

REVISED AGENDA
Administrative Rules Subcommittee
of the
Arkansas Legislative Council

Thursday, December 14, 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. DEPARTMENT OF COMMERCE, STATE INSURANCE DEPARTMENT (Dan Honey)**
 - a. Establishment of Audit Process Concerning Qualified Payment Amounts for No Surprises Act (p.1)**
 - 2. DEPARTMENT OF CORRECTIONS, ARKANSAS SENTENCING COMMISSION (Tawnie Rowell)**
 - a. Sentencing Standards Grid and Seriousness Reference Table (p.3)**
 - 3. DEPARTMENT OF EDUCATION, DIVISION OF ELEMENTARY AND SECONDARY EDUCATION (Andrés Rhodes, Courtney Salas-Ford)**
 - a. Rules Governing Special Education, Sec. 10.00 Mediation and Hearings (p.6)**
 - b. Rules Governing School Safety (p.7)**

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'*.

4. **DEPARTMENT OF FINANCE AND ADMINISTRATION, OFFICE OF INTERGOVERNMENTAL SERVICES (Doris Smith)**
 - a. **Pregnancy Help Organizations Grant Program (p.14)**
5. **DEPARTMENT OF HEALTH, ARKANSAS STATE BOARD OF ACUPUNCTURE AND RELATED TECHNIQUES (Matt Gilmore, Russell Burns)**
 - a. **Rules of the Arkansas State Board of Acupuncture & Related Techniques (p.17)**
6. **DEPARTMENT OF HEALTH, ARKANSAS STATE BOARD OF PHYSICAL THERAPY (Matt Gilmore, Nancy Worthen)**
 - a. **Arkansas State Board of Physical Therapy Rule (p.18)**
7. **DEPARTMENT OF HEALTH, STATE BOARD OF HEALTH (Chuck Thompson, Craig Smith, items a-b; Jaime Turpin, item a; Jacob Smith, item b)**
 - a. **Rules Pertaining to the Arkansas Prescription Drug Monitoring Program (p.19)**
 - b. **Rules Pertaining to Youth Injury Mitigation and Information Courses for Athletics Personnel and Coaches (p.20)**
8. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF AGING, ADULT, AND BEHAVIORAL HEALTH SERVICES (Jay Hill, Melissa Weatherton, Mitch Rouse)**
 - a. **Appendix K Extension Amendments for Limited Items (p.20)**
9. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF COUNTY OPERATIONS (Mary Franklin, Mitch Rouse, items a-c; Jay Hill, item c)**
 - a. **Arkansas Community Services Block Grant Rule Manual FY2024 and 2025 Updates & REPEALS: DDS Policy 1013 – Confidentiality; DDS Policy 1024 – Education Compliance Community Programs (p.21)**
 - b. **SNAP Provider Determination Update & REPEALS: PUB 30 – Resource Parent Handbook; DDS Policy 1087 – Criminal Record Check (p.23)**
 - c. **Twelve Months Continuous Coverage of Children Under Age Nineteen (19) & REPEALS: DDS Policy 3004 – Maltreatment Prohibition, Prevention, Reporting, and Investigation; DDS Policy 3005 – Respite Care (p.25)**
10. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES (Elizabeth Pitman, Mitch Rouse, items a-f; Janet Mann, items a-d; Jay Hill, items e-f; Paula Stone, item e; Melissa Weatherton, item f)**
 - a. **Update to Third Party Liability Attestation in Arkansas Medicaid State Plan & REPEALS: DYS and DCFS Targeted Case Management Manual; Episodes of Care**

Manual (p.29)

- b. Electronic Visit Verification (EVV) for Home Health Services & REPEALS: DDS Policy 1027 – Incident Reporting Procedural Guidelines; DDS Policy 1035 – Agency Definition of Disability/Eligibility for Services (p.30)**
- c. Hospital Reimbursement for Long Acting Reversible Contraceptives (LARCs) & REPEALS: DDS Policy 1088 – Burial Insurance; DDS Policy 2001 – Building and Contents Insurance Claims (p.32)**
- d. Rules for Life Choices Lifeline and Continuum of Care Program (p.37)**
- e. Outpatient Behavioral Health Counseling Services and Rates (p.38)**
- f. Developmental Screens for Children & REPEALS: Standards for Conducting Criminal Record Checks for Employees of Developmental Disabilities Service Providers; Policy V-D – Intensive Family Services (p.50)**

11. DEPARTMENT OF HUMAN SERVICES, DIVISION OF PROVIDER SERVICES AND QUALITY ASSURANCE (Martina Smith, Jay Hill, Mitch Rouse)

- a. Minimum Dementia Training Requirements Pursuant to Act 335 of 2023 & REPEALS: DDS Policy 1044 – Individual Records; DDS Policy 2003 – Gifts and Bequests (p.60)**

12. DEPARTMENT OF THE MILITARY (Brittany Edwards)

- a. Arkansas National Guard Tuition Waiver Program (p.61)**

13. DEPARTMENT OF PUBLIC SAFETY, DIVISION OF ARKANSAS STATE POLICE (Tess Bradford, items a-b; Major Roby Rhoads, item a; Captain Dustin Morgan, Nicole Roper, item b)

- a. Rino’s Law (p.62)**
- b. Penalties for Violations Concerning the Selling of Used Motor Vehicles (p.63)**

E. Agency Updates on the Status of Outstanding Rulemaking from the 2021 General Session Pursuant to Act 595 of 2021

- 1. Department of Education (Andrés Rhodes, Courtney Salas-Ford)**

F. Agency Requests to Be Excluded from Reporting Requirements of Act 595 of 2021

- 1. Department of Commerce, State Insurance Department (Act 523 of 2023) (Amanda Gibson)**

- G. Agency Monthly Written Updates Pursuant to Act 595 of 2021 Concerning Rulemaking from the 2023 General Session**
- H. Evaluation of Rule Review Group 2 Agencies Pursuant to Act 781 of 2017 and Act 65 of 2021**
 - 1. Commissioner of State Lands (Kelly Boyd)**
 - 2. Arkansas Governor’s Mansion Commission¹**
- I. Adjournment**

¹ The rules report submitted by the Commission reflects no rules currently in effect.