

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

June 17, 2022

Co-Chairs:

The Administrative Rules Subcommittee met on Thursday, June 16, 2022, 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. § 10-3-309¹:**

ARKANSAS STATE POLICE RETIREMENT SYSTEM (Allison Woods)

- a. Rule 11 – DROP Provisions***

**DEPARTMENT OF COMMERCE, STATE INSURANCE DEPARTMENT
(Dan Honey)**

- a. Rule 69 – Viatical Settlement Regulation REPEAL**

DEPARTMENT OF CORRECTIONS (Solomon Graves)

- a. Extended Juvenile Jurisdiction Transfers and Access to Confidential Juvenile Records***

**DEPARTMENT OF EDUCATION, DIVISION OF ELEMENTARY AND
SECONDARY EDUCATION (Whitney James)**

- a. Rules Governing Arkansas Military Child School Transitions***

¹ Those agencies presenting a rule considered outstanding under Act 595 of 2021 provided an update in accordance with the Act. They have been noted by an asterisk (“*”).

**DEPARTMENT OF EDUCATION, DIVISION OF HIGHER EDUCATION
(Whitney James)**

- a. Rules Governing the Star-Spangled Banner Act***

**DEPARTMENT OF HEALTH, ARKANSAS STATE MEDICAL BOARD
(Amy Embry, Matt Gilmore)**

- a. Rule Changes Pursuant to Act 990 of 2019**
- b. Rule No. 36: Rules Governing Procedures for Abortions***
- c. Rule No. 42: Licensure for Uniformed Service Members, Veterans, and Spouses***
- d. Rule No. 34: Requirement of Licensed Physicians in Completing Death Certificates***

DEPARTMENT OF HEALTH, STATE BOARD OF OPTOMETRY (Tanya Ford, Matt Gilmore)

- a. Chapter I Article III – Entrance Examination; Chapter I Article IV – Reciprocity, Licensure by Endorsement, Military Personnel; Chapter I Article VIII – Continuing Education; and Chapter IX Article I – Pre-Licensure Criminal Background Check***

**DEPARTMENT OF HUMAN SERVICES, DIVISION OF
DEVELOPMENTAL DISABILITIES SERVICES (Mark White)**

- a. Occupational Therapy, Physical Therapy, and Speech-Language Pathology State Plan Amendment**
- b. Developmental Therapy Services Medicaid Manual Section II**
- c. Rules for the Division of Developmental Disabilities Services First Connections Program Under Part C of IDEA**

**DEPARTMENT OF LABOR AND LICENSING, DIVISION OF LABOR,
BOILER INSPECTION DIVISION (Ralph Hudson, Denise Oxley)**

- a. Rules of the Boiler Inspection Section, Division of Labor – Rule 010.01-008 Licensing***

DEPARTMENT OF LABOR AND LICENSING, DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING BOARDS AND COMMISSIONS, ARKANSAS APPRAISER LICENSING AND CERTIFICATION BOARD (Diana Piechocki, Denise Oxley)

- a. **Appraiser Licensing and Certification Board Rules 21-0006***
- b. **Appraisal Management Company Rules 21-0007***

DEPARTMENT OF PARKS, HERITAGE, AND TOURISM, DIVISION OF ARKANSAS HERITAGE (Leslie Fiskens, Jim Andrews)

- a. **Rules Pertaining to the Arkansas State Capitol and Historical Monument Protection Act***

STATE BOARD OF FINANCE (Debbie Rogers, T.J. Fowler)

- a. **State Treasury Money Management Trust Investment Policy**
 - b. **Arkansas State Treasury Investment Policy**
3. **The Subcommittee reviewed and approved the following rule filed pursuant to Ark. Code Ann. § 10-3-309, with Senator Missy Irvin noting her objection:**

DEPARTMENT OF AGRICULTURE, VETERINARY MEDICAL EXAMINING BOARD (Cara Tharp, Dr. Paul Turchi, Wade Hodge)

- a. **Veterinary Telehealth and Telemedicine***
4. **The Subcommittee held the following rule for consideration at its September meeting:**

DEPARTMENT OF AGRICULTURE, COMMISSION ON WATER WELL CONSTRUCTION (Blake Forrest, Wade Hodge)

- a. **Supervision Rule**
5. **The Subcommittee held the following rule for consideration at its August meeting:**

DEPARTMENT OF HEALTH, ARKANSAS STATE MEDICAL BOARD (Amy Embry, Matt Gilmore)

- a. **Rule No. 38: Telemedicine***

6. **At the agency’s request, the following rule was pulled from consideration at the Subcommittee meeting:**

DEPARTMENT OF HEALTH, ARKANSAS STATE BOARD OF NURSING (Amy Embry, Sue Tedford, Matt Gilmore)

- a. **Chapter Eleven – Full Independent Practice Credentialing Committee***

7. **At the agencies’ request, the following rules were pulled from consideration prior to the Subcommittee meeting:**

DEPARTMENT OF HEALTH, ARKANSAS STATE MEDICAL BOARD

- a. **Rule No. 46: Administrative Fees and Renewal Fees**

SALINE COUNTY REGIONAL SOLID WASTE MANAGEMENT DISTRICT BOARD

- a. **Saline County Regional Solid Waste Management District Rule 22.202 Regarding Requirements for Solid Waste Hauler Licenses and Vehicle Permits**

8. **The Subcommittee received agency updates on outstanding rulemaking pursuant to Act 595 of 2021 and filed written summaries.**

9. **The Subcommittee approved the following agency request to be excluded from further Act 595 reporting requirements:**

Department of Transformation and Shared Services (Act 488 of 2021) (Mitch Rouse)

10. **The Subcommittee filed the June monthly written updates pursuant to Act 595 of 2021.**

Respectfully submitted,

Senator Kim Hammer, Co-Chair

Representative Les Eaves, Co-Chair

ARKANSAS LEGISLATIVE COUNCIL

Officers

Senator Terry Rice
Senate Co-Chair

Representative Jeff Wardlaw
House Co-Chair

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Senate Co-Vice Chair

Representative Jim Dotson
House Co-Vice Chair



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May 17, 2022

Senator Kim Hammer
Senate Co-Chair
Administrative Rules Review Subcommittee
via email

Representative Les Eaves
House Co-Chair
Administrative Rules Review Subcommittee
via email

Dear Co-Chairs:

This letter is to notify you that, the Executive Subcommittee met on May 17, 2022, pursuant to ALC Rule 22(f)(3)(B), to review and approve the following emergency rule:

- ***Arkansas Department of Public Safety - Division on Law Enforcement Standards and Training – for Law Enforcement Stipend Program.***

A copy of the emergency rule is attached for your information. The emergency rule is reviewed and approved, and the review and approval shall be effective at 12:01 a.m. on Thursday, May 19, 2022.

Respectfully,

Handwritten signature of Senator Terry Rice in black ink.

Senator Terry Rice
Senate Co-Chair
Executive Subcommittee

Handwritten signature of Representative Jeff Wardlaw in black ink.

Representative Jeff Wardlaw
House Co-Chair
Executive Subcommittee

TR/JW:sla

Attachment

cc: Ms. Rebecca Miller-Rice, Administrator, BLR
(via electronic mail)