

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

December 16, 2016

Co-Chairs:

The Administrative Rules and Regulations Subcommittee met on Tuesday, December 13, 2016 at 9:00 a.m. in Room A, MAC.

- 1. The Subcommittee reviewed and filed the quarterly report issued pursuant to Sections 14 and 15 of Act 1258 of 2015 concerning Administrative Directives and Administrative Memoranda (effective July 1 through September 30, 2016) submitted by the Department of Community Correction.**

- 2. The Subcommittee adopted the report of the Executive Committee concerning emergency rules (attached).**

- 3. The Subcommittee reviewed and approved the following rule that was deferred from the August 16, 2016 Subcommittee meeting:**

STATE MEDICAL BOARD (Kevin Odwyer)

- a. Regulation 38 Governing Telemedicine**

- 4. The Subcommittee reviewed and approved the following rule that was deferred from the October 17, 2016 Subcommittee Meeting:**

MANUFACTURED HOME COMMISSION (Aaron Howard)

- a. Certification and Licensing, Sections 300-302**

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

STATE BOARD OF DENTAL EXAMINERS (Kevin Odwyer)

- a. Amendment to Article VIII – Requirements for Licensure of Dentists and Dental Hygienists and CPR**

DEPARTMENT OF EDUCATION (Courtney Salas)

- a. Arkansas Educational Financial Accounting and Reporting System and Annual Training Requirements**

DEPARTMENT OF ENVIRONMENTAL QUALITY, WATER DIVISION (Caleb Osborne, ADEQ; and Allen Gates for the Third Party)

- a. Regulation No. 2; Third-Party Rulemaking, City of Harrison and City of Yellville Wastewater Treatment Plants**

DEPARTMENT OF FINANCE AND ADMINISTRATION, ARKANSAS RACING COMMISSION (Byron Freeland)

- a. EGS Rule 13.23 License Criteria for EGS Laboratories**
- b. Amendment to Rule 2212**
- c. Amendment to Rule 2441**
- d. Rule 2467 Pick-5 Wagering**

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

- a. Medical Waste Regulations Amendment**

DEPARTMENT OF HEALTH, CENTER FOR HEALTH, PROTECTION/PHARMACY SERVICES (Robert Brech)

- a. List of Controlled Substances in Arkansas**

DEPARTMENT OF HUMAN SERVICES, AGING AND ADULT SERVICES (Craig Cloud)

- a. Section 310 – Arkansas Family Caregiver Support Program**

DEPARTMENT OF HUMAN SERVICES, CHILDREN AND FAMILY SERVICES (Christin Harper)

- a. Policy Regarding Children Missing from Out-of-Home Placements**

DEPARTMENT OF HUMAN SERVICES, COUNTY OPERATIONS
(Donna DuMond, Yolanda Geary, and Dawn Stehle, item a; Dave Mills, item b)

- a. **SNAP Work Requirements**
- b. **Medical Services Policy Manual Sections G-140 and G-141**

DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES
(Tami Harlan, Charlie Green and Kelley Linck, item a; Tami Harlan, item b; Melissa Stone, item c; Tami Harlan, item d)

- a. **Outpatient Behavioral Health Services Update New-16, ARKids 3-16, Inpatient Psychiatric Services for Persons Under Age 21 Update 1-16, School Based Mental Health Update 1-16, Substance Abuse Treatment Services 2-16, Rehabilitative Services for Persons with Mental Illness 4-16, Licensed Mental Health Practitioners 2-16, and State Plan Amendment #2016-008**
- b. **State Plan Amendment #2016-007 – Nursing Facility Payment Methodology**
- c. **ARKids-2-16, CHMS-1-16, DDTCS-1-16, and Therapy-1-16**
- d. **2016 CPT and HCPCS Code Conversion**

ARKANSAS INSURANCE DEPARTMENT (Booth Rand)

- a. **Rule 113: Vision Care Plan Coverage**
- b. **Rule 115: Prior Authorization Transparency Act**

DEPARTMENT OF LABOR, BOILER INSPECTION DIVISION (Denise Oxley)

- a. **Rule 010.01 Boiler Inspection**

DEPARTMENT OF PARKS AND TOURISM, ARKANSAS STATE PARKS (Joe Jacobs and Grady Spann)

- a. **Calendar Year 2017 Arkansas State Parks Fees and Rates**

DEPARTMENT OF PARKS AND TOURISM, TOURISM (Joe David Rice)

- a. **Integration of Advertising and Marketing Plan**

ARKANSAS STATE POLICE (Major Lindsey Williams, Sergeant Michael Moyer, and Mary Claire McLaurin, item a; Major Lindsey Williams, item b)

- a. PI/Security Disqualifying Offenses**
- b. Residential Daycare Exception**

PUBLIC EMPLOYEES RETIREMENT SYSTEM (Gail Stone and Jay Wills)

- a. Regulation 402 – Repayment of Refunded Contributions**

ARKANSAS REAL ESTATE COMMISSION (Gary Isom)

- a. Regulation 6 – Renewal; Inactive Status; Expired Licenses and Regulation 11 – Continuing Education**

- 6. The following rule was deferred to the next meeting of the Subcommittee on Administrative Rules and Regulations:**

CAPITOL ZONING DISTRICT COMMISSION (Boyd Maher)

- a. Updates to the Capitol Zoning District Rule and Master Plan**

- 7. Upon the agency request, the following rules were withdrawn:**

DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES (Tami Harlan and Kelley Linck)

- a. Rehabilitative Services for Persons with Mental Illness (RSPMI) Rate Reduction**
- b. Rehabilitative Services for Persons with Mental Illness (RSPMI) Update #2-16**

Respectfully submitted,

Senator David Sanders, Chair

Representative Andy Davis, Chair

ARKANSAS LEGISLATIVE COUNCIL

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November 18, 2016

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

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

Dear Senator Sanders and Representative Davis:

Pursuant to Act 1258 of 2015, the Executive Subcommittee met on November 18, 2016 to consider the Request by the Arkansas Department of Human Services, Division of Behavioral Health Services to immediately implement an Emergency Rule regarding Rehabilitative Services for Persons with Mental Illness (RSPMI) Moratorium Amendment 7.

The proposed emergency rule was approved and became effective upon adjournment of the Legislative Council meeting on November 18, 2016.

A handwritten signature of Senator Bill Sample in black ink.

Senator Bill Sample
Senate Co-Chair
Executive Subcommittee

A handwritten signature of Representative David L. Branscum in black ink.

Representative David L. Branscum
House Co-Chair
Executive Subcommittee

BS/DLB:vjf

cc: Ms. Jessica Sutton, Administrator, Administrative Rules Review Section