

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

August 19, 2016

Co-Chairs:

The Administrative Rules and Regulations Subcommittee met on Tuesday, July 12, 2016 at 9:00 a.m. in Room A, MAC. Pursuant to the motion passed by the Legislative Council on June 17, 2016, the actions of this subcommittee meeting are final.

- 1. The subcommittee reviewed and approved the following rule that was referred to the subcommittee by the Legislative Council on June 17, 2016:**

STATE BOARD OF EXAMINERS IN COUNSELING (Michael Loos)

- a. Amendments to Rules**

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

CONTRACTORS LICENSING BOARD (Gregory Crow, Lizabeth Lookadoo)

- a. License Expiration and Renewal**
- b. Financial Requirements**
- c. Reinstatement of License**

DEPARTMENT OF FINANCE AND ADMINISTRATION (Paul Gehring)

- a. Rule 2016-1: Standard Mileage Rates for Income Tax Purposes**

STATE PLANT BOARD (Susie Nichols and Brandi Reynolds)

- a. Dicamba Sale and Use Rule**

STATE PLANT BOARD, BUREAU OF STANDARDS (Tom Pugh)

- a. Arkansas Weights and Measures Regulations and Fuel and Lubricants Regulations**

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

- a. Academic Facilities Partnership Program [Sections 1.01, 405.3(i), 4.08, 4.08.1(ii), 4.08.1(v)-(vii)]**
- 3. The subcommittee referred the following rules to the Senate and House Interim Committees on Public Health to be placed on the committees' agendas for July 18, 2016:**

STATE MEDICAL BOARD (Kevin Odwyer)

- a. Regulation 2.8 Governing Physician/Patient Relationships**
- b. Regulation 38 Governing Telemedicine**

August 16, 2016 Meeting

The Administrative Rules and Regulations Subcommittee met on Tuesday, August 16, 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 April 1 through June 30, 2016) submitted by the Department of Community Correction.**
- 2. Senator Bledsoe presented the Report of the Senate and House Interim Committees on Public Health on the following rules referred to the committees on July 12, 2016: (attached)**

STATE MEDICAL BOARD (Kevin Odwyer)

- a. Regulation 2.8 Governing Physician/Patient Relationships**
- b. Regulation 38 Governing Telemedicine**

The Subcommittee reviewed and approved Regulation 2.8 Governing Physician/Patient Relationships. Mr. Odwyer, Counsel for the State Medical Board advised the subcommittee that the Board will be holding another public hearing in October on Regulation 38 Governing Telemedicine.

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

DEPARTMENT OF EDUCATION (Jennifer Davis)

- a. Arkansas Qualified Teacher Requirements**
- b. Creation of School Districts by Detachment**

DEPARTMENT OF ENVIRONMENTAL QUALITY, WASTE MANAGEMENT (Tori Gordon and Tammie Hynum)

- a. Regulation No. 27; Licensing of Operators of Solid Waste Management Facilities**

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

- a. Public Access to Auto-Injectable Epinephrine**

Respectfully submitted,

Senator David Sanders, Chair

Representative Andy Davis, Chair

Report of the
Senate and House Committees on Public Health, Welfare and Labor
To the
Administrative Rules and Regulations Subcommittee
Of the Arkansas Legislative Council
August 19, 2016

July 18, 2016

Representative Andy Davis
Senator David Sanders

Dear Chairs:

The Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council, referred two rules from the Arkansas Medical Board regarding implementation of the "Telemedicine Act" which is Act 887 of 2016, to the Senate and House Public Health, Welfare and Labor Committees for review.

At a meeting on July 18, 2016, the Senate and House Interim Committees on Public Health, Welfare and Labor, failed to recommend review and approval of the proposed rules by the Arkansas Medical Board. Therefore, the Senate and House Public Health Committees refer these rules back to the Administrative Rules and Regulations Subcommittee without recommendation.

Respectfully Submitted,



Senator Cecile Bledsoe
Senate Chair



Representative Deborah Ferguson,
House Vice-Chair