

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

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**June 21, 2013**

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**Co-Chairs:**

**The Administrative Rules and Regulations Subcommittee met on June 11, 2013 at 1:00 p.m. in Room 171 of the State Capitol. The following committee members attended: Senator Johnny Key, Co-Chair; Representative Kelley Linck, Co-Chair; Senator Bruce Maloch, Co-Vice Chair; and Senators Ronald Caldwell, Bobby J. Pierce, and Bill Sample; Representatives John Charles Edwards, Andrea Lea, Butch Wilkins, Ann V. Clemmer, Greg Leding, Lane Jean, Jeff Wardlaw, Kim Hammer, and Joe Jett. Other legislators attended as follows: Senators Jane English and Linda Chesterfield; Representatives Randy Alexander, Nate Bell, Jim Dotson, Justin Harris, John K. Hutchison, Betty Overbey, Fredrick Love, Mark Perry, Walls McCrary, and Andy Davis.**

- 1. The Subcommittee reviewed the following rules filed pursuant to Ark. Code Ann. 10-3-309:**

**DEPARTMENT OF AGRICULTURE, STATE PLANT BOARD (Scott Bray, items a. and b.; Tom Pugh, items c. and d.; and Mary Smith, item e.)**

- a. 2013 Rice Regulations (contained in Plant Board Circular 11)**
- b. 2013 Boll Weevil Eradication Rule**
- c. Civil Penalty Matrix under the Weights and Measures Law and Fuel and Lubricants Law**
- d. Arkansas Weights and Measures and Fuel and Lubricants Regulations**
- e. Official Standards for Seed Certification**

**APPRAISER LICENSING AND CERTIFICATION BOARD (Lee Gordon)**

- a. Section XI; Supervisory Guidelines and Qualifications**
- b. Pre-Application Criteria for State Registered Applicants**

**DEPARTMENT OF CORRECTION (Bobby G. Smith)**

- a. AR 405; State Police Assistance During Escapes and Other Disturbances**

**DEPARTMENT OF EDUCATION (Jeremy Lasiter, items a., b., and c.; Courtney Salas-Ford, item d.)**

- a. Alleged Testing Improprieties**
- b. Positive Youth Development Grant Program**
- c. Rules Governing Educator Licensure**
- d. Special Education and Related Services Regulations Governing Residential Placement 18.00**

**DEPARTMENT OF ENVIRONMENTAL QUALITY, AIR DIVISION (Teresa Marks, Mike Bates)**

- a. Repeal of Regulation No. 25; Lead-Based Paint Activities**
- b. Regulation No. 19; Arkansas Plan of Implementation for Air Pollution Control**

**DEPARTMENT OF ENVIRONMENTAL QUALITY, HAZARDOUS WASTE DIVISION (Teresa Marks, Ryan Benefield)**

- a. Regulation No. 30; Arkansas Remedial Action Trust Fund Hazardous Substances Site Priority List**

**DEPARTMENT OF HEALTH, ENVIRONMENTAL HEALTH (Robert Brech, Reginald Rogers)**

- a. Repeal of Rules and Regulations Pertaining to Frozen Foods in Retail Stores**
- b. Repeal of Rules and Regulations Pertaining to Food Stores, Markets and Warehouses**
- c. Repeal of Rules and Regulations Pertaining to Frozen Food Locker Plants**
- d. Repeal of Rules and Regulations Pertaining to Shellfish**

**DEPARTMENT OF HEALTH, ENVIRONMENTAL HEALTH/PLUMBING SECTION (Robert Brech, Reginald Rogers, and Bob Higginbottom)**

- a. State Plumbing Code**

**DEPARTMENT OF HEALTH, CENTER FOR PUBLIC HEALTH PRACTICE  
(Robert Brech, Reginald Rogers)**

- a. Medical Waste Regulations Update**
- 2. The subcommittee deferred the following rules to the July 15, 2013 meeting:**

**DEPARTMENT OF AGRICULTURE, STATE PLANT BOARD**

- a. Arkansas Pest Control Law**
- 3. Due to absence of the agency representative, the subcommittee deferred the following rules to the July 15, 2013 meeting:**

**STATE BOARD OF DENTAL EXAMINERS**

- a. Article XIX Dental Hygienist Collaborative Care Program**

## **June 12, 2013 Meeting**

The Subcommittee on Administrative Rules and Regulations met on Wednesday, June 12, 2013 at 9:00 a.m. in Room 171 of the State Capitol. The following committee members attended: Senator Johnny Key, Co-Chair; Representative Kelley Linck, Co-Chair; Senators Bill Sample, Ronald Caldwell, Bobby J. Pierce, and Jonathan Dismang; Representatives Terry Rice, Ann V. Clemmer, Greg Leding, Lane Jean, Kim Hammer, and Joe Jett. Other legislators attended as follows: Senators Jane English, Linda Chesterfield, and David Sanders; Representatives Randy Alexander, David Branscum, Bill Gossage, John K. Hutchison, Sheilla Lampkin, Mark McElroy, Betty Overbey, Sue Scott, Mary Slinkard, Nate Steel, Tommy Thompson, Henry “Hank” Wilkins IV, and Marshall Wright.

1. The subcommittee reviewed the following rules filed pursuant to Ark. Code Ann. 10-3-309:

### **DEPARTMENT OF HUMAN SERVICES, CHILDREN AND FAMILY SERVICES (Cecile Blucker, Christin Harper)**

- a. Clarifications Regarding Initial Denial of Subsidized Guardianship Program
- b. Revision to CPR and First Aid Requirements for Foster and Adoptive Parents
- c. Early Intervention Screening Referrals

### **DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES (Marilyn Strickland, Tami Harlan)**

- a. State Plan Amendment #2013-002 and Physician 3-13
- b. Rehabilitative Services for Persons with Mental Illness (RSPMI) Update No. 3-12
- c. State Plan Amendment #2012-003; Section I 7-12 and Section V II-12
- d. Notice 001-12 – 2013 Current Procedure Terminology (CPT®) Code Conversion; Notice 002-12 – Healthcare Common Procedural Coding System Level II (HCPCS) Code Conversion and Section V-3-12

### **DEPARTMENT OF HUMAN SERVICES, OFFICE OF POLICY AND LEGAL SERVICES (Tarek Bahloul, Larry Stricklen)**

- a. Policy 1069; Recruitment Program

**LAW ENFORCEMENT TRAINING COMMISSION (Brian Marshall)**

- a. Minimum Standards for Firearms Qualification**

**ARKANSAS MANUFACTURED HOME COMMISSION (Whit Waller)**

- a. Manufactured Home Licensing and Used Manufactured Home Installation Standards**

**STATE BOARD OF DISPENSING OPTICIANS (Lonnie Burrow, Jerry Ann Himes)**

- a. 2013 Proposed Rule Change; Testing Fees**

**STATE BOARD OF PUBLIC ACCOUNTANCY (James Corley)**

- a. State Board of Public Accountancy Rule Changes**

**COMMISSION FOR PUBLIC SCHOOL ACADEMIC FACILITIES AND TRANSPORTATION (Dr. Charles Stein, Jeremy Lasiter)**

- a. Academic Facilities Partnership Program**
- b. Facilities Master Plan**

**WORKERS' COMPENSATION COMMISSION (Alan McClain)**

- a. Carrier Premium Tax Auditing (AWCC Rule 099.40)**

**Respectfully Submitted,**

**Senator Johnny Key, Co-Chair**

**Representative Kelley Linck, Co-Chair**