

**REVISED AGENDA**  
**Administrative Rules Subcommittee**  
**of the**  
**Arkansas Legislative Council**

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**Thursday, August 22, 2024**  
**9:00 AM**  
**Room A, MAC**  
**Little Rock, Arkansas**

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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. Mark H. Berry  
Rep. Stetson Painter  
Rep. Jeff Wardlaw, ex officio  
Rep. Bruce Cozart, ex officio

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- 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 STATE POLICE RETIREMENT SYSTEM (Amy Fecher, Laura Gilson)**
    - a. REPEAL: Rule 1 – November 1957 and June 1973 –Repayment of a Refund (p.1)**
    - b. REPEAL: Rule 2 – December 1981 – Termination Refund (p.2)**
    - c. REPEAL: Rule 5 – March 1975 – Final Average Salary (p.2)**
    - d. REPEAL: Rule 6 – May 1978 – Public Safety (p.3)**
    - e. REPEAL: Rule 8 – June 1988 – Retirement Date (p.4)**
    - f. REPEAL: Rule 9 – November 1988 – Application of Ad Hoc Increases (p.5)**

**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](http://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. **DEPARTMENT OF FINANCE AND ADMINISTRATION, OFFICE OF DRIVER SERVICES (Paul Gehring)**
  - a. **Gender Information Required to be Displayed on an Arkansas Driver's License or State Identification Card (p.5)**
  
3. **DEPARTMENT OF HEALTH, STATE BOARD OF HEALTH (Craig Smith, Laura Shue, items a-g; Ric Mayhan, item a; Terry Paul, item b; Kelli Kersey, items c, f-g; Shane David, item d; Rachel Sizemore, item e)**
  - a. **Rules Pertaining to Master, Journeyman, and Restricted Plumber Licenses, Plumbing and Gas Inspector Licenses, Restricted Hospital Maintenance, and Water and Sewer Service Line Installation & REPEALS: Rules and Regulations Pertaining to Plumbing and/or Natural Gas Inspector Certification; Rules and Regulations Pertaining to Restricted Plumbers License – Water and Sewer Service Line Installation; and Rules and Regulations Pertaining to Restricted Plumbers License – Hospital Maintenance (p.8)**
  - b. **Rules Pertaining to Onsite Wastewater Systems (p.10)**
  - c. **Rules for Massage Therapy in Arkansas (p.14)**
  - d. **Rules for Home Caregiver Training in Arkansas (p.18)**
  - e. **Rules Pertaining to Dental Hygienists Serving Underserved Areas (p.18)**
  - f. **Rules for Cosmetology and Body Art in Arkansas (p.20)**
  - g. **REPEAL: Rules Pertaining to Body Art Establishments (p.27)**
  
4. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF AGING, ADULT, AND BEHAVIORAL HEALTH SERVICES (Jay Hill, Mitch Rouse)**
  - a. **Living Choices Rate Increase (p.27)**
  
5. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES (Elizabeth Pitman, Mitch Rouse)**
  - a. **Update to Medicare and Medicaid Crossover Billing Rules (p.32)**
  - b. **Disproportionate Share Hospital (DSH) Audit (p.33)**
  - c. **Vaccine Counseling for Early and Periodic Screening, Diagnostic and Treatment (EPSDT) (p.37)**

6. **DEPARTMENT OF LABOR AND LICENSING, ARKANSAS TOWING AND RECOVERY BOARD (Daniel L. Parker, Paul Burnett)**
    - a. **Administrative Rules of the Arkansas Towing and Recovery Board (p.39)**
  7. **DEPARTMENT OF LABOR AND LICENSING, STATE BOARD OF APPRAISERS, ABSTRACTERS, AND HOME INSPECTORS (Lacie Kirchner, Diana Piechocki)**
    - a. **State Board of Appraisers, Abstracters, and Home Inspectors Rules & REPEALS: Appraiser Licensing and Certification Board Rules; Appraisal Management Company Rules; Arkansas Abstracters' Board Rules; and Rules and Procedures of the Arkansas Home Inspector Registration Board (p.46)**
  8. **DEPARTMENT OF PUBLIC SAFETY, DIVISION OF ARKANSAS STATE POLICE (Joan Shipley, Capt. Chris Goodman, Lt. Darren Austin)**
    - a. **Rules for Towing Rotation List (p.51)**
  9. **SECRETARY OF STATE (Michael Harry)**
    - a. **Rules to Ensure the Security and Accuracy of the Statewide Voter Registration List (p.52)**
  10. **STATE BOARD OF ELECTION COMMISSIONERS (Chris Madison, Waylan Cooper)**
    - a. **Rule Regarding Voter Registration (p.55)**
- E. Rules Filed Pursuant to Ark. Code Ann. § 10-3-309 to Be Considered Pending Suspension of the Subcommittee Rules**
1. **DEPARTMENT OF EDUCATION, DIVISION OF ELEMENTARY AND SECONDARY EDUCATION (Courtney Salas-Ford)**
    - a. **Rules Governing Public School Policies Relating to Overnight Travel and Use of Public School Lavatories (p.56)**
    - b. **Rules Governing Educator Licensure (p.58)**
- F. Evaluation of Rule Review Group 2 Agencies Pursuant to Act 781 of 2017 and Act 65 of 2021**
1. **Department of Commerce, Arkansas Waterways Commission (Jake Windley)**
  2. **Department of Commerce, Division of Aeronautics<sup>1</sup> (Jake Windley)**

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<sup>1</sup> The rules report submitted by the Division of Aeronautics reflects no rules currently in effect.

3. **Department of Commerce, Division of Workforce Services (David McCoy)**
4. **Department of Commerce, Office of Skills Development (Jake Windley)**
5. **Department of Commerce, State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services (Tasha Tidwell)**
6. **Department of Commerce, State Insurance Department (Booth Rand)**

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

1. **Department of Education (Act 237 of 2023, § 16) (Andrés Rhodes, Daniel Shults)**

**H. Agency Updates on the Status of Outstanding Rulemaking from the 2023 Regular Session Pursuant to Act 595 of 2021**

1. **Department of Education (Andrés Rhodes, Daniel Shults)**
2. **Department of Agriculture (Secretary Wes Ward, Corey Seats)**
3. **Department of Commerce, Arkansas Economic Development Commission (Jake Windley)**
4. **Department of Commerce, State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services (Tasha Tidwell)**
5. **Department of Commerce, State Insurance Department (Booth Rand)**
6. **Department of Corrections (Tawnie Rowell)**
7. **Department of Energy and Environment (Lauren Ballard, Kesia Morrison)**
8. **Department of Finance and Administration, Regulatory Division (Trent Minner, Christy Bjornson)**
9. **Department of Finance and Administration, Revenue Division (Paul Gehring, Alicia Austin Smith)**
10. **Department of Health (Laura Shue)**
11. **Department of Inspector General, Tax Appeals Commission (Secretary Allison Bragg, Samantha Blassingame)**
12. **Department of Labor and Licensing (Lacie Kirchner)**
13. **Department of Public Safety (Joan Shipley)**

**14. Secretary of State (Michael Harry)**

- I. Agency Monthly Written Updates Pursuant to Act 595 of 2021 Concerning Rulemaking from the 2024 Fiscal Session**
- J. Reports on Administrative Directives Pursuant to Act 1258 of 2015, for the Quarter Ending June 30, 2024 (Tawnie Rowell)**
  - 1. Department of Corrections**
  - 2. Post-Prison Transfer Board<sup>2</sup>**
- K. Adjournment**

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<sup>2</sup> The Board's report reflects no new or revised administrative directives for this quarter.