

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

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**Monday, November 16, 2020**  
**10:00 AM**  
**Room A, MAC**  
**Little Rock, Arkansas**

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Sen. Lance Eads, Co-Chair  
Sen. Kim Hammer, Vice-Chair  
Sen. Missy Irvin  
Sen. Jonathan Dismang  
Sen. Jane English  
Sen. Keith Ingram  
Sen. Jim Hendren  
Sen. Blake Johnson  
Sen. Cecile Bledsoe, ex officio  
Sen. Terry Rice, ex officio

Rep. Dan Sullivan, Co-Chair  
Rep. Lane Jean, Vice-Chair  
Rep. Fredrick J. Love  
Rep. Reginald Murdock  
Rep. Matthew J. Shepherd  
Rep. Jon S. Eubanks  
Rep. Bruce Cozart  
Rep. DeAnn Vaught  
Rep. Jeff Wardlaw, ex officio  
Rep. Jim Dotson, ex officio

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Committee meetings are open to the public. However, there is limited seating due to the social distancing requirements, and members of the public shall wear a mask while in the Big MAC Building.

- A. Call to Order.**
- B. Reports of the Executive Subcommittee.**
- C. Reports on Administrative Directives Pursuant to Act 1258 of 2015, for the quarter ending September 30, 2020.**
- 1. Department of Corrections (Ms. Lindsay Wallace)**
  - 2. Parole Board (Ms. Lindsay Wallace)**
- D. Rules Filed Pursuant to Ark. Code Ann. § 10-3-309.**
- 1. DEPARTMENT OF COMMERCE, ARKANSAS ECONOMIC DEVELOPMENT COMMISSION (Ms. Renee Doty, Mr. Jim Hudson)**
    - a. Developmental Disabilities Provider Emergency Loan Program (p.1)**
  - 2. DEPARTMENT OF COMMERCE, STATE INSURANCE DEPARTMENT (Mr. Gray Turner)**
    - a. Rule 112: Travel Insurance (p.2)**

**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'.**

3. **DEPARTMENT OF ENERGY AND ENVIRONMENT, OIL AND GAS COMMISSION (Mr. Lawrence Bengal)**
  - a. **Rule B-26: General Lease Operating Requirements (p.3)**
  - b. **Rule D-23: General Rule for the Regulation of Underground Natural Gas Storage Projects (p.4)**
  
4. **DEPARTMENT OF FINANCE AND ADMINISTRATION, ALCOHOLIC BEVERAGE CONTROL DIVISION (Ms. Doralee Chandler, Mr. Michael Lewis)**
  - a. **Distiller or Liquor Manufacturer Operations (Title K, Rule 2.85) (p.7)**
  - b. **Title 2 Rules Applicable to Permits to Manufacture and Wholesale (p.8)**
  - c. **Oversight of Medical Marijuana Transporters/Distributors (p.9)**
  
5. **DEPARTMENT OF FINANCE AND ADMINISTRATION, ALCOHOLIC BEVERAGE CONTROL DIVISION, MEDICAL MARIJUANA COMMISSION (Ms. Doralee Chandler, Mr. Chip Leibovich)**
  - a. **Licensure of Medical Marijuana Transporters (p.10)**
  - b. **Licensure of Medical Marijuana Cultivation Facilities, Processors, and Dispensaries (p.13)**
  
6. **DEPARTMENT OF FINANCE AND ADMINISTRATION, BOARD OF FINANCE (Mr. David Rector)**
  - a. **Arkansas State Treasury Investment Policy (p.17)**
  
7. **DEPARTMENT OF HEALTH, CENTER FOR HEALTH ADVANCEMENT (Ms. Laura Shue)**
  - a. **Rules Governing the Practice of Licensed Lay Midwifery in Arkansas (p.18)**
  - b. **Rules Governing the Licensure of Interpreters (p.21)**
  
8. **DEPARTMENT OF HEALTH, CENTER FOR LOCAL PUBLIC HEALTH (Ms. Laura Shue, Mr. Terry Paul)**
  - a. **Rules Pertaining to Onsite Wastewater Systems (p.22)**
  
9. **DEPARTMENT OF HEALTH, CENTER FOR PUBLIC HEALTH PROTECTION, EPIDEMIOLOGY (Ms. Laura Shue)**
  - a. **Rules Pertaining to Lead-Based Paint Activities (p.24)**

10. **DEPARTMENT OF HEALTH, HEALTH FACILITY SERVICES (Ms. Laura Shue, Ms. Rebecca Bennett)**
  - a. **Rules for Critical Access Hospitals (CAH) (p.25)**
  - b. **Rules for Hospitals and Related Institutions in Arkansas (p.28)**
  - c. **Rules for Free-Standing Birthing Centers in Arkansas (p.29)**
  - d. **Rules for Orthotic, Prosthetic, and Pedorthic Providers in Arkansas (p.31)**
  - e. ~~**Rules for Hospice in Arkansas (p.32)**~~
  
11. **DEPARTMENT OF HEALTH, HEALTH SYSTEMS LICENSING AND REGULATION/COSMETOLOGY AND MASSAGE THERAPY SECTION (Ms. Laura Shue, Ms. Kelli Kersey)**
  - a. **Rules for Cosmetology in Arkansas (p.34)**
  - b. **Rules for Massage Therapy in Arkansas (p.39)**
  
12. **DEPARTMENT OF HEALTH, PUBLIC HEALTH LAB AND CENTER FOR HEALTH ADVANCEMENT (Ms. Laura Shue)**
  - a. **Rules Pertaining to Milk Bank Standards (p.42)**
  
13. **DEPARTMENT OF HEALTH, RADIATION CONTROL SECTION (Ms. Laura Shue, Mr. Bernard Bevill)**
  - a. **Rules Pertaining to Radiologic Technology Licensure (p.49)**
  
14. **DEPARTMENT OF HEALTH, DIVISION OF HEALTH RELATED BOARDS AND COMMISSIONS, STATE MEDICAL BOARD (Ms. Amy Embry, Mr. Kevin O'Dwyer)**
  - a. **Rule 45 – Reciprocity (p.51)**
  
15. **DEPARTMENT OF HEALTH, DIVISION OF HEALTH RELATED BOARDS AND COMMISSIONS, STATE BOARD OF PHYSICAL THERAPY (Ms. Nancy Worthen, Mr. Matt Gilmore)**
  - a. **Arkansas State Board of Physical Therapy Telehealth Rule (p.51)**
  
16. **HIGHWAY COMMISSION, ARKANSAS DEPARTMENT OF TRANSPORTATION (Mr. Gill Rogers)**
  - a. **Autonomous Vehicle Pilot Program (p.54)**

17. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF CHILD CARE AND EARLY CHILDHOOD EDUCATION (Mr. Mark White, Ms. Ashelyn Abney, Ms. Ebony Russ)**
  - a. **Minimum Licensing Requirements (Child Care Centers, Licensed Child Care Family Homes, Out-of-School Time Facilities, & Registered Child Care Family Homes) (p.58)**
  - b. **Minimum Licensing Standards for Child Welfare Agencies (Placement and Residential) (p.60)**
  
18. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF COUNTY OPERATIONS (Mr. Mark White, Ms. Mary Franklin)**
  - a. **Medical Services Policy Manual Sections B-700 through B-730 Transitional Medicaid (p.67)**
  
19. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF DEVELOPMENTAL DISABILITIES SERVICES (Mr. Mark White, Ms. Melissa Stone)**
  - a. **Community and Employment Supports (CES) Home and Community-Based Waiver (p.72)**
  
20. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES (Mr. Mark White, Ms. Janet Mann)**
  - a. **Hyperalimentation 1-19, Prosthetics 3-19, and State Plan Amendment 2020-0017 (p.76)**
  - b. **Electronic Visit Verification (EVV) Implementation (p.79)**
  
21. **DEPARTMENT OF LABOR AND LICENSING, DIVISION OF OCCUPATIONAL & PROF. LICENSING BOARDS AND COMMISSIONS, BOARD OF ELECTRICAL EXAMINERS (Mr. Marcus Devine)**
  - a. **Administrative Rules of the Board of Electrical Examiners (p.84)**
  
22. **DEPARTMENT OF PARKS, HERITAGE, AND TOURISM (Ms. Stacy Hurst, Mr. Jim Andrews, Mr. Grady Spann)**
  - a. **Policy Statement, Criteria and Procedures for Naming ADPHT Amenities (p.87)**
  
23. **PUBLIC SERVICE COMMISSION (Mr. Ted Thomas)**
  - a. **Net Metering Rules (p.91)**

**E. Agency Updates on Delinquent Rulemaking under Act 517 of 2019.**

- 1. Department of Agriculture, Arkansas Bureau of Standards (Act 501) (REPORT BY LETTER PURSUANT TO MOTION ADOPTED AT JULY 22, 2020 MEETING)**
- 2. Department of Commerce, State Insurance Department (Act 698)**
- 3. Department of Health (Act 216)**
- 4. Highway Commission (Act 468)**

**F. Adjournment.**