

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

September 15, 2017

Co-Chairs:

The Administrative Rules and Regulations Subcommittee met on Tuesday, September 12, 2017 at 1:00 p.m. in Room A, MAC.

- 1. The Subcommittee adopted the attached report of the Executive Subcommittee concerning emergency rules.**
- 2. The Subcommittee heard a presentation by Jim Malcolm, FTN Associates and Caleb Osborne, ADEQ concerning dissolved minerals and the need for filing third party rulemaking with the ADEQ as amendments to the Water Quality Standards.**
- 3. The Subcommittee reviewed and approved the following rules filed pursuant to Ark. Code Ann. § 10-3-309:**

DEPARTMENT OF CAREER EDUCATION, CAREER AND TECHNICAL EDUCATION (Katherine Turner and Cheryl Weidmaier)

- a. Program Policies and Procedures for Career and Technical Education**

DEPARTMENT OF COMMUNITY CORRECTION (Dina Tyler)

- a. Weapons and Security Equipment AR 4.3**
- b. Use of Force AR 4.9**
- c. Safety, Security, and Sanitation at Residential Centers**

DEPARTMENT OF ECONOMIC DEVELOPMENT, STRATEGIC PLANNING AND RESEARCH (Kurt Naumann)

- a. Replacement and Repair of Manufacturing Machinery and Equipment Sales and Use Tax Refund**
- b. Consolidated Incentive Act of 2003**

DEPARTMENT OF ARKANSAS HERITAGE (Stephanie Wade, item a; and Rebecca Burkes, items b and c)

- a. Historical Marker Program Guidelines**
- b. National History Day Travel Grant Program**
- c. Small Museum Grant Program**

DEPARTMENT OF HUMAN SERVICES, COUNTY OPERATIONS (Dave Mills and Kelley Linck)

- a. Medical Services Policy Manual Sections #E-600 through E-670 and Appendix R**

DEPARTMENT OF HUMAN SERVICES, DEVELOPMENT DISABILITIES SERVICES (Kelley Linck and Melissa Stone)

- a. CHMS Medicaid Provider Manual, DDTCS Medicaid Provider Manual, CHMS State Plan Amendments, DDTCS State Plan Amendments, DDS Standards for Certification, Investigation, and Monitoring**
- b. DDS Policy 1076 – Appeals**
- c. Human Development Center (HDC) Admission and Discharge Rules Policy 1086**
- d. Community and Employment Support (CES) 1915(c) Waiver, CES Provider Manual and Certification Standards for CES Providers**

DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES (Paula Stone, items a, c, and c; and Craig C loud, item d)

- a. The Provider-Led Arkansas Shared Savings Entity Program – Phase I**
- b. Independent Assessment Manual**
- c. Outpatient Behavioral Health Services Update 1-17, Inpatient Psychiatric Services for Persons under Age 21 Update 1-17 and Residential Community Reintegration Program Certification**
- d. Independent Assessment for Personal Care and Criminal Background Check Requirements for Providers**

ARKANSAS INSURANCE DEPARTMENT (Allen Kerr and Booth Rand)

- a. **Rules 117: Provider-Led Organization Licensure Standards**

STATE MEDICAL BOARD (Kevin Odwyer)

- a. **Regulation 1: Changing Name of Executive Secretary to Executive Director**
- b. **Regulation 28: Educational Licenses**
- c. **Regulation 33: Providing Ongoing Contact Information to Patients and Healthcare Providers**
- d. **Regulation 38: Telemedicine**
- e. **Regulation 41: Use of the Prescription Drug Monitoring Program**

STATE BOARD OF NURSING (Sue Tedford and Fred Knight)

- a. **ASBN Rules Chapter Four**

PUBLIC SERVICE COMMISSION (John Bethel)

- a. **Net Metering Rules**

ARKANSAS SENTENCING COMMISSION (Nathan Smith, Lindsay Wallace, and Tawnie Rowell)

- a. **Arkansas Sentencing Standards Seriousness Reference Tale and Sentencing Grid**

- 4. **At the agency's request, the following rule will be scheduled on the October 17, 2017 agenda of the Administrative Rules and Regulations Subcommittee.**

STATE MEDICAL BOARD

- a. **Regulation 40: Surgical Technologies**

- 5. **After an explanation by Ann Clemmer, Director of the Department of Higher Education, the following rules will be scheduled on the October 17, 2017 agenda of the Administrative Rules and Regulations Subcommittee:**

DEPARTMENT OF HIGHER EDUCATION

- a. **Productivity Funding Policy – Colleges; Productivity Funding Model Policy – Universities; and Productivity Funding Distribution Policy**

Respectfully submitted,

Senator David Sanders, Co-Chair

Representative Kim Hammer, Co-Chair

ARKANSAS LEGISLATIVE COUNCIL

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August 23, 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 August 17, 2017 and reviewed and approved the following:

- 1) Arkansas Secretary of State emergency rule on verification of voter registration cards;
- 2) State Board of Finance emergency Rule 2017-2 on Money Management Trust Policy and Procedures Manual, Investments by the Treasurer of State of Money Management Trust; and
- 3) State Board of Finance emergency Rule 2017-3 on Investment Policy, Investments by the Treasurer of State of Treasury Funds.

A copy of each rule is attached for your information. The review and approval of these emergency rules was effective at 12:01 a.m. on August 22, 2017.

Respectfully,

Senator Bill Sample
Senate Co-Chair
Executive Subcommittee

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