

REVISED AGENDA
Administrative Rules Subcommittee
of the
Arkansas Legislative Council

Thursday, August 20, 2026
10:00 AM
Room A, MAC
Little Rock, Arkansas

Sen. Tyler Dees, Co-Chair
Sen. Kim Hammer, Vice-Chair
Sen. Missy Irvin
Sen. Jonathan Dismang
Sen. Bart Hester
Sen. Terry Rice
Sen. Blake Johnson
Sen. Breanne Davis
Sen. Justin Boyd, ex officio

Rep. Matthew J. Shepherd, Co-Chair
Rep. Lane Jean, Vice-Chair
Rep. Jon S. Eubanks
Rep. Mary Bentley
Rep. DeAnn Vaught
Rep. Steve Hollowell
Rep. Brian S. Evans
Rep. Stetson Painter
Rep. Les D. Eaves, ex officio
Rep. Jack Ladyman, ex officio

- A. Call to Order**
- B. Report 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 Quarter Ending June 30, 2026**
- E. Rules Filed Pursuant to Arkansas Code § 10-3-309**
 - 1. Arkansas Department of Transportation, State Highway Commission (Michelle Davenport, Chief Jeff Holmes)**
 - a. Permit Rules for the Movement of Oversize and Overweight Vehicles on the Arkansas State Highway System, 27 CAR pt. 111 (p.1)
 - b. License Plate Reader Rules, 12 CAR pt. 150 (p.3)
 - c. ~~Utility Accommodation Rules, 27 CAR pt. 91~~
 - 2. Department of Commerce, State Insurance Department (Sara Farris)**
 - a. Vision Care Plan Coverage, 23 CAR pt. 142 (p.5)
 - 3. Department of Education, Division of Elementary and Secondary Education (Courtney Salas-Ford)**
 - a. Rules Governing the Course Choice Program, 6 CAR pt. 108 (p.10)
 - b. Rules Governing Public School Policies Relating to Overnight Travel and Use of Public School Lavatories, 6 CAR pt. 10 (p.14)

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'*.

- c. Rules Governing Consolidation and Annexation of School Districts, 6 CAR pt. 231 (p.15)
- 4. **Department of Finance and Administration, Alcoholic Beverage Control Division, Medical Marijuana Commission (Christy Bjornson, Katie Hinojosa, Brandon Crawford)**
 - a. Rules Governing the Application for, Issuance, and Renewal of Licenses for Medical Marijuana Cultivation Facilities, Dispensaries, and Processors in Arkansas, 20 CAR pt. 800 (p.19)
- 5. **Department of Health (Craig Smith, Shane David)**
 - a. List of Controlled Substances, 5 CAR pt. 22 (p.23)
 - b. REPEAL Rules Pertaining to Synthetic Marijuana Products, 20 CAR pt. 204 (p.24)
- 6. **Department of Health, Arkansas Psychology Board (Colin Davies, Matt Gilmore)**
 - a. Arkansas Psychology Board Rules, 17 CAR pt. 95 (p.24)
- 7. **Department of Health, Arkansas State Board of Acupuncture and Related Techniques (Russell Burns, Matt Gilmore)**
 - a. Rules of the Arkansas State Board of Acupuncture and Related Techniques, 17 CAR pt. 170 (p.40)
- 8. **Department of Health, Arkansas State Medical Board (Matt Gilmore)**
 - a. Arkansas State Medical Board Rules, Physician and Physician Assistant Delegation Rule, 17 CAR § 140-2501 et seq. (p.41)
- 9. **Department of Human Services, Division of Aging, Adult, and Behavioral Health Services (Jay Hill, Debora Inman)**
 - a. Updates to the Personal Care and Arkansas Independent Assessment Provider Manuals (Concerning 20 CAR pts. 607, 634) (p.43)
- 10. **Department of Human Services, Division of County Operations and Division of Medical Services (Mary Franklin)**
 - a. Medical Services Policy Updates Related to Resource Determinations (Concerning 20 CAR pts. 500, 570) (p.46)
- 11. **Department of Human Services, Division of Medical Services (Elizabeth Pitman, items a-b, e, g; Jay Hill, Debora Inman, items c-d; Paula Stone, item f)**
 - a. Continuous Glucose Monitors Billing Amendment (Concerning 20 CAR pts. 570, 641) (p.50)
 - b. Maternal Health Providers and Remote Monitoring (Concerning 20 CAR pts. 570, 641, 652) (p.52)
 - c. Program for All-Inclusive Care for the Elderly (PACE) Provider Manual, 20 CAR pt. 640 (p.57)
 - d. PACE Rate Setting Methodology SPA (Concerning 20 CAR pt. 570) (p.59)
 - e. Electronic Visit Verification (EVV) for In-Home Personal Care, Attendant Care,

- Respite Care, and Home Health (Concerning 20 CAR pt. 600) (p.60)
- f. Hospital Based Residential Treatment for Substance Use Disorder (Concerning 20 CAR pts. 570, 624) (p.61)
 - g. Clarification of Requirements for an Acute Rehabilitation Unit within a Hospital and Update to the Medicaid Utilization Management Program (MUMP) (Concerning 20 CAR pts. 570, 610, 624, 631, 636, 643, and 644) (p.62)
- 12. Department of Labor and Licensing (Lacie Kirchner, Lindsay Moore)**
- a. Elevator Safety Board Rules, 20 CAR pt. 881 (p.64)
- 13. Department of Labor and Licensing, Arkansas Motor Vehicle Commission (Lacie Kirchner, Daniel Pace)**
- a. Arkansas Motor Vehicle Commission Rules, Limitations, 23 CAR § 410-501 (p.66)
- 14. Department of Labor and Licensing, Arkansas Real Estate Commission (Lacie Kirchner, Heather Henries)**
- a. Arkansas Real Estate Commission Rules, 17 CAR pt. 220 (p.66)
- 15. Department of Labor and Licensing, Arkansas Towing and Recovery Board (Lacie Kirchner, Paul Burnett)**
- a. Administrative Rules of the Arkansas Towing and Recovery Board, 27 CAR pt. 170 (p.71)
- 16. Department of Labor and Licensing, Board of Electrical Examiners of the State of Arkansas (Lacie Kirchner, Lindsay Moore)**
- a. Rules of the Board of Electrical Examiners of the State of Arkansas, 17 CAR pt. 210 (p.77)
- 17. Department of Parks, Heritage, and Tourism, State Parks, Recreation, and Travel Commission (Jeff King, Mike Wilson, Marty Ryall)**
- a. General Rules, Firearms, hunting, explosives, and fireworks, 22 CAR § 50-114 (p.81)
 - b. General Rules, Hang gliding and paragliding rules, 22 CAR § 50-115 (p.82)
- 18. Department of Shared Administrative Services, Employee Benefits Division (Jessica Patterson, Grant Wallace)**
- a. Independent Vendor Data Audit Process, 21 CAR pt. 51 (p.84)
- 19. Section 529 Plan Review Committee (Michael Harry)**
- a. Arkansas Brighter Future Fund Plan, 6 CAR pt. 560 (p.87)
- 20. Treasurer of State, Achieving a Better Life Experience Program Committee (Michael Harry)**
- a. Achieving a Better Life Experience Program Rules, 20 CAR pt. 930 (p.88)

21. Upper Southwest Regional Solid Waste Management District (Mitchell Noble, Nathan Coulter)

- a. Rules of the Upper Southwest Regional Solid Waste Management District, 8 CAR pt. 370 (p.90)

F. Evaluation of Rule Review Group 3 Agencies Pursuant to Act 781 of 2017 and Act 65 of 2021

1. Department of Education, Office of Early Childhood (Courtney Salas-Ford)

G. Agency Updates on the Status of Outstanding Rulemaking from the 2023 Regular Session Pursuant to Act 595 of 2021¹

1. Department of Education (Courtney Salas-Ford)

Rules Outstanding as of August 1, 2026, as Reported and Updated by the Agency

Arkansas State Library

- Rules Governing the Standards for State Aid to Public Libraries (Act 566 of 2023, § 11)
 - Rulemaking regarding Act 566 of 2023 was temporarily suspended due to the passage of Act 903 of 2025. A draft of this rule completed its public comment period on June 15, 2026. The rule draft will be considered at the next meeting of the board on August 14, 2026.

Division of Career and Technical Education

- Rules Governing Grading and Course Credit² (Act 654 of 2025, § 4)
 - This rule is in its second round of public comments which will end on September 2, 2026.

Division of Elementary and Secondary Education

- Rules Governing School District Waivers (Act 347 of 2023, § 1)
 - The agency has redrafted this rule due to the enactment of Act 304 of 2025. The rule is a top priority for the current round of rulemaking. It is anticipated that the rule will be released for public comment in September.
- Rules Governing Grading and Course Credit (Act 654 of 2023, §§ 2, 4)
 - This rule is in its second round of public comments which will end on September 2, 2026.

State Board of Education

- *Rules Governing the Course Choice Program (Act 237 of 2023, § 20)
 - The State Board of Education has approved a final draft of this rule, and it has been submitted for review by the ALC Rules Subcommittee

¹ Outstanding rules from the 2023 Regular Session that are on the current agenda for legislative review and approval are designated by an asterisk (*)

² Per the agency, prior reports had indicated that rulemaking for Act 654, §4, would be addressed in a new rule; however, this rulemaking requirement has instead been incorporated into the Rules Governing Grading and Course Credit.

in August.

- Rules Governing Public Charter Schools (Act 237 of 2023, § 49)
 - The agency has redrafted this rule due to the enactment of Act 800 of 2025. The rule is a top priority for the current round of rulemaking. It is anticipated that the rule will be released for public comment in September.

H. Agency Updates on the Status of Outstanding Rulemaking from the 2025 Regular Session Pursuant to Act 595 of 2021

1. **Arkansas Department of Transportation**
2. **Arkansas Ethics Commission**
3. **Arkansas Public Service Commission**
4. **Department of Agriculture**
5. **Department of Commerce, Arkansas Economic Development Commission**
6. **Department of Commerce, State Insurance Department**
7. **Department of Corrections**
8. **Department of Education**
9. **Department of Energy and Environment**
10. **Department of Finance and Administration**
11. **Department of Health**
12. **Department of Human Services**
13. **Department of Labor and Licensing**
14. **Department of Public Safety**
15. **Department of Shared Administrative Services**
16. **State Board of Finance**

I. Adjournment