

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

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**July 24, 2020**

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**Co-Chairs:**

**The Administrative Rules Subcommittee met on Wednesday, June 22, 2020, at 9:00 a.m., in Room A, MAC.**

- 1. The Subcommittee adopted the attached Executive Subcommittee Report concerning an emergency rule.**
- 2. The Subcommittee reviewed and approved the following rules filed pursuant to Ark. Code Ann. § 10-3-309:**

**DEPARTMENT OF AGRICULTURE, ARKANSAS STATE BOARD OF REGISTRATION FOR FORESTERS (Mr. Wade Hodge, Mr. Joe Fox)**

- a. Rules of the Arkansas State Board of Registration for Foresters**

**DEPARTMENT OF EDUCATION, DIVISION OF ELEMENTARY AND SECONDARY EDUCATION (DESE) (Ms. Courtney Salas-Ford, item a; Ms. Jennifer Dedman, items b-d)**

- a. DESE Rules Governing Student Discipline and School Safety**
- b. DESE Rules Governing College and Career Readiness Planning Programs**
- c. DESE Rules Governing Federal Program Complaint Resolution**
- d. DESE Rules Governing Parental Involvement Plans and Family and Community Engagement**

**STATE BOARD OF ELECTION COMMISSIONERS (Mr. Chris Madison)**

- a. Rules for County Election Commissioners Training**
- b. Rules for Poll Worker & County Clerk Training**

**DEPARTMENT OF ENERGY AND ENVIRONMENT, DIVISION OF ENVIRONMENTAL QUALITY (Mr. Micheal Grappe, Mr. William Montgomery)**

- a. Rule 19, Rules of the Arkansas Plan of Implementation for Air Pollution Control**

**DEPARTMENT OF HEALTH, SECTION OF EMERGENCY MEDICAL SERVICES (Mr. Greg Brown, Ms. Christy Kresse, Ms. Laura Shue)**

- a. Rules for Emergency Medical Services**

**DEPARTMENT OF HEALTH, DIVISION OF HEALTH RELATED BOARDS AND COMMISSIONS, STATE BOARD OF ACUPUNCTURE & RELATED TECHNIQUES (Mr. Kenneth Young, Mr. Matt Gilmore)**

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

**DEPARTMENT OF HEALTH, DIVISION OF HEALTH RELATED BOARDS AND COMMISSIONS, STATE MEDICAL BOARD (Mr. Kevin O'Dwyer, Mr. Matt Gilmore)**

- a. Rule 6 – Rules Governing the Licensing and Practice of Occupational Therapists**
- b. Rule 24 – Proposed Amendments to Rule 24 Governing Physician Assistants**
- c. Rule 37 – Arkansas Graduate Registered Physician Act**
- d. Rule 44 – Pre-Licensure Criminal Background Check**

**DEPARTMENT OF HEALTH, DIVISION OF HEALTH RELATED BOARDS AND COMMISSIONS, STATE BOARD OF PHARMACY (Mr. John Kirtley, Mr. Luke Daniel, Mr. Matt Gilmore)**

- a. Rule 1 – General Operations**
- b. Rule 2 – Pharmacists**
- c. Rule 3 – Pharmacy Technicians**
- d. Rule 11 – Criminal Background Checks**

**DEPARTMENT OF HEALTH, DIVISION OF HEALTH RELATED BOARDS AND COMMISSIONS, STATE BOARD OF PHYSICAL THERAPY (Ms. Nancy Worthen, Mr. Matt Gilmore)**

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

**DEPARTMENT OF HEALTH, DIVISION OF HEALTH RELATED BOARDS AND COMMISSIONS, STATE BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY (Mr. Matt Gilmore)**

- a. Arkansas Board of Examiners in Speech-Language Pathology and Audiology Rules**

**DEPARTMENT OF HUMAN SERVICES, DIVISION OF CHILDREN & FAMILY SERVICES (Mr. Mark White, Ms. Christin Harper)**

- a. Private Licensed Placement Agency Resource Homes**

**DEPARTMENT OF HUMAN SERVICES, DIVISION OF COUNTY OPERATIONS (Mr. Mark White, Ms. Kristie Hayes)**

- a. Medical Services Policy Manual Section E-200**

**DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES (Mr. Mark White)**

- a. Ambulance Services – SPA 2020-0009 and Transportation Provider Manual**

**DEPARTMENT OF LABOR AND LICENSING, DIVISION OF OCCUPATIONAL & PROF. LICENSING BOARDS AND COMMISSIONS, STATE BOARD OF BARBER EXAMINERS (Ms. Phyllis Jacobsen, Ms. Denise Oxley)**

- a. Rules for Barbering**

**DEPARTMENT OF LABOR AND LICENSING, DIVISION OF OCCUPATIONAL & PROF. LICENSING BOARDS AND COMMISSIONS, MANUFACTURED HOME COMMISSION (Mr. Aaron Howard, Ms. Denise Oxley)**

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

**DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES,  
GEOGRAPHIC INFORMATION SYSTEMS (Mr. Shelby Johnson, Mr. Daniel  
Phillips)**

- a. **Standard of Practice No. 1**
3. **At the agency's request, the following rule was not considered and therefore deferred to the next meeting of the Subcommittee:**

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

- a. **Arkansas Long Term Care Ombudsman Program Policies**
4. **The Subcommittee heard agency updates on delinquent rulemaking under Act 517 of 2019. With respect to Department of Agriculture, Arkansas Bureau of Standards, after hearing testimony that the agency's rulemaking has been delayed by litigation, and such litigation is not currently set for trial until February 2021, a motion was adopted to accept monthly letters from the agency to constitute its appearance for the purpose of reporting under Act 517 until such appropriate time that the litigation concludes.**

**Respectfully submitted,**

**Senator Lance Eads, Co-Chair**

**Representative Dan Sullivan, Co-Chair**

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**Room 315, State Capitol Building**  
**Little Rock, AR 72201**

**Marty Garrity**  
Executive Secretary

Tel: 501-682-1937  
Fax: 501-682-1936

June 19, 2020

Senator Lance Eads  
Senate Co-Chair  
Administrative Rules Review Section  
*via email*

Representative Dan Sullivan  
House Co-Chair  
Administrative Rules Review Section  
*via email*

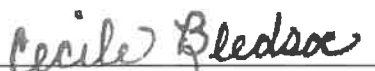
Dear Co-Chairs:


This letter is to notify you that, pursuant to Act 1258 of 2015, the Executive Subcommittee met on June 19, 2020 to consider the request from Department of Commerce – Arkansas Economic Development Commission to review and approve the emergency rule, *to amend a permanent rule to accelerate the Rural Connect Broadband program for applications and funding to respond to the COVID-19 pandemic.*

A copy of the emergency rule is attached for your information.

The emergency rule was reviewed and approved, and the review and approval was effective upon adjournment of the Arkansas Legislative Council (ALC) meeting, Friday, June 19, 2020.

Respectfully,

  
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Senator Cecile Bledsoe  
Senate Co-Chair  
Executive Subcommittee

  
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Representative Jeff Wardlaw  
House Co-Chair  
Executive Subcommittee

CB/JW:sla

Attachment

cc: Ms. Jessica Sutton, Administrator, Administrative Rules and Regulations Review Section  
*via email*