

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

December 17, 2010

Mr. Co-Chairs:

The Subcommittee on Administrative Rules and Regulations met at 8:30 a.m. on Tuesday, December 14, 2010, in Room 171 of the State Capitol. The following committee members attended: Senator Percy Malone, Co-Chair; Representative Mike Burris, Co-Chair; Representative George Overbey, Jr., Vice Co-Chair; Senators Steve Bryles, Kim Hendren, Randy Laverty, Cecile Bledsoe, Henry Wilkins IV, and Joyce Elliott; Representatives Nathan George, Stephanie Flowers, Monty Davenport, Bill Sample, John Paul Wells, and David Dunn. Other legislators attended as follows: Senators Ed Wilkinson and David Wyatt; Representatives Jerry Brown, R. Gregg Reep, Nate Steel, Randy Stewart, Curren Everett, Ray Kidd, Rick Green, Eddie Cooper, Clark Hall, Buddy Lovell, Andrea Lea, Robert Moore, David Rainey, Billy Gaskill, and John Burris. Representative-Elect Betty Overbey also attended.

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

DEPARTMENT OF CORRECTION (Bobby G. Smith)

- a. AR 401; Searches for and Control of Contraband

ARKANSAS STATE CRIME LABORATORY (Kermit Channell)

- a. Collection of DNA Samples; "Juli's Law"

DEPARTMENT OF EDUCATION (Mark White, items a and b; Bill Goff, item c.; Dr. Gayle Potter and Susan Gray, item d; Beverly Williams and Ron Tolson, items e and g; and Jeremy Lasiter, Dr. Purcell, and Robert White, item f)

- a. Federal Program Complaint Resolution
- b. Supplemental Education Service Providers
- c. Public Funded Educational Institution Audit Requirements and Repeals of

School District Audits not conducted by Legislative Audit and Audit Requirements for School Districts

- d. Arkansas College and Career Readiness Planning Program
- e. Initial and Standard/Professional Administrator License and Administrator-Arkansas Correctional School License
- f. Concurrent College and High School Credit for Students who have Completed Eighth Grade
- g. Initial, Standard/Professional and Provisional Teacher Licensure

**DEPARTMENT OF FINANCE AND ADMINISTRATION, REVENUE DIVISION,
OFFICE OF CHILD SUPPORT ENFORCEMENT (Kay Demailly)**

- a. Office of Child Support Enforcement Policy

STATE BOARD OF HEARING INSTRUMENT DISPENSERS (Stewart Bell)

- a. Hearing Instrument Dispensers Rules and Regulations

**DEPARTMENT OF HUMAN SERVICES, BEHAVIORAL HEALTH SERVICES
(Breck Hopkins and Paul Jones, items a and b; David Laffoon and Dawn Zekis, item c;
David Laffoon, Phil Hall, and Joe Hill, item d)**

- a. RSPMI Provider Certification Amendment I
- b. RSPMI Certification Policy Revised
- c. Supplemental Manual for Substance Abuse Treatment Services (SATS) Rules of Practice and Procedure
- d. Licensure Standards for Alcohol and Other Drug Abuse Treatment Programs

**DEPARTMENT OF HUMAN SERVICES, CHILD CARE AND EARLY CHILDHOOD
EDUCATION (Tonya Russell and Jamie Morrison, item a; Tonya Russell, David Griffin,
and Charles Thompson, item b)**

- a. Arkansas Birth-Pre Kindergarten Teaching Credential
- b. Minimum Licensing Standards for Child Welfare Agencies

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

- a. Revision to Rules and Regulations

**DEPARTMENT OF HUMAN SERVICES, COUNTY OPERATIONS (Thomas Green and
Doris Wright, item a; Jeff Wood and Windy Kelly, item b)**

- a. ARRA Weatherization Assistance Program - 2009-2012 State Plan

- b. Medical Services Policy (MS) 1348; Inmates of Public Institutions

DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES (Jeff Wood)

- a. Official Notice #ON-005-10 - FFY 2011 - ICD-9-CM Diagnosis Codes
- b. Official Notice #ON-006-10; Coverage of Fluzone Flu Vaccines for Medicaid Beneficiaries Ages 65 and Above
- c. Arkansas Medicaid State Plan Amendment #2010-011; Substance Abuse Treatment
- d. Dental-3-10 and Section V-8-10
- e. State Plan Amendment #2010-001; Reimbursement Rate Increases for Selected Specialized Rehabilitative Equipment
- f. State Plan Amendment #2010-003; Developmental Day Treatment Clinic Services (DDTCS) Rate Increase

PUBLIC DEFENDER COMMISSION (Didi Sallings)

- a. Procedure for Funding Requests from Arkansas Public Defender Commission

PUBLIC EMPLOYEES RETIREMENT SYSTEM (Gail Stone and Jay Wills)

- a. APERS Regulations 601-623; District Judge Members

PUBLIC SERVICE COMMISSION (John Bethel)

- a. Electronic Filing Components of the Rules of Practice and Procedure

REAL ESTATE COMMISSION (Gary Isom and Andrea Alford)

- a. Regulation 4.1; Applications; Education; Experience

2. The following rules were deferred until the next meeting of the subcommittee:

ARKANSAS DEVELOPMENT FINANCE AUTHORITY

- a. Compliance Monitoring Policies and Procedures Manual for the Low Income Housing Tax Credit Program
- b. Compliance Monitoring Policies and Procedures Manual for the HOME Program
- c. 2011 Market Study Guidelines for Affordable Rental Housing
- d. 2011 HOME Policy and Operations Manual
- e. 2011 Multifamily Housing Minimum Design Standards
- f. 2011 Housing Credit Qualified Allocation Plan

3. At the request of the State Board of Optometry, the following rule was withdrawn:

STATE BOARD OF OPTOMETRY

a. Time Requirements for Completing the Internship Program for Licensing

Respectfully submitted,

Senator Percy Malone

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Representative Mike Burris

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