

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

August 21, 2026

Dear Co-Chairs:

The Administrative Rules Subcommittee met on Thursday, August 20, 2026, at 10:00 a.m., in Room A, MAC.

- A. The Subcommittee filed a report from the Executive Subcommittee concerning its review and approval of emergency rules.**
- B. The Subcommittee filed two reports from ALC Subcommittees concerning the review of rules:**
 - 1. Medical Marijuana Advisory Subcommittee, Meeting of August 19, 2026**
 - 2. State Insurance Programs Oversight Subcommittee, Meeting of August 19, 2026**
- C. The Subcommittee filed the Quarterly Reports on Administrative Directives pursuant to Act 1258 of 2015, for the quarter ending June 30, 2026, submitted by the following agencies:**
 - 1. Department of Corrections**
 - 2. Post-Prison Transfer Board**
- D. The Subcommittee reviewed and approved the following rules filed pursuant to Arkansas Code § 10-3-309:**
 - 1. Arkansas Department of Transportation, State Highway Commission**
 - a. Permit Rules for the Movement of Oversize and Overweight Vehicles on the Arkansas State Highway System, 27 CAR pt. 111
 - b. License Plate Reader Rules, 12 CAR pt. 150
 - 2. Department of Commerce, State Insurance Department**
 - a. Vision Care Plan Coverage, 23 CAR pt. 142
 - 3. Department of Education, Division of Elementary and Secondary Education**
 - a. Rules Governing the Course Choice Program, 6 CAR pt. 108
 - b. Rules Governing Public School Policies Relating to Overnight Travel and Use of Public School Lavatories, 6 CAR pt. 10
 - c. Rules Governing Consolidation and Annexation of School Districts, 6 CAR pt. 231

- 4. Department of Finance and Administration, Alcoholic Beverage Control Division, Medical Marijuana Commission**
 - a. Rules Governing the Application for, Issuance, and Renewal of Licenses for Medical Marijuana Cultivation Facilities, Dispensaries, and Processors in Arkansas, 20 CAR pt. 800
- 5. Department of Health**
 - a. List of Controlled Substances, 5 CAR pt. 22
 - b. REPEAL Rules Pertaining to Synthetic Marijuana Products, 20 CAR pt. 204
- 6. Department of Health, Arkansas Psychology Board**
 - a. Arkansas Psychology Board Rules, 17 CAR pt. 95
- 7. Department of Health, Arkansas State Board of Acupuncture and Related Techniques**
 - a. Rules of the Arkansas State Board of Acupuncture and Related Techniques, 17 CAR pt. 170
- 8. Department of Health, Arkansas State Medical Board**
 - a. Arkansas State Medical Board Rules, Physician and Physician Assistant Delegation Rule, 17 CAR § 140-2501 et seq.
- 9. Department of Human Services, Division of Aging, Adult, and Behavioral Health Services**
 - a. Updates to the Personal Care and Arkansas Independent Assessment Provider Manuals (Concerning 20 CAR pts. 607, 634)
- 10. Department of Human Services, Division of County Operations and Division of Medical Services**
 - a. Medical Services Policy Updates Related to Resource Determinations (Concerning 20 CAR pts. 500, 570)
- 11. Department of Human Services, Division of Medical Services**
 - a. Continuous Glucose Monitors Billing Amendment (Concerning 20 CAR pts. 570, 641)
 - b. Maternal Health Providers and Remote Monitoring (Concerning 20 CAR pts. 570, 641, 652)
 - c. Program for All-Inclusive Care for the Elderly (PACE) Provider Manual, 20 CAR pt. 640
 - d. PACE Rate Setting Methodology SPA (Concerning 20 CAR pt. 570)
 - e. Electronic Visit Verification (EVV) for In-Home Personal Care, Attendant Care, Respite Care, and Home Health (Concerning 20 CAR pt. 600)
 - f. Hospital Based Residential Treatment for Substance Use Disorder (Concerning 20 CAR pts. 570, 624)
- 12. Department of Labor and Licensing**
 - a. Elevator Safety Board Rules, 20 CAR pt. 881

13. **Department of Labor and Licensing, Arkansas Motor Vehicle Commission**
 - a. Arkansas Motor Vehicle Commission Rules, Limitations, 23 CAR § 410-501
14. **Department of Labor and Licensing, Arkansas Real Estate Commission**
 - a. Arkansas Real Estate Commission Rules, 17 CAR pt. 220
15. **Department of Labor and Licensing, Board of Electrical Examiners of the State of Arkansas**
 - a. Rules of the Board of Electrical Examiners of the State of Arkansas, 17 CAR pt. 210
16. **Department of Parks, Heritage, and Tourism, State Parks, Recreation, and Travel Commission**
 - a. General Rules, Firearms, hunting, explosives, and fireworks, 22 CAR § 50-114
 - b. General Rules, Hang gliding and paragliding rules, 22 CAR § 50-115
17. **Department of Shared Administrative Services, Employee Benefits Division**
 - a. Independent Vendor Data Audit Process, 21 CAR pt. 51
18. **Section 529 Plan Review Committee**
 - a. Arkansas Brighter Future Fund Plan, 6 CAR pt. 560
19. **Treasurer of State, Achieving a Better Life Experience Program Committee**
 - a. Achieving a Better Life Experience Program Rules, 20 CAR pt. 930
- E. **The Subcommittee held the following rule for consideration by the Legislative Council at its August 21, 2026 meeting:**
 1. **Department of Human Services, Division of Medical Services**
 - a. Clarification of Requirements for an Acute Rehabilitation Unit within a Hospital and Update to the Medicaid Utilization Management Program (MUMP) (Concerning 20 CAR pts. 570, 610, 624, 631, 636, 643, and 644)
- F. **The Subcommittee voted to not approve the following rule filed pursuant to Arkansas Code § 10-3-309:¹**
 1. **Department of Labor and Licensing, Arkansas Towing and Recovery Board**
 - a. Administrative Rules of the Arkansas Towing and Recovery Board, 27 CAR pt. 170
- G. **Prior to the meeting, the following rules were pulled from the agenda at the request of the agency:**
 1. **Arkansas Department of Transportation, State Highway Commission**
 - a. Utility Accommodation Rules, 27 CAR pt. 91

¹ Because the rule contained a fee or penalty, grounds under Arkansas Code § 10-3-309(f)(1) were not required to be stated when the rule was not approved. See Arkansas Code § 10-3-309(f)(4).

2. Upper Southwest Regional Solid Waste Management District

- a. Rules of the Upper Southwest Regional Solid Waste Management District, 8 CAR pt. 370

H. Pursuant to Act 781 of 2017 and Act 65 of 2021, the Subcommittee accepted the recommendation of the following Group 3 agency to extend rules as outlined in the attached report:

1. Department of Education, Office of Early Childhood

I. Pursuant to Act 595 of 2021, the Subcommittee received agency updates on outstanding rulemaking relating to legislation from the 2023 Regular Session and the 2025 Regular Session.

Respectfully submitted,

Senator Tyler Dees, Co-Chair

Representative Matthew J. Shepherd, Co-Chair

Act 781 of 2017 Rules Report

for Department of Education - Office of Early Childhood

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Department of Education - Office of Early Childhood				
Enforce				
20 CAR pt. 1000. Rules Governing the Requirements and Procedures for Obtaining an Arkansas Birth through Prekindergarten Teaching Credential				ID#: 11250
Statutory Authority: § 20-78-801 et seq.	11/15/2010	01/01/2011	11/15/2010	08/10/2024
☒ Required under State or Federal Law: Arkansas Code § 20-78-205(b)(9)				
Requirement Statement: Arkansas Code § 20-78-205(b)(9): Administration of the birth through prekindergarten teaching credential and the promulgation of rules to implement the teaching credential program under § 20-78-801 et seq.				
				After cabinet level transfer, ACA 6-11-105 gave ADE the authority to enforce these rules that were previously enforced by DHS.
Enforce or Repeal?: Enforce				
Agency Justification: These rules are necessary to enforce the requirements and procedures which govern the birth through prekindergarten teaching credential.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/197/Rules/11250/Final/20CARpt1000.pdf				
20 CAR pt. 1001. Better Beginnings Tiered Quality Rating and Improvement System				ID#: 11251
Statutory Authority: Act 820 and 1268 of 1993, Ark. Code Ann. §6-45-103 (Supp.. 1993) and revised by Act 1132 of 1997 Ark. Code §20-78-201-226 as amended	11/09/2009	11/24/2009	11/22/2024	12/09/2024
☒ Required under State or Federal Law: A.C.A. § 6-45-105				
Requirement Statement: (a)(1)(A) The Division of Elementary and Secondary Education shall establish the Arkansas Better Chance Program to assist in the establishment and funding of the appropriate early childhood programs for children from birth through five (5) years of age.				
				After cabinet level transfer, ACA 6-11-105 gave ADE the authority to enforce these rules that were previously enforced by DHS.
Enforce or Repeal?: Enforce				
Agency Justification: This statutory framework provides the legal foundation for Arkansas's tiered quality rating and improvement system for child care and early childhood education facilities and continues to require this rule.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/197/Rules/11251/Final/20CARpt1001.pdf				
20 CAR pt. 1025. Minimum Licensing Requirements for Childcare Centers				ID#: 11239
Statutory Authority: A.C.A. § 20-78-206	06/01/1972	06/01/1972	07/20/1972	03/01/2015
☒ Required under State or Federal Law: A.C.A. § 20-78-206				
Requirement Statement: (a)(1)(A) The Division of Child Care and Early Childhood Education shall promulgate and publish rules setting minimum standards governing the granting, revocation, refusal, and suspension of licenses for a childcare facility and the operation of a childcare facility.				
				After cabinet level transfer, ACA 6-11-105 gave ADE the authority to enforce these rules that were previously enforced by DHS.
Enforce or Repeal?: Enforce				
Agency Justification: These are the current licensing standards under which child care centers are licensed and monitored.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/197/Rules/11239/Final/20CARpt1025.pdf				
20 CAR pt. 1026. Minimum Licensing Requirements for Licensed Childcare Family Homes				ID#: 11240

		Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Statutory Authority: Arkansas Code §§ 20-78-210 – 20-78-220		09/01/1972	08/01/1972	09/01/1972	03/01/2015
☒ Required under State or Federal Law:	A.C.A. § 20-78-206(b)				
Requirement Statement:	(b) In establishing requirements and standards for the granting, revocation, refusal, and suspension of a license for a childcare facility, the division shall adopt such rules as will: (1) Promote the health, safety, and welfare of children attending a childcare facility; (2) Promote safe, comfortable, and healthy physical facilities for the children who attend the childcare facility; (3) Ensure adequate supervision of the children by capable, qualified, and healthy individuals; (4) Ensure appropriate educational programs and activities; and (5) Ensure adequate and healthy food service where food service is offered by the childcare facility.				
Enforce or Repeal?:	After cabinet level transfer, ACA 6-11-105 gave ADE the authority to enforce these rules that were previously enforced by DHS. Enforce				
Agency Justification:	Childcare Facility Licensing Act, Arkansas Code §§ 20-78-210 – 20-78-220, is the legal authority under which the Office of Early Childhood prescribes minimum standards for a variety of childcare facilities.				
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/197/Rules/11240/Final/20CARpt1026.pdf				
20 CAR pt. 1027. Minimum Licensing Requirements for Out-of-School Time Facilities					ID#: 11241
Statutory Authority: Arkansas Code Annotated § 20-78-206		12/12/2014	03/01/2015	12/12/2014	12/01/2020
☒ Required under State or Federal Law:	Arkansas Code Annotated § 20-78-206				
Requirement Statement:	Arkansas Code Annotated § 20-78-206 grants the Division explicit rulemaking authority, requiring it to promulgate and publish rules setting minimum standards governing the granting, revocation, refusal, and suspension of licenses for a childcare facility and the operation of a childcare facilities				
Enforce or Repeal?:	After cabinet level transfer, ACA 6-11-105 gave ADE the authority to enforce these rules that were previously enforced by DHS. Enforce				
Agency Justification:	These are the current standards under which Out of School Time programs are licensed and monitored.				
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/197/Rules/11241/Final/20CARpt1027.pdf				
20 CAR pt. 1028. Minimum Licensing Requirements for Registered Childcare Family Homes					ID#: 11242
Statutory Authority: Child Care Facility Licensing Act Ark. Code Ann. 20-78-201-220		09/14/2005	09/28/2005	12/12/2014	12/01/2020
☒ Required under State or Federal Law:	6-11-105				
Requirement Statement:	after transformation, 6-11-105 gave ADE enforcement authority.				
Enforce or Repeal?:	Enforce				
Agency Justification:	These are the current standards under which Registered Child Care Family Homes receive their registration and are monitored.				
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/197/Rules/11242/Final/20CARpt1028.pdf				