

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

October 20, 2023

Co-Chairs:

The Administrative Rules Subcommittee met on Thursday, October 19, 2023, at 10:00 a.m., in Room A, MAC.

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

ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM

- a. Rule 24, CAR § 1-213. DROP Provisions
- b. APERS Rule 312 – 2011(5) – Contributions Required of New County and Elected Officials Who Are Elected for the First Time after July 1, 2001
- c. APERS Rule 410 – 2005(5) – Purchase of AR National Guard or Armed Forces Reserve Service Credit
- d. REPEAL: APERS Rule 411 – 2009(5) – Purchase of Service Authorized by Section 2 of Act 295 of 2009

ARKANSAS STATE POLICE RETIREMENT SYSTEM

- a. ASPRS Board Rule 14 – Nov. 2003 – Deferred Retirement Option Plan (DROP) Provisions for Members Called to Active Duty

**DEPARTMENT OF COMMERCE, STATE INSURANCE DEPARTMENT,
STATE BOARD OF EMBALMERS, FUNERAL DIRECTORS, CEMETERIES,
AND BURIAL SERVICES**

- a. Rule Pertaining to Perpetually Maintained Cemeteries

DEPARTMENT OF CORRECTIONS

- a. Payment of a Death Benefit

DEPARTMENT OF FINANCE AND ADMINISTRATION, ARKANSAS RACING COMMISSION

- a. **CGR Rule 3.25 Employee Licenses**
- b. **CGR Rule 3.45 Carrying of Licenses and Credentials**
- c. **CGR Rule 4.225 Wagering Accounts**

DEPARTMENT OF HEALTH, STATE BOARD OF HEALTH

- a. **Rules for Declaratory Orders**

DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES

- a. **Clinical Trials Attestation SPA and Provider Manual Updates & REPEALS: Crippled Children’s State Plan; PUB 407 – Notice of Privacy Practices**

DEPARTMENT OF LABOR AND LICENSING, DIVISION OF LABOR

- a. **Administrative Rules Regarding Child Labor**

- 2. **The Subcommittee held the following rule for consideration at its November meeting, pending receipt of information requested by the Subcommittee:**

DEPARTMENT OF AGRICULTURE, STATE PLANT BOARD

- a. **Arkansas Industrial Hemp Production Rule and REPEAL: Arkansas Industrial Hemp Research Program Rules**

- 3. **Pursuant to Act 595 of 2021, the Subcommittee received the following agency updates on outstanding rulemaking relating to legislation from the 2021 General Session:**

- a. **Department of Education**
- b. **Office of Arkansas Lottery**

- 4. **The Subcommittee approved the following agency requests to be excluded from Act 595 reporting requirements:**

- a. **Department of Commerce, Division of Workforce Services (Act 237 of 2023)**
- b. **Department of Energy and Environment (Acts 390 and 824 of 2023)**
- c. **Department of Transformation and Shared Services (Act 634 of 2023)**

5. **The Subcommittee filed the October monthly written updates by agencies concerning rulemaking from the 2023 General Session pursuant to Act 595.**
6. **The Subcommittee reviewed and approved the following rule filed pursuant to Ark. Code Ann. § 10-3-309 upon suspension of its subcommittee rules:**

DEPARTMENT OF COMMERCE, STATE INSURANCE DEPARTMENT

- a. **Rule 127: Coverage for Off-Label Drugs for Treatment of PANS and PANDAS**

Respectfully submitted,

Representative Brian Evans, Co-Chair

Senator Kim Hammer, Co-Chair