
Standards**
- b. **DDS Community and Employment Supports Waiver and Medicaid
Provider Manual #2-17**
- c. **DDS Alternative Community Services Waiver Update #1-17 and
Developmental Disabilities Services Home and Community Based
Services Waiver**

DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES (Tami Harlan)

- a. Pharmacy 1-17 and Section 1-17**
- b. Visual 2-16**
- c. Home Health 2-16, Prosthet 3-16, CNM 1016, Nursprea**
- d. Patient Centered Medical Home (PCMH) 1-17**
- e. Hospice 1-16**
- f. Prosthetics 2-16 and Section V-7-16**
- g. State Plan Amendment #2016-003 – Pharmacy Pricing Methodology**

OIL AND GAS COMMISSION (Lawrence Bengal)

- a. General Rule B-19 Requirements for Well Completion Utilizing Fracture Stimulation**
- b. General Rule B-27 Salt Water**
- c. General Rule B-33 Production Practice**
- d. General Rule C-6 Monthly Reports Costs**
- e. General Rule D-9 Gas Oil Ratio**
- f. General Rule D-11 Pipeline Maps**
- g. General Rule D-13 Use of Gas for Other than Light or Fuel**

Respectfully submitted,

Senator David Sanders, Co-Chair

Representative Kim Hammer, Co-Chair

ARKANSAS LEGISLATIVE COUNCIL

Officers

Senator Bill Sample
Senate Co-Chair

Representative David L. Branscum
House Co-Chair

Senator Terry Rice
Senate Co-Vice Chair

Representative Jim Dotson
House Co-Vice Chair



Room 315, State Capitol Building
Little Rock, AR 72201

Marty Garrity
Executive Secretary

Tel: 501-682-1937
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May 11, 2017

Senator David Sanders, Co-Chair
Rules and Regulations Subcommittee

Representative Kim Hammer, Co-Chair
Rules and Regulations Subcommittee

Dear Senator Sanders and Representative Hammer:

This letter is to notify you as the Co-Chairmen of the Administrative Rules and Regulations Subcommittee that pursuant to Act 1258 of 2015, the Executive Subcommittee met on May 10, 2017 to consider the request by the Arkansas Department of Labor, Board of Electrical Examiners to immediately implement Rule 010.13-008 The National Electrical Code. A copy of the rule is attached for your information.

The proposed emergency rule was reviewed and approved and will become effective at 12:01 a.m., May 12, 2017.

Handwritten signature of Bill Sample in black ink.

Senator Bill Sample
Senate Co-Chair
Executive Subcommittee

Handwritten signature of David L. Branscum in black ink.

Representative David L. Branscum
House Co-Chair
Executive Subcommittee

BS/DLB:vjf

Attachment

cc: Ms. Jessica Sutton, Administrator, Administrative Rules Review Section
Ms. Donna K. Davis, Committee Staff, Administrative Rules and Regulations Subcommittee

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**Room 315, State Capitol Building
Little Rock, AR 72201**

Marty Garrity
Executive Secretary

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May 19, 2017

Senator David Sanders, Co-Chair
Rules and Regulations Subcommittee

Representative Kim Hammer, Co-Chair
Rules and Regulations Subcommittee

Dear Senator Sanders and Representative Hammer:

This letter is to notify you as the Co-Chairmen of the Administrative Rules and Regulations Subcommittee that pursuant to Act 1258 of 2015, the Executive Subcommittee met on May 19, 2017 to consider the request by the Arkansas Department of Insurance to immediately implement emergency Rule 117 to implement Act 775 of 2017 pertaining to Provider-Led-Organized Care. A copy of the rule is attached for your information.

The proposed emergency rule was reviewed and approved and became effective upon adjournment of the Legislative Council meeting on May 19, 2017.

Handwritten signature of Bill Sample in black ink.

Senator Bill Sample
Senate Co-Chair
Executive Subcommittee

Handwritten signature of David L. Branscum in black ink.

Representative David L. Branscum
House Co-Chair
Executive Subcommittee

BS/DLB:vjf

Attachment

cc: Ms. Jessica Sutton, Administrator, Administrative Rules Review Section
Ms. Donna K. Davis, Committee Staff, Administrative Rules and Regulations Subcommittee