

REVISED AGENDA
Administrative Rules Subcommittee
of the
Arkansas Legislative Council

Thursday, October 19, 2023
10:00 AM
Room A, MAC
Little Rock, Arkansas

Sen. Kim Hammer, Co-Chair
Sen. Missy Irvin, Vice-Chair
Sen. Jonathan Dismang
Sen. Jane English
Sen. Jimmy Hickey, Jr
Sen. Bart Hester
Sen. Breanne Davis
Sen. Ricky Hill
Sen. Terry Rice, ex officio
Sen. Ben Gilmore, ex officio

Rep. Brian S. Evans, Co-Chair
Rep. DeAnn Vaught, Vice-Chair
Rep. Lane Jean
Rep. Matthew J. Shepherd
Rep. Jon S. Eubanks
Rep. Carol Dalby
Rep. Jon Milligan
Rep. Mark H. Berry
Rep. Jeff Wardlaw, ex officio
Rep. Bruce Cozart, ex officio

- A. Call to Order**
- B. Reports from the Executive Subcommittee Concerning Emergency Rules**
- C. Reports from ALC Subcommittees Concerning the Review of Rules**
- D. Rules Filed Pursuant to Ark. Code Ann. § 10-3-309**
 - 1. ARKANSAS PUBLIC EMPLOYEES' RETIREMENT SYSTEM (Amy Fecher, Laura Gilson)**
 - a. Rule 24, CAR § 1-213. DROP Provisions (p.1)**
 - b. APERS Rule 312 – 2011(5) – Contributions Required of New County and Elected Officials Who Are Elected for the First Time after July 1, 2001 (p.2)**
 - c. APERS Rule 410 – 2005(5) – Purchase of AR National Guard or Armed Forces Reserve Service Credit (p.5)**
 - d. REPEAL: APERS Rule 411 – 2009(5) – Purchase of Service Authorized by Section 2 of Act 295 of 2009 (p.6)**

Note: All exhibits for this meeting are available by electronic means and are accessible on the General Assembly's website at www.arkleg.state.ar.us.

Notice: Silence your cell phones. Keep your personal conversations to a minimum. Observe restrictions designating areas as *'Members and Staff Only'*.

2. **ARKANSAS STATE POLICE RETIREMENT SYSTEM (Amy Fecher, Laura Gilson)**
 - a. **ASPRS Board Rule 14 – Nov. 2003 – Deferred Retirement Option Plan (DROP) Provisions for Members Called to Active Duty (p.7)**
3. **DEPARTMENT OF AGRICULTURE, STATE PLANT BOARD (Scott Bray)**
 - a. **Arkansas Industrial Hemp Production Rule and REPEAL: Arkansas Industrial Hemp Research Program Rules (p.8)**
4. **DEPARTMENT OF COMMERCE, STATE INSURANCE DEPARTMENT, STATE BOARD OF EMBALMERS, FUNERAL DIRECTORS, CEMETERIES, AND BURIAL SERVICES (Amanda Gibson)**
 - a. **Rule Pertaining to Perpetually Maintained Cemeteries (p.13)**
5. **DEPARTMENT OF CORRECTIONS (Lindsay Wallace)**
 - a. **Payment of a Death Benefit (p.15)**
6. **DEPARTMENT OF FINANCE AND ADMINISTRATION, ARKANSAS RACING COMMISSION (Byron Freeland, John Campbell)**
 - a. **CGR Rule 3.25 Employee Licenses (p.16)**
 - b. **CGR Rule 3.45 Carrying of Licenses and Credentials (p.17)**
 - c. **CGR Rule 4.225 Wagering Accounts (p.18)**
7. **DEPARTMENT OF HEALTH, STATE BOARD OF HEALTH (Craig Smith)**
 - a. **Rules for Declaratory Orders (p.19)**
8. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES (Elizabeth Pitman, Mitch Rouse)**
 - a. **Clinical Trials Attestation SPA and Provider Manual Updates & REPEALS: Crippled Children’s State Plan; PUB 407 – Notice of Privacy Practices (p.20)**
9. **DEPARTMENT OF LABOR AND LICENSING, DIVISION OF LABOR (Dan Parker, Ralph Hudson, Miles Morgan)**
 - a. **Administrative Rules Regarding Child Labor (p.22)**

- E. Agency Updates on the Status of Outstanding Rulemaking Pursuant to Act 595 of 2021¹**
- 1. Department of Agriculture* (Scott Bray)**
 - 2. Department of Corrections* (Lindsay Wallace)**
 - 3. Department of Education (Andrés Rhodes)**
 - 4. Office of Arkansas Lottery (Brent Standridge)**
- F. Agency Requests to Be Excluded from Reporting Requirements of Act 595 of 2021**
- 1. ~~Arkansas Teacher Retirement System (Acts 63, 183, and 504 of 2023)~~**
 - 2. Department of Commerce, Division of Workforce Services (Act 237 of 2023) (David McCoy; Dr. Charisse Childers)**
 - 3. Department of Energy and Environment (Acts 390 and 834 of 2023) (Lauren Ballard)**
 - 4. Department of Transformation and Shared Services (Act 634 of 2023) (Jennifer Elkins)**
- G. Agency Monthly Written Updates Pursuant to Act 595 of 2021 Concerning Rulemaking from the 2023 General Session**
- H. Rules Filed Pursuant to Ark. Code Ann. § 10-3-309 to be Considered Pending Suspension of the Rules**
- 1. DEPARTMENT OF COMMERCE, STATE INSURANCE DEPARTMENT (Dan Honey)**
 - a. Rule 127: Coverage for Off-Label Drugs for Treatment of PANS and PANDAS (p.24)**
- I. Adjournment**

¹ For those items designated by an asterisk (“*”), no update may be required depending on the action taken by the Subcommittee with respect to that agency’s rules under Item D.