

REVISED AGENDA
Administrative Rules Subcommittee
of the
Arkansas Legislative Council

Thursday, October 17, 2024
9:00 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. Mark H. Berry
Rep. Stetson Painter
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 CORRECTIONS, POST-PRISON TRANSFER BOARD (Tawnie Rowell)**
 - a. Executive Clemency (p.1)**
 - b. Arkansas Parole Board Policy Manual (p.2)**
 - 2. DEPARTMENT OF EDUCATION, DIVISION OF ELEMENTARY AND SECONDARY EDUCATION (Courtney Salas-Ford)**
 - a. Rules Governing Public School Choice (p.3)**
 - b. Rules Governing the Implementation of the Braille and Large Print Textbook Appropriation (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'*.

**3. DEPARTMENT OF EDUCATION, DIVISION OF HIGHER EDUCATION
(Courtney Salas-Ford)**

- a. Rules Governing the Arkansas Teacher Academy Scholarship Program (p.7)**
- b. Rules Governing the Arkansas Workforce Challenge Scholarship Program (p.8)**
- c. Rules Governing the Governor’s Scholars Program (p.10)**
- d. Rules Governing the Arkansas Concurrent Challenge Scholarship Program (p.11)**
- e. Rules Governing the Sustainable Building Maintenance Program for State-Supported Institutions of Higher Education (p.13)**
- f. Rules Governing Military Dependents’ Scholarship Program (p.14)**
- g. Rules Governing the Financial Aid Appeals Process (p.16)**
- h. Rules Governing the State Teacher Education Program (p.17)**
- i. Rules Governing Teacher Opportunity Program (p.18)**
- j. Rules Governing the Washington Center Scholarship (p.19)**
- k. Rules Governing Law Enforcement Officers’ Dependents’ Scholarship Program (p.21)**

4. DEPARTMENT OF FINANCE AND ADMINISTRATION, ALCOHOLIC BEVERAGE CONTROL (Trent Minner, Christy Bjornson)

- a. Wholesalers to Sell Only to Retailers; Hours of Sale for Wholesalers; Amends 2.13 (p.22)**
- b. Microbreweries to Self-Distribute by Issuance of a Microbrewery-Restaurant Wholesale License; 1.19(48) (p.22)**
- c. Addition of Ready-to-Drink Products; Amends Sections 1.20, 2.5.1, 2.53, 2.58, 2.55.2 (p.23)**
- d. Suppliers and Wholesalers to Conduct Sampling at Permitted Liquor Stores; Amends Rule Prohibiting Samples (p.24)**
- e. Microbrewery-Restaurant Private Clubs Selling Spirituous Beverages; Amends Rules 5.86, 5.90 (p.24)**

- f. **Private Clubs to Sell to Go and Delivery; Creates 5.71 and Amends 3.24 (p.25)**
 - g. **State Parks to Issue Alcohol Permits; Creates Section 1.19.1 (p.25)**
 - h. **Liquor Stores May Sell Advertising Materials; Amends Section 1.33(2) (p.26)**
 - i. **Sale of Controlled Beverages by Vending Machine; Amends 3.19(8) and Creates 3.35 (p.27)**
 - j. **Permits Certain Distillers, Manufacturers, or Small Farm Wineries in Dry Areas to Exclusively Sell to Wholesalers; Creates 2.76, 2.86 (p.27)**
 - k. **Allows Viewing of Consumption of Alcohol for Private Clubs in Dry Areas; Amends 5.55 (p.28)**
 - l. **No Approval Necessary to Expand Outdoor Areas of Permitted Businesses; Amends 1.16 (p.28)**
- 5. DEPARTMENT OF HEALTH, ARKANSAS BOARD OF DISPENSING OPTICIANS (Jerry Himes, Matt Gilmore)**
- a. **Uniformed Service Member Licensure (p.29)**
- 6. DEPARTMENT OF HEALTH, ARKANSAS BOARD OF EXAMINERS IN COUNSELING (Lenora Erickson, Matt Gilmore)**
- a. **IX. Licensing Under Special Conditions (p.30)**
- 7. DEPARTMENT OF HEALTH, ARKANSAS STATE BOARD OF NURSING (Sue Tedford, David Dawson, Matt Gilmore)**
- a. **Chapter Four: Advanced Practice Registered Nurse (p.32)**
 - b. **Chapter Five: Delegation (p.34)**
- 8. DEPARTMENT OF HEALTH, STATE BOARD OF HEALTH (Laura Shue and Craig Smith, items a-b; Christy Kresse, item a; Ashley Mason, item b)**
- a. **Rules for Emergency Medical Services (p.36)**
 - b. **Rules Pertaining to Lead-Based Paint Activities (p.38)**
- 9. DEPARTMENT OF HUMAN SERVICES, DIVISION OF COUNTY OPERATIONS (Mary Franklin, Mitch Rouse, Janet Mann)**
- a. **Workers with Disabilities Eligibility Choices (p.39)**

10. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES (Elizabeth Pitman, Mitch Rouse, Janet Mann)**
 - a. **Life360 State Plan Amendment: Target Case Management (p.41)**
 - b. **Private Hospital Access Payment State Plan Amendment (p.43)**
 - c. **Hospital Cost Settlement Reopening Process (p.45)**
 - d. **Transition of Dental Services (p.46)**
11. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF PROVIDER SERVICES AND QUALITY ASSURANCE (Martina Smith, Mitch Rouse, Janet Mann)**
 - a. **Updates to Rules for Nursing Homes (p.49)**
12. **DEPARTMENT OF INSPECTOR GENERAL, TAX APPEALS COMMISSION (Matt Boch)**
 - a. **Rules of Procedure of the Arkansas Tax Appeals Commission (p.53)**
13. **DEPARTMENT OF LABOR AND LICENSING, AUCTIONEER’S LICENSING BOARD (Lacie Kirchner, Kelli Black)**
 - a. **Arkansas Auctioneer’s Licensing Board Rules (p.55)**
14. **DEPARTMENT OF PUBLIC SAFETY, DIVISION OF ARKANSAS STATE POLICE (Lt. Col. Jason Aaron, Lt. Dennis Overton, Joan Shipley)**
 - a. **Rules for License-Plate Readers (p.57)**
15. **SECRETARY OF STATE (Michael Harry)**
 - a. **Rules to Ensure the Security and Accuracy of the Statewide Voter Registration List (p.57)**

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

1. **Department of Agriculture (Secretary Wes Ward, Corey Seats)**
2. **Department of Commerce, Arkansas Economic Development Commission (Jake Windley)**
3. **Department of Commerce, State Insurance Department (Booth Rand)**
4. **Department of Corrections (Tawnie Rowell)**

5. **Department of Education (Courtney Salas-Ford)**
 6. **Department of Energy and Environment (Kesia Morrison)**
 7. **Department of Finance and Administration, Regulatory Division (Trent Minner, Christy Bjornson)**
 8. **Department of Finance and Administration, Revenue Division (Paul Gehring, Alicia Austin Smith)**
 9. **Department of Health (Laura Shue)**
 10. **Department of Inspector General, Tax Appeals Commission (Matt Boch)**
 11. **Department of Labor and Licensing (Lacie Kirchner)**
 12. **Department of Public Safety (Joan Shipley)**
 13. **Secretary of State (Michael Harry)**
- F. Agency Monthly Written Updates Pursuant to Act 595 of 2021 Concerning Rulemaking from the 2024 Fiscal Session**
- G. Adjournment**