

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

OCTOBER 17, 2008

Mr. Co-Chairmen:

The Committee on Administrative Rules and Regulations met at 9:00a.m. on Wednesday, October 1, 2008, in Room 151 of the State Capitol. The following committee members attended: Senator John Paul Capps and Representative Daryl Pace, Chairs; Senators Percy Malone, Kim Hendren and Steve Faris; Representatives Lamont Cornwell and Scott Sullivan. Other legislators attended as follows: Senators Sharon Trusty, Paul Bookout and Jimmy Jeffress; Representatives J. R. Rogers, Stan Berry, R. Gregg Reep, Randy Stewart, Ray Kidd, Tracy Pennartz, Billy Gaskill, Curren Everett, Buddy Lovell, Eddie Cooper, Monty Davenport, Nathan George and Roy Ragland.

- 1. The Committee completed its review of the following rules filed pursuant to A.C.A. § 10-3-309:**

**ARKANSAS AGRICULTURE DEPARTMENT, STATE PLANT BOARD
(Terry Walker)**

- a. Arkansas Pest Control Regulations

ASSESSMENT COORDINATION DEPARTMENT (Debra Asbury, Bob Leslie)

- a. Revisions to Rules: ACD Rules: 3.26, 3.30, 3.31, 3.39, 3.40, 4.04lb, 4.04 lc, 4.08.1, 4.08.2, and 4.24

DEPARTMENT OF COMMUNITY CORRECTION (David Eberhard)

- a. AR 8.9 Offender Substance Abuse

BOARD OF EXAMINERS IN COUNSELING (Ann Thomas, Arnold Jochums)

- a. Section 3.5 Specialization Areas; Section XI Counselor, Communications

BOARD OF DENTAL EXAMINERS (Bill Trice)

- a. Amendment to Article XIV; Continuing Education

ARKANSAS DEVELOPMENT FINANCE AUTHORITY (Sara Braswell)

- a. 2008 Housing Credit Program Qualified Allocation Plan
- b. 2009 Housing Credit Program Qualified Allocation Plan
- c. 2008 Housing Credit Qualified Allocation Plan
- d. 2009 Housing Credit Qualified Allocation Plan
- e. Compliance Monitoring Policies and Procedures Manual for the Low Income Housing Tax Credit Program

DEPARTMENT OF EDUCATION (Tripp Walter)

- a. Standards for Accreditation of Arkansas Public Schools and School Districts

DEPARTMENT OF ENVIRONMENTAL QUALITY, AIR DIVISION (Karen Bassett, Mike Bates)

- a. Regulation No. 33; Motor Vehicle Racing Facility Regulations

DEPARTMENT OF ENVIRONMENTAL QUALITY, HAZARDOUS WASTE DIVISION (Karen Bassett, Ryan Benefield)

- a. Regulation No. 30; Hazardous Substance Remedial Action Trust Fund Priority List

DEPARTMENT OF ENVIRONMENTAL QUALITY, SOLID WASTE DIVISION (Steve Martin, Mike Robinson)

- a. Regulation No. 11; Solid Waste Disposal Fees; Landfill Post-Closure Trust Fund; and Recycling Grants Program

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

- a. Gross Receipts Tax, Compensating Use Tax, and Special Excise Tax Rules

DEPARTMENT OF HEALTH, PHARMACY SERVICES (Jerry Jones)

- a. Biological Select Agents and Toxins Registry

**DEPARTMENT OF HUMAN SERVICES, CHILDREN AND FAMILY
SERVICES (Pat Page)**

- a. Revisions to Rules and Regulations

**DEPARTMENT OF HUMAN SERVICES, FINANCE AND
ADMINISTRATION (Charlene Young-Hauser)**

- a. DHS Administrative Procedure Manual; Chapter 602, DHS Purchasing Authority, Special Provisions

DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES (Marilyn Strickland)

- a. RSPMI Update No. 99
- b. Ambulatory Surgical Centers Transmittal #108
- c. Physician/CRNA/Independent Lab/Radiation Therapy Center Manual Update #154

LIVESTOCK AND POULTRY COMMISSION (Jon Fitch)

- a. Arkansas Swine Regulations

STATE BOARD OF NURSING

- a. Chapter 3; Registered Nurse Practitioner
- b. Chapter 5; Delegation
- c. Chapter 7; Rules of Procedure

DEPARTMENT OF PARKS AND TOURISM (Greg Butts)

- a. Proposed 2009 Fees and Rates for Arkansas State Parks

**ARKANSAS COMMISSION FOR PUBLIC SCHOOL FACILITIES AND
TRANSPORTATION (Doug Eaton)**

- a. Rules for the Specifications Governing School Bus Design

PUBLIC SERVICE COMMISSION (John Bethel)

- a. Pole Attachment Rule

- 2. **Representative Eddie Cooper, House Chair of the House Interim Committee on Public Health, Welfare and Labor presented the Report of the Senate and House Interim Committees on Public Health, Welfare and Labor dated October 1, 2008 (see attached). The Committees tabled the State Medical Board's rule on Collaborative Practice Regulations for Physicians and the State Board of Nursing's rule on Chapter 1, General Provisions. The Committees recommended review of the remaining three State Board of Nursing rules (Chapter 3, Registered Nurse Practitioner; Chapter 5, Delegation; and Chapter 7, Rules of Procedure) as noted above. The Administrative Rules and Regulations Committee adopted the report as presented. Representative Cooper clarified that if the State Medical Board and the State Board of Nursing meets and reaches an agreement on the two tabled rules, the Public Health committees will reconsider them.**

Respectfully submitted,

Senator John Paul Capps, Co-Chair

Representative Daryl Pace, Co-Chair

REPORT
OF THE
HOUSE AND SENATE INTERIM COMMITTEES
ON
PUBLIC HEALTH, WELFARE AND LABOR

September 17, 2008

Mr. Co-Chairmen:

At its meeting on September 2, 2008 ALC/Administrative Rules & Regulations Committee referred the following rules to the House & Senate Interim Committees on Public Health, Welfare & Labor:

STATE MEDICAL BOARD

- a. Collaborative Practice Regulation for Physicians

STATE BOARD OF NURSING

- a. Chapter 1; General Provisions
- b. Chapter 3; Registered Nurse Practitioner
- c. Chapter 5; Delegation
- d. Chapter 7; Rules of Procedure

On September 17, 2008 the House & Senate Interim Committees on Public Health, Welfare & Labor met and reviewed the following rules:

STATE BOARD OF NURSING

- b. Chapter 3; Registered Nurse Practitioner
- c. Chapter 5; Delegation
- d. Chapter 7; Rules of Procedure

In addition, the committees tabled the following rules:

STATE MEDICAL BOARD

- a. Collaborative Practice Regulation for Physicians

STATE BOARD OF NURSING

- a. Chapter 1; General Provisions

Respectfully submitted,

Jack Critcher

Senator Jack Critcher, Chair
Senate Interim Committee on Public
Health Welfare & Labor

JC:EC:KB:jw

Eddie Cooper

Rep. Eddie Cooper
House Interim Committee on Public
Health, Welfare & Labor