

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

November 16, 2012

Co-Chairs:

The Subcommittee on Administrative Rules and Regulations met at 10:00 a.m. on Monday, November 5, 2012, in Room 171 of the State Capitol. The following committee members attended: Senator Percy Malone, Co-Chair; Representative James L. Word, Co-Chair; Senator Randy Laverty, Vice Co-Chair; Representative Jonathan Barnett, Vice Co-Chair; Senators Jack Crumbly, Jimmy Jeffress, Mary Anne Salmon, and Johnny Key; Representatives Terry Rice, Toni Bradford, Tommy Lee Baker, Johnnie Roebuck, Kelley Linck, and Randy Stewart. Other legislators attended as follows: Senators Stephanie Flowers, Eddie Joe Williams, and Bill Sample; Representatives Henry “Hank” Wilkins IV, David Branscum, John Burris, Billy Gaskill, Buddy Lovell, and Mike Patterson.

- 1. At its October 15, 2012 meeting, the Administrative Rules and Regulations Subcommittee referred the Department of Education rule concerning Concurrent College and High School Credit for Students who have Completed the Eighth Grade to the House Higher Education Subcommittee of the House Interim Committee on Education. The House subcommittee met on October 29, 2012, and Representative Randy Stewart presented the subcommittee’s report (attached). The Administrative Rules and Regulations Subcommittee adopted the report and reviewed the following rule:**

DEPARTMENT OF EDUCATION (Jeremy Lasiter, Shane Broadway)

- a. Concurrent College and High School Credit for Students who have Completed the Eighth Grade**
- 2. At its October 15, 2012 meeting, the Administrative Rules and Regulations Subcommittee referred the Commission for Arkansas Public School Academic Facilities and Transportation’s rule concerning Maintenance and Operation of Public School Buses and Physical Examinations of School Bus Drivers to the Senate Interim Committee on Education and the House Interim Committee on Education. The committees met on October 29, 2012, and Representative Roebuck presented the Education committees’ report (attached). The Administrative Rules and Regulations Subcommittee adopted the report and reviewed the following rule:**

**COMMISSION FOR ARKANSAS PUBLIC SCHOOL ACADEMIC FACILITIES
AND TRANSPORTATION (Mark White, Mike Simmons)**

- a. Maintenance and Operation of Public School Buses and Physical
Examinations of School Bus Drivers**

- 3. The subcommittee reviewed the following rules filed pursuant to A. C. A. § 10-3-309:**

**ARKANSAS ALCOHOL AND DRUG ABUSE COORDINATING COUNCIL
(Frances Flener)**

- a. State Drug Crime Enforcement and Prosecution Grant Fund Rules of
Procedure**

**ARKANSAS ALTERNATIVE DISPUTE RESOLUTION COMMISSION
(Jennifer Taylor)**

- a. Requirements for the Certification of Mediators for Arkansas Circuit Courts**
- b. Requirements of the Conduct of Mediation and Mediators**

STATE BANK DEPARTMENT (Brent Taylor)

- a. Total Indebtedness**

DEPARTMENT OF EDUCATION (Mark White)

- a. Repeal of Arkansas Department of Education Rules and Regulations
Governing Special Education Expenditure Requirements**
- b. Repeal of Arkansas Department of Education Rules Governing the
Development of a Uniform Budget and Accounting System**
- c. Repeal of Arkansas Department of Education Rules Governing the Common
Core System**

**DEPARTMENT OF FINANCE AND ADMINISTRATION, CHILD SUPPORT
ENFORCEMENT (Kay Demailly, Barbara Morris Williams)**

- a. OCSE Policy Manual**

HEALTH SERVICES PERMIT AGENCY (Jodie Fairchild, Monique Tyhurst)

- a. Change in Nursing Home Methodology**

ARKANSAS HOME INSPECTOR REGISTRATION BOARD (Randy Martinsen)

- a. **103R, Standards of Practice and Code of Ethics; and 603C, Delinquent Renewal Fee**

DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES (Marilyn Strickland, Andy Allison)

- a. **State Plan Amendment #2012-015 and Section I 4-12 – Recovery Audit Contractors (RAC) Audit Requirements**
- b. **EPISODE 1-12 and State Plan Amendment #2012-014**

PUBLIC SERVICE COMMISSION (John Bethel)

- a. **Conservation and Energy Efficiency Programs, Section 11**

REAL ESTATE COMMISSION (Gary Isom, Jim Newell, Tina Daniel)

- a. **Reg. 3.1; Fees**

SOUTHEAST ARKANSAS REGIONAL SOLID WASTE MANAGEMENT BOARD (Andrew Armstrong, Glen Bell)

- a. **Southeast Arkansas Regional Solid Waste Management Board Rules and Regulations**

DEPARTMENT OF WORKFORCE SERVICES (Derwin Taylor)

- a. **Amendment to Arkansas Temporary Assistance for Needy Families (TANF) State Plan**

- 4. **Upon the agency's request, the following rule was withdrawn:**

ASSESSMENT COORDINATION DEPARTMENT (Monty Davenport)

- a. **Rule 3.22; Direct Deposits**

- 5. **The following rules were referred to the Senate Interim Committee on Education and the House Interim Committee on Education with a request that the committees report back at the Administrative Rules and Regulations Subcommittee's December 12, 2012 meeting:**

DEPARTMENT OF EDUCATION (Mark White)

- a. **Educator Licensure and Proposed Repeals**

- b. **Repeal of Arkansas Department of Education Rules Governing Waivers for Substitute Teachers**

6. The following rules were deferred to the December 12, 2012 meeting of the Administrative Rules and Regulations Subcommittee:

DEPARTMENT OF HEALTH, PUBLIC HEALTH LABS (Robert Brech)

- a. **Regulations for Alcohol Testing**

DEPARTMENT OF HUMAN SERVICES, AGING AND ADULT SERVICES

- a. **Attendant Care for a Beneficiary of the Alternatives for Adults with Physical Disabilities Medicaid Waiver Program**

DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES

- a. **AAPDWVR-1-12; Alternatives for Adults with Physical Disabilities (AAPD) Waiver Application**
- b. **ELDER-1-11; ElderChoices Waiver Application**
- c. **LCAL 1-12 and Section V 8-12; Living Choices Assisted Living Waiver Application**
- d. **INCHOICE-1-11 and State Plan Amendment #2012-009; Independent Choices**
- e. **PERSCARE 2-11; Personal Care**

STATE MEDICAL BOARD

- a. **Regulation 10; Licensing and Practice of Respiratory Care Practitioners**

REAL ESTATE COMMISSION

- a. **Real Estate Auction Definitions and Requirements**

Respectfully submitted,

Senator Percy Malone, Co-Chair

Representative James Word, Co-Chair

ARKANSAS GENERAL ASSEMBLY
HIGHER EDUCATION SUBCOMMITTEE
of the
HOUSE INTERIM COMMITTEE ON EDUCATION

Representative Tommy Wren
Chair

Representative Randy Stewart
Vice Chair

REPORT
of the
Meeting of the House Higher Education Subcommittee
of the House Interim Committee on Education
to the
Administrative Rules and Regulations Subcommittee
of the Arkansas Legislative Council

November 5, 2012

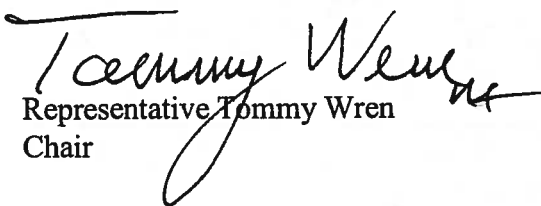
Senator Percy Malone, Senate Chair
Representative James Word, House Chair
Administrative Rules and Regulations Subcommittee
Arkansas Legislative Council

Chairman Malone and Chairman Word:

At a meeting on October 29, 2012, the Higher Education Subcommittee of the House Interim Committee on Education heard a presentation by the Arkansas Department of Education (ADE) concerning the proposed ADE Rules Governing Concurrent College and High School Credit for Students Who Have Completed the Eighth Grade.

Following examination of the proposed rule, discussion by the Subcommittee, and testimony from representatives of the Arkansas Department of Education (ADE), the Arkansas Department of Higher Education (ADHE), and other interested parties, this is to advise that the Subcommittee adopted a motion to review the rule.

Respectfully submitted,


Representative Tommy Wren
Chair

cc: Representative Eddie Cheatham, Chair, House Interim Committee on Education
Senator Jimmy Jeffress, Chair Senate Interim Committee on Education

ARKANSAS GENERAL ASSEMBLY
HOUSE INTERIM COMMITTEE ON EDUCATION
and
SENATE INTERIM COMMITTEE ON EDUCATION

Senator Jimmy Jeffress
Senate Chair

Representative Eddie Cheatham
House Chair

REPORT
of the
Joint Meeting of the
Senate Interim Committee on Education and
House Interim Committee on Education
to the
Administrative Rules and Regulations Subcommittee
of the Arkansas Legislative Council

November 5, 2012

Senator Percy Malone, Senate Chair
Representative James Word, House Chair
Administrative Rules and Regulations Subcommittee
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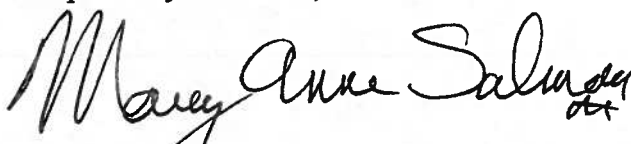
Chairman Malone and Chairman Word:

At a joint meeting on October 29, 2012, the Senate Interim Committee on Education and the House Interim Committee on Education heard a presentation by the Division of Public School Academic Facilities and Transportation regarding the Commission for Arkansas Public School Academic Facilities and Transportation Rules Governing Maintenance and Operation of Public School Buses and Physical Examinations of School Bus Drivers.

Following examination of the proposed rule, discussion by the Committees, and testimony from representatives of the Division of Public School Academic Facilities and Transportation (DPSAFT), this is to advise that the Committees adopted a motion to review the rule.

The Committees also accepted a report from the Higher Education Subcommittee of the House Interim Committee on Education regarding its October 29, 2012, meeting concerning the proposed Arkansas Department of Education (ADE) Rules Governing Concurrent College and High School Credit for Students Who Have Completed the Eighth Grade. The Subcommittee adopted a motion to review the proposed rule.

Respectfully submitted,



Senator Mary Anne Salmon
Vice-Chair
Senate Interim Committee on Education



Representative Johnnie Roebuck
Vice-Chair
House Interim Committee on Education