

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

December 15, 2023

Co-Chairs:

The Administrative Rules Subcommittee met on Thursday, December 14, 2023, at 10:00 a.m., in Room A, MAC.

- 1. The Subcommittee filed a report from the Executive Subcommittee concerning its review and approval of an emergency rule at its meeting on November 16, 2023.**
- 2. The Subcommittee reviewed and approved the following rules filed pursuant to Ark. Code Ann. § 10-3-309:**

DEPARTMENT OF COMMERCE, STATE INSURANCE DEPARTMENT

- a. Establishment of Audit Process Concerning Qualified Payment Amounts for No Surprises Act**

DEPARTMENT OF CORRECTIONS, ARKANSAS SENTENCING COMMISSION

- a. Sentencing Standards Grid and Seriousness Reference Table**

DEPARTMENT OF EDUCATION, DIVISION OF ELEMENTARY AND SECONDARY EDUCATION

- a. Rules Governing Special Education, Sec. 10.00 Mediation and Hearings**
- b. Rules Governing School Safety**

DEPARTMENT OF FINANCE AND ADMINISTRATION, OFFICE OF INTERGOVERNMENTAL SERVICES

- a. Pregnancy Help Organizations Grant Program**

DEPARTMENT OF HEALTH, ARKANSAS STATE BOARD OF ACUPUNCTURE AND RELATED TECHNIQUES

- a. Rules of the Arkansas State Board of Acupuncture & Related Techniques**

DEPARTMENT OF HEALTH, ARKANSAS STATE BOARD OF PHYSICAL THERAPY

- a. Arkansas State Board of Physical Therapy Rule**

DEPARTMENT OF HEALTH, STATE BOARD OF HEALTH

- a. Rules Pertaining to the Arkansas Prescription Drug Monitoring Program**
- b. Rules Pertaining to Youth Injury Mitigation and Information Courses for Athletics Personnel and Coaches**

DEPARTMENT OF HUMAN SERVICES, DIVISION OF AGING, ADULT, AND BEHAVIORAL HEALTH SERVICES

- a. Appendix K Extension Amendments for Limited Items**

DEPARTMENT OF HUMAN SERVICES, DIVISION OF COUNTY OPERATIONS

- a. Arkansas Community Services Block Grant Rule Manual FY2024 and 2025 Updates & REPEALS: DDS Policy 1013 – Confidentiality; DDS Policy 1024 – Education Compliance Community Programs**
- b. SNAP Provider Determination Update & REPEALS: PUB 30 – Resource Parent Handbook; DDS Policy 1087 – Criminal Record Check**
- c. Twelve Months Continuous Coverage of Children Under Age Nineteen (19) & REPEALS: DDS Policy 3004 – Maltreatment Prohibition, Prevention, Reporting, and Investigation; DDS Policy 3005 – Respite Care**

DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES

- a. Update to Third Party Liability Attestation in Arkansas Medicaid State Plan & REPEALS: DYS and DCFS Targeted Case Management Manual; Episodes of Care Manual**
- b. Electronic Visit Verification (EVV) for Home Health Services & REPEALS: DDS Policy 1027 – Incident Reporting Procedural Guidelines; DDS Policy 1035 – Agency Definition of Disability/Eligibility for Services**
- c. Hospital Reimbursement for Long Acting Reversible Contraceptives (LARCs) & REPEALS: DDS Policy 1088 – Burial Insurance; DDS Policy 2001 – Building and Contents Insurance Claims**
- d. Rules for Life Choices Lifeline and Continuum of Care Program**

- e. **Outpatient Behavioral Health Counseling Services and Rates**
- f. **Developmental Screens for Children & REPEALS: Standards for Conducting Criminal Record Checks for Employees of Developmental Disabilities Service Providers; Policy V-D – Intensive Family Services**

DEPARTMENT OF HUMAN SERVICES, DIVISION OF PROVIDER SERVICES AND QUALITY ASSURANCE

- a. **Minimum Dementia Training Requirements Pursuant to Act 335 of 2023 & REPEALS: DDS Policy 1044 – Individual Records; DDS Policy 2003 – Gifts and Bequests**

DEPARTMENT OF THE MILITARY

- a. **Arkansas National Guard Tuition Waiver Program**

DEPARTMENT OF PUBLIC SAFETY, DIVISION OF ARKANSAS STATE POLICE

- a. **Rino’s Law**
 - b. **Penalties for Violations Concerning the Selling of Used Motor Vehicles**
3. **Pursuant to Act 595 of 2021, the Subcommittee received the following agency update on outstanding rulemaking relating to legislation from the 2021 General Session:**
 - a. **Department of Education**
 4. **The Subcommittee approved the following agency request to be excluded from Act 595 reporting requirements:**
 - a. **Department of Commerce, State Insurance Department (Act 523 of 2023)**
 5. **The Subcommittee filed the December monthly written updates by agencies concerning rulemaking from the 2023 General Session pursuant to Act 595.**
 6. **Pursuant to Act 781 of 2017 and Act 65 of 2021, the Subcommittee accepted the recommendation of the following Group 2 agency to extend or repeal rules as outlined in the attached report:**
 - a. **Commissioner of State Lands**
 7. **Pursuant to Act 781 of 2017 and Act 65 of 2021, no action was required by the Subcommittee concerning the following Group 2 agency, as it reported no rules currently in effect as outlined in the attached report:**

a. Arkansas Governor's Mansion Commission

Respectfully submitted,

Representative Brian Evans, Co-Chair

Senator Kim Hammer, Co-Chair

Act 781 of 2017 Rules Report

for Commissioner of State Lands

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Commissioner of State Lands				
Enforce				
Commissioner of State Lands Rules 2023 Ed.				ID#: 11037
Statutory Authority: Act 626 of 1983, as amended by Act 241, 172, 173 and 159 of 2023 <input checked="" type="checkbox"/> Required under State or Federal Law: Act 626 of 1983 Requirement Statement: The authority for these Rules is given to the Commissioner of State Lands for the State of Arkansas by Act 626 of 1983, as amended in subsequent Acts, and other applicable laws. The purpose is to carry out the provisions of Act 626 of 1983, as amended. Enforce or Repeal?: Enforce Agency Justification: The purpose of these Rules is to carry out the provisions of Act 626 of 1983, as amended. Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/26/Rules/11037/Final/6.21.23_final_COSL_rules.pdf	07/01/2023	07/01/2023	06/23/2023	07/01/2023

Act 781 of 2017 Rules Report

for Arkansas Governor's Mansion Commission

Promulgated
Date

Effective
Date

Filed w/ SOS
Date

Last Revision
Date

ID#:

Statutory Authority:

Required under State or Federal Law: (none)

Requirement Statement: (none)

Enforce or Repeal?:

Agency Justification:

Link to Rule Document: n/a