

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

November 20, 2015

Co-Chairs:

The Subcommittee on Administrative Rules and Regulations met on Tuesday, November 17, 2015 at 9:00 a.m. in Room A, MAC.

- 1. The Subcommittee adopted the attached report of the Executive Subcommittee concerning emergency rule filings.**
- 2. The Subcommittee adopted the attached report of the Senate and House Interim Committees on Agriculture, Forestry and Economic Development concerning the following rule that was referred to the Committees on October 12, 2015, and the Subcommittee reviewed and approved the following rule:**

STATE PLANT BOARD (Mike Churchwell, Jamie Johnson)

- a. Arkansas Grain Dealers Act**

- 3. The Subcommittee reviewed and approved the following rules that were deferred from the October 12, 2015 Administrative Rules and Regulations Subcommittee meeting:**

DEPARTMENT OF HUMAN SERVICES, BEHAVIORAL HEALTH SERVICES (Julie Meyer, Charlie Green)

- a. DBHS Certification Manual for Rehabilitative Services for Persons with Mental Illness (RSPMI) Update #2015-1**

ARKANSAS PAROLE BOARD (John Felts, Solomon Graves)

- a. Arkansas Parole Board Manual**

4. The Subcommittee reviewed and approved the following rules filed pursuant to Ark. Code Ann. § 10-3-309:

**DEPARTMENT OF CAREER EDUCATION, CAREER AND
TECHNICAL EDUCATION (Randy Prather)**

- a. Plumbing Apprenticeship Programs
- b. Electrician Apprenticeship Programs
- c. Arkansas Registered Apprenticeship Programs

DEPARTMENT OF EDUCATION (Cory Biggs)

- a. College and Career Readiness Programs
- b. Required Training for School Board Members
- c. Consolidation and Annexation of School Districts

**DEPARTMENT OF FINANCE AND ADMINISTRATION, REVENUE
DIVISION (John Theis)**

- a. Rule 2015-2; Mandatory Electronic Reporting by Tobacco Wholesalers

**DEPARTMENT OF HEALTH, CENTER FOR HEALTH PROTECTION
(Robert Brech)**

- a. Orthotic Prosthetic Pedorthic Providers

**DEPARTMENT OF HUMAN SERVICES, COUNTY OPERATIONS (Dave Mills,
item a; Lorie Williams and Beverly Buchanan, item b)**

- a. Medical Services Policy # 371-373, Inmate Medicaid Applications and Suspension of Medicaid Coverage for an Inmate, and Appendix C, Verification of Citizenship
- b. Community Services Block Grant State Plan for Fiscal Years 2016-2017

**DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES
(Suzanne Bierman, Michael Crump)**

- a. Ambulatory Surgical Center 2-15, ARKids 3-15; Certified Nurse Midwife 1-15; Early Periodic Screening Diagnosis and Treatment 2-15, Hospital 3-15; Federally Qualified Health Center 2-15; Home Health 3-15; Hyperalimentation 2-15; Physician 4-15; Prosthetics 5-15; Rural Health Clinic 2-15; Nurse Practitioner 2-15; Transportation 1-15 – Drug Vial Policy**
- b. State Plan Amendment 2015-003; Ambulatory Surgical Center**

INSURANCE DEPARTMENT (Amanda Gibson, items a and b; Booth Rand, item c)

- a. Rule 110: Prepaid Funeral Benefits Contracts Transfer Fee**
- b. Rule 43: Unfair Claims Settlement Practices**
- c. Rule 111: Craniofacial Anomaly Reconstructive Surgery Coverage**

STATE MEDICAL BOARD (Kevin O'Dwyer)

- a. Regulation 2.8; Physician/Patient Relationships**
- b. Regulation 24; Physician Assistants**
- c. Regulation 19; Pain Management Program**
- d. Regulation 10; License and Practice of Respiratory Care Practitioners**
- e. Regulation 21; Anorexiant Drug Guidelines**

ARKANSAS PAROLE BOARD (John Felts, Solomon Graves)

- a. Arkansas Parole Board Manual (Various Revocation Policies)**

**COMMISSION FOR PUBLIC SCHOOL ACADEMIC FACILITIES AND
TRANSPORTATION (Lori Freno)**

- a. Advertising on School Buses**

DEPARTMENT OF WORKFORCE SERVICES (Derwin Taylor)

- a. TANF Drug Screening and Drug Testing**

Respectfully submitted,

Senator David Sanders, Chair

Representative Andy Davis, Chair

ARKANSAS LEGISLATIVE COUNCIL

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Senate Co-Chair

Representative John Charles Edwards
House Co-Chair

Senator David Johnson
Senate Co-Vice Chair

Representative Terry Rice
House Co-Vice Chair



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Executive Secretary

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October 26, 2015

Senator David Sanders, Senate Co-Chair
ALC - Administrative Rules and Regulations
Via Electronic Mail

Representative Andy Davis, House Co-Chair
ALC - Administrative Rules and Regulations
Via Electronic Mail

Dear Senator Sanders & Representative Davis:

Pursuant to Act 1258 of 2015, the Executive Subcommittee met on October 26, 2015 to consider the Request by the Arkansas Department of Human Services to immediately implement an Emergency Rule regarding Arkansas Medicaid Ambulatory Surgery Center (ASC) reimbursement rates.

The proposed emergency rule was approved and will become effective at 12:01 a.m. October 28, 2015.

A handwritten signature in black ink, appearing to read "Bill Sample", written over a horizontal line.

Senator Bill Sample, Senate Chair
Executive Subcommittee

A handwritten signature in black ink, appearing to read "David Branscum", written over a horizontal line.

Rep. David Branscum, House Chair
Executive Subcommittee

Cc: Jessica Sutton, Administrator, Administrative Rules Review Section

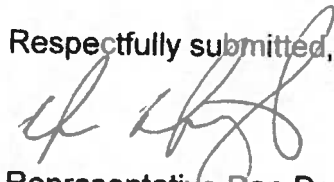
**REPORT OF THE
HOUSE AND SENATE INTERIM COMMITTEES ON
AGRICULTURE, FORESTRY, AND ECONOMIC DEVELOPMENT
TO THE
ADMINISTRATIVE RULES AND REGULATIONS SUBCOMMITTEE
OF THE ARKANSAS LEGISLATIVE COUNCIL**

November 17, 2015

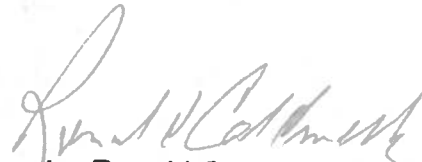
The House and Senate Interim Committees on Agriculture, Forestry, and Economic Development met on October 29, 2015, to consider the Arkansas State Plant Board's "Regulations on Grain Dealers in Arkansas" rules referred by your Committee on October 12, 2015.

The committees heard testimony from representatives of the Arkansas State Plant Board. Following committee discussion, the committees recommended review and approval of the rule by the Administrative Rules and Regulations Subcommittee.

Respectfully submitted,



Representative Dan Douglas, Chair
House Committee on Agriculture,
Forestry, and Economic Development



Senator Ronald Caldwell, Chair
Senate Committee on Agriculture
Forestry, and Economic Development