

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

May 31, 2024

Co-Chairs:

The Administrative Rules Subcommittee met on Thursday, May 30, 2024, at 10:00 a.m., in Room A, MAC.

1. The Subcommittee filed three reports from the Executive Subcommittee concerning the review and approval of emergency rules at its meetings of March 14, 2024, April 23, 2024, and May 2, 2024.
2. The Subcommittee filed two reports from ALC Subcommittees concerning the review of rules:
 - a. Review Subcommittee, Meeting of May 28, 2024
 - b. Employee Benefits Division Oversight Subcommittee, Meeting of May 29, 2024
3. The Subcommittee received and filed the Quarterly Reports on Administrative Directives pursuant to Act 1258 of 2015, for the quarter ending March 31, 2024, submitted by the following agencies:
 - a. Department of Corrections

At the request of the Chair, the Department will return for the Subcommittee's June meeting to respond to members' requests for information and further discuss AD 2024-10, Movement of Pregnant Women, effective March 5, 2024.
 - b. Post-Prison Transfer Board
4. The Subcommittee reviewed and approved the following rules filed pursuant to Ark. Code Ann. § 10-3-309:

DEPARTMENT OF AGRICULTURE

- a. Rules Governing the Poultry Feeding Operations Registration Program

DEPARTMENT OF AGRICULTURE, ARKANSAS FORESTRY COMMISSION

- a. Posting Paint Rule**

**DEPARTMENT OF AGRICULTURE, ARKANSAS LIVESTOCK AND
POULTRY COMMISSION**

- a. Veterinary Technician Specialist Rule**
- b. Continuing Education Requirements for Veterinary Medical License and Certificate Renewal**
- c. Veterinary Medical License and Certificate Fees Rule**

**DEPARTMENT OF AGRICULTURE, ARKANSAS NATURAL RESOURCES
COMMISSION**

- a. Title 2 – Rules Governing Conservation Districts**

**DEPARTMENT OF COMMERCE, ARKANSAS ECONOMIC DEVELOPMENT
COMMISSION**

- a. Arkansas Site Development Grant Program**

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

- a. Rule 1: Rule Pertaining to Embalmers, Funeral Directors, Funeral Establishments, Crematories, Crematory Retort Operators, and Transport Services**

DEPARTMENT OF CORRECTIONS, BOARD OF CORRECTIONS

- a. County Jail Medical Expense Reimbursement ADC808/ACC9.3**
- b. REPEAL: AR 810 – Inmate Emergency Medical Expenses Incurred While in County Jails**

DEPARTMENT OF HEALTH, ARKANSAS STATE BOARD OF NURSING

- a. Chapter One: General Provisions**
- b. Chapter Two: Licensure: RN, LPN, and LPTN**
- c. Chapter Six: Standards for Nursing Education Programs**

- d. Chapter Seven: Rules of Procedure**
- e. Chapter Eight: Medication Assistant-Certified**
- f. Chapter Nine: Insulin, Glucagon and Medication for Adrenal Insufficiency or Adrenal Crisis**
- g. Chapter Ten: Alternative to Discipline**
- h. Chapter Eleven: Full Independent Practice Credentialing Committee**

DEPARTMENT OF HEALTH, STATE BOARD OF HEALTH

- a. Rules for Critical Access Hospitals in Arkansas**
- b. Rules for Hospitals and Related Institutions in Arkansas**
- c. Rules for Free-Standing Birthing Centers in Arkansas**
- d. Rules for Private Care Agencies in Arkansas**
- e. Rules for Home Health Agencies in Arkansas**
- f. Rules for Hospice in Arkansas**

DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES

- a. Children's Advocacy Center (CAC) Reimbursement**

DEPARTMENT OF LABOR AND LICENSING, ARKANSAS MANUFACTURED HOME COMMISSION

- a. Rules Including General Installation & Anchoring Specifications**

DEPARTMENT OF LABOR AND LICENSING, PROFESSIONAL BAIL BOND COMPANY AND PROFESSIONAL BAIL BONDSMAN LICENSING BOARD

- a. Professional Bail Bond Company and Professional Bail Bondsman Licensing Board Rules**

DEPARTMENT OF THE MILITARY

- a. The Joint Enlistment Enhancement Program (JEEP) for the Arkansas National Guard**

**DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES,
EMPLOYEE BENEFITS DIVISION**

- a. Rules Governing Voluntary Products**

**DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES, OFFICE
OF STATE PROCUREMENT**

- a. R7 19-11-217 Direct Contract Negotiation**

STATE BOARD OF ELECTION COMMISSIONERS

- a. Rules on Poll Watchers, Vote Challenges, and Provisional Voting**
 - b. Rules of Procedure for Citizen Complaints Regarding Violations of State Election and Voter Registration Laws**
 - c. Rules for Reimbursement of Expenses for State-Funded Elections**
 - d. Rules for Verification of Voter Registration**
 - e. Rules of Practice and Procedure**
- 5. After discussion and public comment, the Subcommittee reviewed and approved the following rule filed pursuant to Ark. Code Ann. § 10-3-309, with objections noted, including that of Senator Missy Irvin:**

DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES

- a. Continuous Glucose Monitors and Diabetic Supplies as a Pharmacy Benefit & REPEALS: DDS Policy 3018 – Reporting of Denial of Access to Services; DDS Policy 3018 – Mortality Review of Deaths of Persons Receiving Alternative Community Services Waiver Services**
- 6. Although the following rule was initially reviewed and approved, the Subcommittee then expunged the action by which it was reviewed and approved, and a motion was made and passed to hold the rule for consideration by the Subcommittee at its June meeting:**

**DEPARTMENT OF AGRICULTURE, ARKANSAS LIVESTOCK AND
POULTRY COMMISSION**

- a. Arkansas Egg Marketing Rule**

7. Pursuant to Act 595 of 2021, the Subcommittee received the following agency update on outstanding rulemaking relating to legislation from the 2021 Regular Session:
 - a. Department of Education
8. The Subcommittee filed the April and May monthly written updates by agencies concerning rulemaking from the 2023 Regular Session pursuant to Act 595.

Respectfully submitted,

Senator Kim Hammer, Co-Chair

Representative DeAnn Vaught, Vice-Chair