

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

November 18, 2022

Co-Chairs:

The Administrative Rules Subcommittee met on Thursday, November 17, 2022, at 1:00 p.m., in Room B, MAC.

- 1. The Subcommittee filed the attached report from the Executive Subcommittee concerning emergency rules.**
- 2. The Subcommittee reviewed and filed the Quarterly Reports on Administrative Directives pursuant to Act 1258 of 2015, for the quarter ending September 30, 2022, submitted by the following agencies:**
 - a. Department of Corrections (Lindsay Wallace, Solomon Graves)**
 - b. Parole Board (Lindsay Wallace)**
- 3. The Subcommittee reviewed and approved the following rules filed pursuant to Ark. Code Ann. § 10-3-309:**

DEPARTMENT OF CORRECTIONS (Solomon Graves, Sterling Penix, Lindsay Wallace)

- a. Minimum Standards for Adult Criminal Detention Facilities**

DEPARTMENT OF EDUCATION, DIVISION OF ELEMENTARY AND SECONDARY EDUCATION (Courtney Salas-Ford)

- a. Rules Governing the Succeed Scholarship Program**

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

- a. Thoroughbred Rule 2099.1 – Commission Clocker**
- b. Thoroughbred Rule 2128A – Hand-Held Communication Devices**

- c. **Thoroughbred Rule 2260 – Purse Distribution**
- d. **Thoroughbred Rule 2444 – Claiming**

**DEPARTMENT OF FINANCE AND ADMINISTRATION, REVENUE DIVISION
(Paul Gehring, Keith Linder)**

- a. **2022-6: Arkansas Elective Pass-Through Entity Tax Rule**

**DEPARTMENT OF HEALTH, ARKANSAS STATE BOARD OF DENTAL
EXAMINERS (Meredith Rogers, Matt Gilmore)**

- a. **Licensure Fees**
- b. **Credentials Required in Issuing Dental/Dental Hygiene License**

**DEPARTMENT OF HEALTH, STATE BOARD OF HEALTH (Chuck Thompson,
Craig Smith)**

- a. **Rules for Volunteer Health Care Immunity**

**DEPARTMENT OF HUMAN SERVICES, DIVISION OF CHILD CARE AND
EARLY CHILDHOOD EDUCATION (Paige Cox)**

- a. **Better Beginnings Quality Rating Improvement System**

**DEPARTMENT OF HUMAN SERVICES, DIVISION OF CHILDREN AND
FAMILY SERVICES (Mischa Martin)**

- a. **Foster Care Driving Program and Car Insurance Reimbursement Program**
- b. **REPEAL – DCFS Policy XI: Educational Leave and Educational Assistance
Policy**

DEPARTMENT OF THE MILITARY (Scott Stanger, Bilenda Harris-Ritter)

- a. **Military Family Relief Trust Fund Operating Guide and Procedures**

4. **The Subcommittee held the following rules for consideration by the Legislative Council at its November 18, 2022 meeting:**

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

- a. **Thoroughbred Rule 1217.3 – Shock Wave Therapy¹**
 - b. **Thoroughbred Rule 1218 – Non-Invasive Treatment**
 - c. **Thoroughbred Rule 1219 – Prohibited Practices**
5. **The Subcommittee reviewed and approved the following rules filed pursuant to Ark. Code Ann. § 10-3-309 after suspension of the Subcommittee Rules:**

DEPARTMENT OF COMMERCE, ARKANSAS ECONOMIC DEVELOPMENT COMMISSION (Jim Hudson, Steven Porch)

- a. **Addendum 2 to Arkansas Rural Connect – ARPA**

DEPARTMENT OF INSPECTOR GENERAL, TAX APPEALS COMMISSION (Tammera Harrelson, Jeff Moore, Matt Boch)

- a. **Rules of Procedure of the Arkansas Tax Appeals Commission**
6. **The Subcommittee received agency updates on outstanding rulemaking pursuant to Act 595 of 2021.**
 7. **The Subcommittee received an agency update on outstanding rulemaking pursuant to Act 517 of 2019.**
 8. **The Subcommittee filed the November monthly written updates pursuant to Act 595 of 2021.**

Respectfully submitted,

Senator Kim Hammer, Co-Chair

Representative Les Eaves, Co-Chair

¹ This rule initially received review and approval; however, the Subcommittee later voted to expunge the action by which the rule was reviewed and approved.

ARKANSAS LEGISLATIVE COUNCIL

Officers

Senator Terry Rice
Senate Co-Chair

Representative Jeff Wardlaw
House Co-Chair

Senator Missy Irvin
Senate Co-Vice Chair

Representative Jim Dotson
House Co-Vice Chair



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Marty Garrity
Executive Secretary

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October 21, 2022

Senator Kim Hammer
Senate Co-Chair
Administrative Rules Review Subcommittee
via email

Representative Les Eaves
House Co-Chair
Administrative Rules Review Subcommittee
via email

Dear Co-Chairs:

This letter is to notify you that, the Executive Subcommittee met on October 21, 2022, pursuant to ALC Rule 22(f)(3)(B), to review and approve the following emergency rules:

- ***Office of Arkansas Lottery: Amendments to the Office of Arkansas Lottery Operational and Retailer Rules.***

A copy of the emergency rules are attached for your information. The emergency rules are reviewed and approved, and the review and approval was effective upon adjournment of the Arkansas Legislative Council meeting, Friday, October 21, 2022.

Respectfully

Handwritten signature of Senator Terry Rice in black ink.

Senator Terry Rice
Senate Co-Chair
Executive Subcommittee

Handwritten signature of Representative Jeff Wardlaw in black ink.

Representative Jeff Wardlaw
House Co-Chair
Executive Subcommittee

TR/JW:sla

cc: Ms. Rebecca Miller-Rice, Administrator, BLR
(*via electronic mail*)