

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

September 17, 2010

Mr. Co-Chairmen:

The Subcommittee on Administrative Rules and Regulations met at 9:30 a.m. on Wednesday, September 15, 2010, in Room 171 of the State Capitol. The following committee members attended: Representative Mike Burris Co-Chair; Senator Percy Malone, Co-Chair; Senator John Paul Capps, Vice Co-Chair, and Representative George Overbey, Jr., Vice Co-Chair; Senators Steve Faris, Terry Smith, Steve Bryles, and Randy Laverty; Representatives Ray Kidd and Johnnie Roebuck. Other legislators attended as follows: Senators Gene Jeffress and Jimmy Jeffress; Representatives Tommy Baker, J. R. Rogers, Randy Stewart, Eddie Cooper, R. Gregg Reep, Clark Hall, Bill Abernathy, Rick Green, Mark Martin, Butch Wilkins, Duncan Baird, Uvalde Lindsey, Jane English, Jonathan Barnett, Mary Slinkard, and Billy Gaskill.

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

**DEPARTMENT OF CAREER EDUCATION, ARKANSAS
REHABILITATION SERVICES (Robert Trevino)**

- a. Arkansas Rehabilitation Services Policy and Procedure Manual Revisions
- b. 3-Year State Plan for Independent Living
- c. Annual State Plan for the Vocational Rehabilitation and Supported Employment Services Program

**DEPARTMENT OF EDUCATION (Paula Smith and Mark White, item a;
Beverly Williams and Mark White, item b.)**

- a. Rules Governing School-Based Automated External Defibrillator (AED) Devices and Cardiopulmonary Resuscitation (CPR) Programs in Arkansas Public Schools
- b. Eligibility and Financial Incentives for National Board for Professional Teaching Standards

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

- a. Revisions to Rules and Regulations

DEPARTMENT OF HUMAN SERVICES, FINANCE AND ADMINISTRATION (Jeff Wood)

- a. Policy #5014; Facility Identification and Protection Policy

DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES (Jeff Wood, Michael Krump, and Glenda Hicks on item a.; Carol Shockley on item b.; and Jeff Wood on item c.)

- a. State Plan Amendment #2010-007; Medicare Improvements for Patients and Providers Act (MIPPA) Estate Recovery Provisions
- b. HomeStyle Regulations for Nursing Facilities
- c. State Plan Amendment #2010-006; Rate Increase for Under 16 Bed ICF/MR Facilities

ARKANSAS INSURANCE DEPARTMENT (Booth Rand, Ashley Fisher)

- a. Rule 50; Continuing Education for Producers and Adjusters
- b. Rule 99; Advertisements of Life Insurance and Annuities

LIVESTOCK AND POULTRY COMMISSION (Jon Fitch, Dr. Pat Badley)

- a. Entry Regulations for Livestock, Poultry, and Exotic Animals
- b. Exhibition Regulations for Livestock, Poultry, and Exotic Animals

STATE MEDICAL BOARD (Bill Trice)

- a. Regulation 34; Requirements of Licensed Physicians in Completing Death Certificates
- b. Amendment to Regulation 17; Continuing Medical Education of Licensed Physicians

ARKANSAS PAROLE BOARD (Solomon Graves)

- a. Arkansas Board of Parole Policy Manual

**PUBLIC SCHOOL ACADEMIC FACILITIES AND TRANSPORTATION
COMMISSION (Dr. Charles Stein, Mark White)**

- a. Partnership Program Rules

DEPARTMENT OF RURAL SERVICES (Butch Calhoun)

- a. Rural Services Block Grant Program
- 2. Several committee members expressed concerns on the Real Estate Commission's proposed change to Regulation 4.1(a)(3)(A), presented by Debra Randolph and Jim Newell, to require documentation for a real estate broker as the commission deems satisfactory "to demonstrate that the applicant has gained experience in all aspects of the real estate businesses equal to that which would be gained by a person engaged in the real estate business on a full time basis during a minimum two year period of time; listings, sales or other licensed activities may be considered by the commission in determining whether the application meets this qualification;" The subcommittee recommended that the commission present a revised policy at a later meeting.**

Respectfully submitted,

Senator Percy Malone

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Representative Mike Burris

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