

**AGENDA**  
**Administrative Rules and Regulations Committee of**  
**the Arkansas Legislative Council**

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**Thursday, July 05, 2007**

**09:00 AM**

**Room 171, State Capitol**  
**Little Rock, Arkansas**

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Sen. John Paul Capps, Chair  
Sen. Jack Critcher  
Sen. Percy Malone  
Sen. Steve Bryles  
Sen. Bob Johnson  
Sen. Kim Hendren  
Sen. Shawn Womack  
Sen. Bobby Glover  
Sen. Henry "Hank" Wilkins, IV, ex officio  
Sen. Steve Faris, ex officio

Rep. Daryl Pace, Chair  
Rep. Benny Petrus  
Rep. Johnny Key  
Rep. Shirley Walters  
Rep. Chris Thyer  
Rep. David Dunn  
Rep. Steve Harrelson  
Rep. Lamont Cornwell  
Rep. Scott Sullivan, ex officio  
Rep. John Paul Wells, ex officio

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A. Call to Order

B. The Committee Chairpersons respectfully request that members, staff, visitors, and guests please observe proper decorum at all times during legislative committee proceedings. Remember to silence your cell phones, watch for areas designated for "members and staff only," and please keep your personal conversations to a minimum. These common courtesies will expedite our business, and these rules will be enforced.

C. Rules Filed Pursuant to A.C.A. § 10-3-309

**1. ARKANSAS ECONOMIC DEVELOPMENT COMMISSION**

a. Arkansas Existing Workforce Training Program

**2. DEPARTMENT OF EDUCATION**

a. Addition of Areas of Licensure or Endorsement

**3. DEPARTMENT OF ENVIRONMENTAL QUALITY, WATER DIVISION**

a. Regulation No. 2; Water Quality Standards; ERWs, ESWs, and NSWs

**4. DEPARTMENT OF FINANCE AND ADMINISTRATION, REVENUE DIVISION**

a. Rule 2007-1: Standard Mileage Rates for Income Tax Purposes

**5. DEPARTMENT OF HEALTH AND HUMAN SERVICES, COUNTY OPERATIONS**

- a. FSC 07-03, Racial/Ethnic Data Collection; FSC 07-04, Request for Assistance (DCO-215) and Application for Recertification/Medicaid Review (DCO-268)

**6. DEPARTMENT OF HEALTH AND HUMAN SERVICES, HEALTH SERVICES DIVISION**

- a. 2006 Arkansas Plumbing and Fuel Gas Code
- b. Public Water Systems
- c. Regulations for Hospitals in Arkansas

**7. DEPARTMENT OF HEALTH AND HUMAN SERVICES, MEDICAL SERVICES**

- a. Electronic Records and Signatures for Nursing Facilities
- b. Water Temperatures in Residential Care Facilities
- c. Personal Care Update #75, Section V and State Plan Amendment #2007-004
- d. Targeted Case Management (TCM) Update #62 and State Plan Amendment #2007-008
- e. Manufacturer Appeal Process of Non-Conforming State Supplemental Drug Rebate Offers.
- f. Implementation of the paper version of the new UB-04 (formerly the UB-92) and the CMS newest version of the 1500 claim forms. Alternatives for Adults with Physical Disabilities Update #47; Ambulatory Surgical Centers Update #82; Children's Services Targeted Case Management Update #38; Chiropractor Update #77; Child Health Management Update #82 Certified Nurse Midwife Update #82; DDS ACS Waiver Update #79; Developmental Day Treatment Clinic Services Update #85; Domiciliary Care Update #59; Developmental Rehabilitation Services Update #31; DYS/DCFS Targeted Case Management Update #25; ElderChoices Update #75; Child Health Services/Early Periodic Screening Diagnosis and Treatment (ESPDT) Update #90; Federally Qualified Health Center Update #70; Hearing Services Update #74; Home Health Update #93; Hospital/CAH/End-Stage Renal Disease Update #111; Hyperalimentation Update #91; Inpatient Psychiatric Services for Under Age 21 Update #81; Living Choices Assisted Living Update #31; Licensed Mental Health Practitioners Update #65; Nurse Practitioner Update #80; Private Duty Nursing Update #82; Personal Care Update #87; Pharmacy Update #98; Podiatrist Update #78; Portable X-Ray Update #68; Rehabilitative Hospital Update #77; Rehabilitative Services for Persons with Physical Disabilities Update #53; Rehabilitative Services for Persons with Mental Illness Update #85; Rural Health Clinic Update #70; School Based Mental Health Services Update #39; Targeted Case Management Update #732; Occupational, Physical, Speech Therapy Services Update #74; Transportation Update #89; Ventilator Equipment Update #72; Visual Care Update #88
- g. Prosthetics Update Transmittal #96; Physician/Independent Lab/CRNA/Radiation Therapy Center Update Transmittal #129; and ARKids First-B Update #58
- h. Section V Updates of all Medicaid Provider Manuals
- i. Child Health Services/Early Periodic Screening Diagnosis and Treatment Update Transmittal #90
- j. Dental Update Transmittal #101
- k. Pharmacy Update #100 and Arkansas Medicaid State Plan Amendment #2007-009
- l. Visual Care Update Transmittal #89
- m. Physician/Independent Lab/CRNA/Radiation Therapy Center Update #127
- n. Inpatient Psychiatric Services for Under Age 21 and State Plan Amendment #2007-006 Update #87

**8. OFFICE OF INFORMATION TECHNOLOGY**

- a. Encryption Standard

**9. INSURANCE DEPARTMENT**

- a. Proposed Rule 90; Charitable Annuities Requirements and Reporting

**10. STATE BOARD OF NURSING**

- a. Chapter 1; General Provisions
- b. Chapter 2; Licensure
- c. Chapter 7; Rules of Procedure
- d. Chapter 8; Medication Assistant, Certified

**11. STATE BOARD OF PHARMACY**

- a. Regulation 01; General Operations
- b. Regulation 02; Pharmacists
- c. Regulation 04; Pharmacy
- d. Regulation 09; Pharmaceutical Care/Patient Counseling

**12. STATE PLANT BOARD**

- a. Revision to Pesticide Classification Regulations
- b. Add Class "G" to the Plant Board's Pesticide Classification

**13. ARKANSAS TEACHER RETIREMENT SYSTEM**

- a. Disability Retirement (#9-3)
- b. Conditions under which a Retirant may return to Covered Service without Rescinding Retirement (#10-2)
- c. ATRS Rules of Organization and Operation (#0-1); Board of Trustees Composition and Elections (#4-1); Election Procedures for Member and Retirant Trustees (#4-2); Schedule for Active and Retirant Trustee Elections (#4-3)

**14. DEPARTMENT OF WORKFORCE EDUCATION, ARKANSAS REHABILITATION SERVICES**

- a. Arkansas Rehabilitation Services Annual State Plan Update
- b. 3-Year State Plan for Independent Living
- c. Telecommunications Access Program Rules

**15. ARKANSAS WATER WELL CONSTRUCTION COMMISSION**

- a. Rule 3.4

D. Adjournment