

REVISED AGENDA
Administrative Rules Subcommittee
of the
Arkansas Legislative Council

Thursday, January 25, 2024
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. Reports on Administrative Directives Pursuant to Act 1258 of 2015, for the Quarter Ending December 31, 2023**
 - 1. Department of Corrections (Tawnie Rowell)**
 - 2. Parole Board (Brooke Cummings)**
- E. Rules Filed Pursuant to Ark. Code Ann. § 10-3-309**
 - 1. BOSTON MOUNTAIN SOLID WASTE MANAGEMENT DISTRICT (Robyn Reed)**
 - a. Rules of Boston Mountain Solid Waste District (p.1)**
 - 2. DEPARTMENT OF COMMERCE, STATE INSURANCE DEPARTMENT (Booth Rand)**
 - a. Rule 125 – AID Rule of Practices and Procedures (p.3)**

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'*.

3. **DEPARTMENT OF CORRECTIONS (Tawnie Rowell)**
 - a. **REPEAL: AR 210 – Relationships and Transactions with Inmates (p.5)**
4. **DEPARTMENT OF HEALTH, ARKANSAS STATE MEDICAL BOARD (Amy Embry, Matt Gilmore)**
 - a. **Rule No. 10: Respiratory Care Practitioners (p.6)**
 - b. **Rule No. 18: Fee Schedule for Centralized Verification Service (p.6)**
 - c. **Rule No. 28: Academic License (p.7)**
 - d. **Rule No. 40: Surgical Technologists (p.7)**
 - e. **Rule No. 42: Licensure for Uniformed Service Members, Veterans, and Spouses (p.8)**
5. **DEPARTMENT OF HEALTH, STATE BOARD OF HEALTH (Chuck Thompson, Craig Smith, items a-b, d-e; Laura Shue, items c, f)**
 - a. **Rules for Perfusionists in Arkansas (p.9)**
 - b. **Rules for Orthotic, Prosthetic, and Pedorthic Providers in Arkansas (p.10)**
 - c. **Rules Pertaining to the Testing of Newborn Infants (p.11)**
 - d. **Rules Pertaining to Radiologic Technology Licensure (p.12)**
 - e. **Rules for Control of Sources of Ionizing Radiation (p.13)**
 - f. **REPEAL: Rules for Abortion Facilities in Arkansas (p.16)**
6. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES (Elizabeth Pitman, Mitch Rouse)**
 - a. **Medication Assisted Treatment (MAT) and OTC (Over the Counter) Updates & REPEALS: PUB 85 – Differential Response: A Family-Centered Approach to Strengthen and Support Families; PUB 357 – Child Maltreatment Investigation Determination Guide (p.17)**
 - b. **Adult Immunization Mandatory Coverage & REPEALS: DDS Policy 3003 – Research Involving Individuals Served; DDS Policy 2005 – Incidental Funds Account (p.20)**
 - c. **Coordinated Triage, Treatment, and Transport to Alternative Destination (Act 480) & REPEALS: DDS Policy 3010 – Human Rights Committee; DDS Policy 3011 – Behavior Management (p.22)**

7. **DEPARTMENT OF LABOR AND LICENSING, DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING BOARDS AND COMMISSIONS, ARKANSAS STATE BOARD OF PUBLIC ACCOUNTANCY (Miles Morgan)**
 - a. **Rule 3 – Examinations, Specifically Rule 3.7 Retake and Granting of Credit Requirements (p.24)**
 - b. **Rule 13 – Continuing Education, Specifically Rule 13.3(i) Programs Which Qualify – Non-Resident Licensee (p.25)**
 8. **DEPARTMENT OF LABOR AND LICENSING, DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING BOARDS AND COMMISSIONS, STATE BOARD OF APPRAISERS, ABSTRACTERS, AND HOME INSPECTORS (Miles Morgan, Diana Piechocki)**
 - a. **Practical Applications of Real Estate Appraisal 23-0008 (p.27)**
 9. **DEPARTMENT OF PARKS, HERITAGE, AND TOURISM, DIVISION OF ARKANSAS HERITAGE (Marty Ryall, Scott Kaufman, Tom Marr)**
 - a. **Rules Governing the Arkansas Major Historic Rehabilitation Income Tax Credit Act (p.28)**
- F. 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, Daniel Shults)**
- G. Agency Requests to Be Excluded from Reporting Requirements of Act 595 of 2021**
1. **Department of Agriculture (Acts 588, 594, and 691 of 2023) (Secretary Wes Ward)**
 2. **Department of Health, Arkansas State Board of Pharmacy and Arkansas State Medical Board (Act 575 of 2023) (Matt Gilmore, Amy Embry, John Kirtley)**
- H. Agency Monthly Written Updates Pursuant to Act 595 of 2021 Concerning Rulemaking from the 2023 General Session**
- I. Evaluation of Rule Review Group 2 Agencies Pursuant to Act 781 of 2017 and Act 65 of 2021**
1. **Department of Energy and Environment (Lauren Ballard, Michael McAlister, Daniel Pilkington)**
 2. **Department of Energy and Environment, Liquefied Petroleum Gas Board (Lauren Ballard, Michael McAlister, Daniel Pilkington)**

3. **Department of Energy and Environment, Oil and Gas Commission (Lauren Ballard, Michael McAlister, Daniel Pilkington)**

J. Adjournment