

REVISED AGENDA
Administrative Rules Subcommittee
of the
Arkansas Legislative Council

Thursday, June 19, 2025
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. Ben Gilmore, ex officio
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. Rules Filed Pursuant to Arkansas Code § 10-3-309

1. DEPARTMENT OF AGRICULTURE (Corey Seats)

a. Liquid Animal Waste Management Systems (p.1)

**2. DEPARTMENT OF COMMERCE, STATE INSURANCE DEPARTMENT
(Amanda Gibson, item a; Sara Farris, Jimmy Harris, item b)**

**a. Rule 20: Automatic and Expedited Licensure for Military Service Members,
Veterans, and Spouses (p.3)**

b. Rule 12: Credit Life and Credit Disability Insurance (p.3)

**3. DEPARTMENT OF CORRECTIONS, BOARD OF CORRECTIONS (Tawnie
Rowell)**

a. Earned Release Credits, 12 CAR § 60-116 (p.5)

**4. DEPARTMENT OF EDUCATION, DIVISION OF ELEMENTARY AND
SECONDARY EDUCATION (Daniel Shults, Courtney Salas-Ford)**

a. Rules Governing Special Education and Related Services (p.8)

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'*.

5. **DEPARTMENT OF ENERGY AND ENVIRONMENT, DIVISION OF ENVIRONMENTAL QUALITY (Bailey Taylor, Michael McAlister)**
 - a. **Rule No. 6: Rules for State Administration of the National Pollutant Discharge Elimination System (NPDES) (p.10)**
 - b. **Rule No. 2: Rule Establishing Water Quality Standards for Surface Waters of the State of Arkansas, 8 CAR pt. 21 (p.13)**
6. **DEPARTMENT OF HEALTH, STATE BOARD OF HEALTH (Laura Shue, Nick Shull, Shane David)**
 - a. **List of Controlled Substances (p.23)**
 - b. **Rules for Controlled Substances (p.28)**
7. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF CHILDREN AND FAMILY SERVICES (Amber Sartain)**
 - a. **Safety and Risk Management and Technical Revisions & REPEALS: PUB-50 – Be Your Own Advocate: A Road Map to Your Time in Arkansas Foster Care; PUB-52 – Child Protective Services: A Caretaker’s Guide (p.29)**
8. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF COUNTY OPERATIONS (Mary Franklin, Lori McDonald)**
 - a. **Supplemental Nutrition Assistance Program Updates Pursuant to Act 675 of 2023, 20 CAR pt. 501 (p.32)**
9. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF COUNTY OPERATIONS AND DIVISION OF MEDICAL SERVICES (Mary Franklin, Elizabeth Pitman, Lori McDonald)**
 - a. **Pregnant Presumptive Eligibility, 20 CAR pts. 500, 570, 600, 610, 631, 636 (p.34)**
10. **DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES (Elizabeth Pitman, Lori McDonald)**
 - a. **Obstetric Professional Rate Increase and Unbundling, 20 CAR pts. 570, 610, 619, 631, 646 (p.37)**

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

1. DEPARTMENT OF AGRICULTURE (Corey Seats)

Rules Outstanding as of June 1, 2025, as Reported and Updated by the Agency

- ***Liquid Animal Waste Management Systems Rule (Act 824 of 2023)**
 - Act 824 provides that the Department of Agriculture, in consultation with the Division of Environmental Quality, has authority over all liquid animal waste management systems in the state, including issuance of permits for those systems. The Act requires the Department to adopt rules but provides that the Department shall use the current Pollution Control and Ecology Commission Regulation No. 5 until the Department promulgates rules. The public comment period ran from August 3 to September 16, 2024, and the Department held a public hearing on the rule on August 26, 2024.
 - On November 14, 2024, this rule did not receive the ALC Rules Subcommittee review necessary for completion of the promulgation process. To allow more time to carefully review the proposed rule in response to the large number of comments from interested parties and stakeholders and anticipated legislation before the General Assembly, the Department requested removal of the rule from December's ALC-Administrative Rules Subcommittee agenda. The rule has now been placed on the June 19, 2025 ALC-Administrative Rules Subcommittee agenda.

2. DEPARTMENT OF COMMERCE, ARKANSAS ECONOMIC DEVELOPMENT COMMISSION (Jake Windley, Bo Loftis)

Rules Outstanding as of June 1, 2025, as Reported and Updated by the Agency

- **Consolidated Incentive Act Rules (Act 834 of 2023)**
 - Changes to existing version of rule required by changes to the definition of an “eligible business” included in Act 834 of 2023. The current version of the rule does not incorporate these changes.
 - The Agency is currently drafting amendments to the rule to include not only these changes, but also changes to the Consolidated Incentive Act from the 2025 legislation session which added two incentives: Corporate Headquarters (Act 881) and Modernization and Automation (Act 882). The Consolidated Incentive Act does not require rules promulgation, and the current version of the rule largely restates the statute. Due to the fact that internal discussion regarding the rule amendment is ongoing, no anticipated date for the rule being on the subcommittee's agenda can be provided.

3. DEPARTMENT OF CORRECTIONS (Tawnie Rowell)

Rules Outstanding as of June 1, 2025, as Reported and Updated by the Agency

The Department of Corrections has the following rules pending promulgation from the 2023 legislative session:

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

Secretary of Corrections

- **Visitation (Act 659, § 112 of 2023)**

- This rule will be promulgated by the Secretary of Corrections, who has approved it. There was a stakeholder request for a definition change. It is anticipated that review and approval will be sought in August 2025.

Post-Prison Transfer Board

- **Transfer to Post Release Supervision (Act 659, § 2 of 2023)**

- This rule is being promulgated by the Post-Prison Transfer Board, and a draft is being circulated to stakeholders. It is anticipated that review and approval will be sought in September of 2025.

4. **DEPARTMENT OF EDUCATION (Daniel Shults, Courtney Salas-Ford)**

*Rules Outstanding as of June 1, 2025, as Reported and Updated by the Agency
Arkansas State Library*

- **Rules Governing the Standards for State Aid to Public Libraries (Act 566, § 11 of 2023)**

- Rulemaking regarding Act 566 of 2023 is temporarily suspended due to the passage of Act 903 of 2025. The agency anticipates rulemaking to occur following the appointment of a new slate of library board members.

Division of Career and Technical Education

- **Rules Governing the Approval of Computer Science-Related Career and Technical Education Course (Act 654, § 4 of 2023)**

- This rule is being redrafted in compliance with the Code of Arkansas Rules. It is anticipated that the final rule will be submitted for ALC review in September.

- **Rules Governing the Vocational Start-Up Grant Program (Act 867, § 7 of 2023)**

- This rule is being redrafted in compliance with the Code of Arkansas Rules. It is anticipated that the final rule will be submitted for ALC review in September.

Division of Elementary and Secondary Education

- **Rules Governing the Child Sexual Abuse and Human Trafficking Prevention Program (Act 237, § 16 of 2023)**

- This amendment has completed its public comment period and is on the State Board of Education June 12, 2025 agenda for final approval. It is anticipated that the final rule will be submitted for ALC review in August.

- **Rules Governing School District Waivers (Act 347, § 1 of 2023)**

- The agency is redrafting this rule due to the enactment of Act 304 of 2025. The rule will be a top priority for the current round of rulemaking with a final rule anticipated in September.

- **Rules Governing Grading and Course Credit (Act 654, §§ 2, 4 of 2023)**

- This rule has been released by the State Board of Education to be released for a public comment; however, the agency is redrafting this rule due to the enactment of Act 341 of 2025. The rule will be a top priority for the current round of rulemaking with a final rule

anticipated in September.

State Board of Education

- **Rules Governing the Course Choice Program (Act 237, § 20 of 2023)**
 - The agency is redrafting this rule due to the enactment of Act 730 of 2025. The rule will be a top priority for the current round of rulemaking with a final rule anticipated in September.
- **Rules Governing Dyslexia Screenings in Schools (Act 237, § 51 of 2023)**
 - This amendment has completed its public comment period and is on the State Board of Education June 12, 2025 agenda for final approval. It is anticipated that the final rule will be submitted for ALC review in June.
- ***Rules Governing Implementation of the Inpatient and Residential Facilities Appropriation (Act 572, § 11 of 2023)**
 - This rule has been approved by the State Board of Education on May 8, 2025, and has been submitted for ALC review in June.
- ***Rules Governing Implementation of the Juvenile Detention Facilities Appropriation (Act 572, § 12 of 2023)**
 - This rule has been approved by the State Board of Education on May 8, 2025, and has been submitted for ALC review in June.
- **Rules Governing Public Charter Schools (Act 237, § 49 of 2023)**
 - The agency is redrafting this rule due to the enactment of Act 800 of 2025. The rule will be a top priority for the current round of rulemaking with a final rule anticipated in September.

Division of Higher Education

- **Rules Governing Universal Academic Credit (Act 237, § 54 of 2023)**
 - The agency is redrafting this rule due to the enactment of Act 341 of 2025. The rule will be a top priority for the current round of rulemaking with a final rule anticipated in September.

D. Adjournment