

**ADMINISTRATIVE RULES SUBCOMMITTEE
OF THE
ARKANSAS LEGISLATIVE COUNCIL**

Thursday, September 17, 2026

10:00 a.m.

Room A, MAC

Little Rock, Arkansas

A. Call to Order

B. Rules Filed Pursuant to Arkansas Code § 10-3-309

1. Department of Agriculture, Arkansas Board of Animal Health (Andrew Fidler, Matthew Ford)

a. Exhibition Health Requirements for Livestock, Poultry, and Exotic Animals, Out-of-state swine, 2 CAR § 194-103

DESCRIPTION: The exhibition health requirements for Arkansas swine, 2 CAR § 194-203, require negative tests for brucellosis and pseudorabies within ninety (90) days of exhibition except for animals originating directly from a validated herd. However, 2 CAR § 194-103 exempts out-of-state swine from swine-brucellosis and pseudorabies testing when the animals originate from swine-brucellosis-free states and pseudorabies-free states. According to the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture (USDA), swine-brucellosis and pseudorabies were eliminated from commercial swine in 2011 and 2004, respectively. Therefore, all states are considered swine-brucellosis-free and pseudorabies-free in commercial swine production, and out-of-state swine are not required to test negative for swine-brucellosis or pseudorabies prior to exhibition in Arkansas. Between 200 and 400 out-of-state swine entered Arkansas for exhibition each year from 2022 to 2025.

A real threat of infection exists for domestic pigs due to the high prevalence of swine-brucellosis and pseudorabies in feral hogs. On April 30, 2026, USDA confirmed the detection of pseudorabies virus in a commercial swine facility in Iowa that resulted from the movement of animals exposed to feral hogs in Texas. Inadequate biosecurity measures in outdoor production herds or swine that have access to the outdoors can lead to swine-brucellosis or pseudorabies infection. Making testing requirements equivalent for in-state and out-of-state swine prior to exhibition in Arkansas ensures the safety of all animals on exhibition grounds.

PUBLIC COMMENT: No public hearing was held on this rule. The public comment period expired July 14, 2026. The board indicated it received no public comments.

The proposed effective date for this rule is pending legislative review and approval.

FINANCIAL IMPACT: The board indicated this rule has no fiscal impact. The board indicated that the total estimated cost by fiscal year to any private individual, private entity, or private business subject to the rule is \$30 for the current fiscal year and \$30 for the next fiscal year. The board provided the

following narrative:

“Amendments to 2 CAR § 194-103 would require out-of-state swine to test negative for swine-brucellosis and pseudorabies prior to exhibition in Arkansas. Presently, Arkansas swine must be tested for both diseases prior to exhibition, and the rule amendments will not increase costs to Arkansas citizens. The cost of brucellosis and pseudorabies testing varies, but it is estimated to cost approximately \$30.00 per animal to draw blood and submit for testing at a qualified laboratory. The number of out-of-state swine entering Arkansas exhibitions by year is as follows: in 2025, 299 swine; in 2024, 250 swine; in 2023, 387 swine; in 2022, 236 swine.”

LEGAL AUTHORIZATION: Arkansas Code § 2-33-107(a) provides that “[a]uthority for the control, suppression, and eradication of livestock and poultry diseases and pests, and supervision of livestock and poultry work in this state, including authority to promulgate rules governing the handling, sale, and use of vaccines, antigens, and other biological products used for reportable diseases and emergencies affecting livestock and poultry, is vested in the Arkansas Board of Animal Health.” Arkansas Code § 2-33-107(b)(10) provides that the board may promulgate rules that prescribe “the method and manner for testing and vaccination of livestock or poultry located within the state.”

2. Department of Education, Division of Higher Education (Courtney Salas-Ford, Daniel Shults)

a. Rules Governing the Governor’s Higher Education Transition Scholarship Program, 6 CAR pt. 405

DESCRIPTION: The Department of Education, Division of Higher Education, seeks to amend its Rules Governing the Governor’s Higher Education Transition Scholarship Program. Act 341 of 2025, Section 79, p. 103 creates the Governor’s Higher Education Transition Scholarship Program in the Arkansas Code. Although this is a current rule that is being amended, it was not codified into the Arkansas Code until now and instead existed through special language from appropriation found in Act 870 of 2023. The amendment adds a definition section to the current rules. Continued eligibility is now expanded from four to eight continuous semesters, or completion of the program, whichever happens first.

Post Public Comment: This rule did not receive any public comments at the hearing held on April 23, 2026, nor did it receive public comments via written correspondence. No substantive or non-substantive changes were made to the rule.

PUBLIC COMMENT: A public hearing was held on April 23, 2026. The public comment period expired on April 27, 2026. The agency indicated that it did not receive any public comments.

The proposed effective date is pending legislative review and approval.

FINANCIAL IMPACT: The agency has indicated that the amended rules have no financial impact.

LEGAL AUTHORIZATION: Pursuant to Arkansas Code § 6-82-2605, the Division of Higher Education may promulgate rules to govern administration of

the Governor's Higher Education Transition Scholarship Program, including without limitation application forms and deadlines.

The amended rules implement identical Acts 2025, Nos. 340 and 341, § 79, sponsored by Senator Jonathan Dismang and by Representative Matthew J. Shepherd, respectively, which created the Arkansas ACCESS Act and amended various provisions of the Arkansas Code as they relate to education in the State of Arkansas.

3. Department of Health (Craig Smith, items a-f; Christine Kresse, item a; Paula Day, items b-f)

a. Rules for Emergency Medical Services, 20 CAR pt. 81

DESCRIPTION: The proposed amendments are to comply with Acts 2025, Nos. 384 (Emergency Medical Services Personnel Licensure Interstate Compact) and 863 (abolishing the Emergency Medical Services Advisory Council and establishing the Emergency Medical Services Advisory Committee), and changes pursuant to recommendations for the Code of Arkansas Rules. The amendments also amend required equipment lists and incorporate the Accreditation Manual for training facilities into the Rules pursuant to recommendations for the Code of Arkansas Rules.

PUBLIC COMMENT: A public hearing was held on this rule on March 31, 2026. The public comment period expired on March 31, 2026. The agency provided the following comment summary:

Commenter's Name: Todd Birkhead, Paramedic/EMS Program Director, Arkansas Tech University – Ozark Campus

COMMENT: There is a discrepancy in the hour's requirement for EMS-instructors. On page 63, the requirement is 12 and on 65 it is 24. **RESPONSE:** ADH has corrected the clerical error and changed the requirement on page 65 to 12.

A second public comment period was held solely regarding revising and adding the appendices. The second public comment period expired on June 16, 2026. The agency indicated that it received no comments during the second public comment period.

The proposed effective date is pending legislative review and approval.

FINANCIAL IMPACT: The agency indicated that this rule has no financial impact.

LEGAL AUTHORIZATION: The State Board of Health has authority to promulgate rules "which it deems necessary to carry out the provisions of" Title 20, Chapter 13, Subchapter 2 of the Arkansas Code, regarding the Emergency Medical Services Act, upon recommendation by the Emergency Medical Services Advisory Committee. Ark. Code Ann. § 20-13-208(a)(1). The Board may also promulgate "rules and standards defining or limiting the emergency medical procedures or services that may be rendered by licensed emergency medical services personnel[.]" Ark. Code Ann. § 20-13-208(b).

This rule implements Acts 384 and 863 of 2025.

Act 384, sponsored by Representative Lee Johnson, adopted the Emergency Medical Services Personnel Licensure Interstate Compact in Arkansas. The Act provided that the Department of Health “may adopt rules consistent with the compact that are necessary to implement” the compact. Act 384, § 1, *codified at* Ark. Code Ann. § 20-13-1902(b).

Act 863, also sponsored by Representative Johnson, abolished the Emergency Medical Services Advisory Council, created the Emergency Medical Services Advisory Committee, and transferred the powers and duties of the Emergency Medical Services Advisory Council to the Emergency Medical Services Advisory Committee and the State Board of Health.

b. Rules for Hospitals and Related Institutions in Arkansas, 20 CAR pt. 41

DESCRIPTION: The proposed amendments to the Rules for Hospitals and Related Institutions in Arkansas are pursuant to Acts 52, 138, 141, 772, 819, 861, and 862 of 2025, which include: allowing full practice authority of certified midwives, permitting hospitals to operate retail pharmacies, adding provisions for emergent blood transfusion process, allowing APRNs to pronounce and document patient death, requirement to End Organ and Genomic Harvesting, and amending the Anatomical Gift Act.

PUBLIC COMMENT: No public hearing was held on this rule. The public comment period expired on August 4, 2026. The agency indicated that it received no comments.

The proposed effective date is October 1, 2026.

FINANCIAL IMPACT: The agency indicated that this rule has no financial impact.

LEGAL AUTHORIZATION: The Department of Health, Division of Health Facilities Services has the authority to inspect, regulate, and license hospitals and institutions. Ark. Code Ann. § 20-9-204(b)(3). The Department may promulgate rules as necessary to accomplish the purposes of Ark. Code Ann. §§ 20-9-201 to - 223, regarding health facilities services. Ark. Code Ann. § 20-9-205(b). This rule implements Acts 52, 138, 141, 772, 819, 861, and 862 of 2025.

Act 52, sponsored by Senator Jonathan Dismang, removed the prohibition on nonprofit, tax exempt, or governmentally funded hospitals holding a licensed pharmacy permit for the sale at retail of drugs.

Act 138, sponsored by Representative Mary Bentley, amended the full practice authority of a certified nurse midwife to allow admitting privileges.

Act 141, sponsored by Senator Justin Boyd, permitted healthcare providers to maintain medical records in an electronic format.

Act 772, sponsored by Senator Clint Penzo, created the End Organ and Genomic Harvesting Act, prohibited coverage of certain human organ transplant or post-transplant care, and prohibited certain genetic sequencers and genetic analysis technologies.

Act 819, sponsored by Representative Matt Brown, amended the law regarding emotional support animals, authorized a private property owner or business owner

to ban an emotional support animal from the private property or the business premises, and regulated liability on private property related to emotional support animals.

Act 861, also sponsored by Representative Brown, amended the Revised Arkansas Anatomical Gift Act, allowed certain classes of persons to revoke or amend an anatomical gift upon the death of the donor, and required certain reporting of procurement organizations.

Act 862, sponsored by Representative Paul Childress, amended the law concerning death certificates and clarified the medical professionals who may sign a medical certificate of death and pronounce death of a patient.

c. Rules for Critical Access Hospitals in Arkansas, 20 CAR pt. 43

DESCRIPTION: The proposed amendments to the Rules for Critical Access Hospitals in Arkansas are pursuant to Acts 52, 138, 141, 772, 819, 861, and 862 of 2025, which include: allowing full practice authority of certified midwives, permitting hospitals to operate retail pharmacies, adding provisions for emergent blood transfusion process, allowing APRNs to pronounce and document patient death, requirement to End Organ and Genomic Harvesting, and amending the Anatomical Gift Act.

PUBLIC COMMENT: No public hearing was held on this rule. The public comment period expired on August 4, 2026. The agency indicated that it received no comments.

The proposed effective date is October 1, 2026.

FINANCIAL IMPACT: The agency indicated that this rule has no financial impact.

LEGAL AUTHORIZATION: The Department of Health, Division of Health Facilities Services has the authority to inspect, regulate, and license hospitals and institutions. Ark. Code Ann. § 20-9-204(b)(3). The Department may promulgate rules as necessary to accomplish the purposes of Ark. Code Ann. §§ 20-9-201 to -223, regarding health facilities services. Ark. Code Ann. § 20-9-205(b). This rule implements Acts 52, 138, 141, 772, 819, 861, and 862 of 2025.

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to ban an emotional support animal from the private property or the business premises, and regulated liability on private property related to emotional support animals.

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Act 862, sponsored by Representative Paul Childress, amended the law concerning death certificates and clarified the medical professionals who may sign a medical certificate of death and pronounce death of a patient.

d. Rules for Private Care Agencies in Arkansas, 20 CAR pt. 49

DESCRIPTION: The proposed amendments to the Rules for Private Care Agencies in Arkansas are to allow home caregivers that have previously received defined training to not repeat the defined training (Act 643); revise the definition of “contractor” to state “does not receive a Form W-2,” remove “independent” as a descriptor for contractor, and add “contracted individuals” to the same requirement as employee (Act 647); and remove certification by DHS DPSQA, add requirement for reimbursement through Arkansas Medicaid Program, and remove regional offices language (Act 853).

PUBLIC COMMENT: No public hearing was held on this rule. The public comment period expired on August 4, 2026. The agency indicated that it received no comments.

The proposed effective date is October 1, 2026.

FINANCIAL IMPACT: The agency indicated that this rule has no financial impact.

LEGAL AUTHORIZATION: “The State Board of Health shall promulgate rules necessary to implement” Title 20, Chapter 10, Subchapter 23 of the Arkansas Code, regarding personal care service providers. Ark. Code Ann. § 20-10-2304(a). This rule implements Acts 643, 674, and 853 of 2025.

Act 643, sponsored by Representative Mary Bentley, exempted a home caregiver from home caregiver training if he or she previously completed training.

Act 674, also sponsored by Representative Bentley, amended the laws concerning criminal history records checks for employees of service providers, allowed third-party employee evaluation services to perform criminal history records checks, and included independent contractors.

Act 853, sponsored by Representative Jack Ladyman, removed the certification process of the Department of Human Services from licensure as a private care agency.

e. Rules for Home Health Agencies in Arkansas, 20 CAR pt. 46

DESCRIPTION: The proposed amendments to the Rules for Home Health Agencies in Arkansas are to: add Program of All-Inclusive Care for the Elderly (PACE) provider exemption (Act 144); add entities that solely provide therapy services not reimbursed under Medicare Part A as an exemption (Act 849); and

allow home caregivers that have previously received defined training to not repeat the defined training (Act 643).

PUBLIC COMMENT: No public hearing was held on this rule. The public comment period expired on August 4, 2026. The agency indicated that it received no comments.

The proposed effective date is October 1, 2026.

FINANCIAL IMPACT: The agency indicated that this rule has no financial impact.

LEGAL AUTHORIZATION: The State Board of Health shall promulgate “such rules and standards as may be necessary for the accomplishment of the purposes of” Title 20, Chapter 10, Subchapter 8 of the Arkansas Code, regarding home healthcare services. Ark. Code Ann. § 20-10-806(b)(1). This rule implements Acts 144, 643, and 849 of 2025.

Act 144, sponsored by Senator Dan Sullivan, exempted providers in the Program of All-Inclusive Care for the Elderly from the licensing requirements for home healthcare services.

Act 643, sponsored by Representative Mary Bentley, exempted a home caregiver from home caregiver training if he or she previously completed training.

Act 849, sponsored by Representative Lee Johnson, provided an exception from licensure as a home healthcare service to an entity that solely provides therapy services that are not reimbursed by Medicare Part A.

f. Rules for Hospice in Arkansas, 20 CAR pt. 47

DESCRIPTION: The proposed amendments to the Rules for Hospice in Arkansas are to add allowances for electronic medical records (Act 141), allow private professional providers to complete building project review and approval (Act 591), and change the name for additional hospice location for a primary location from “satellite office” or “alternate delivery site” to “multiple location” to utilize the same terminology as CMS.

PUBLIC COMMENT: No public hearing was held on this rule. The public comment period expired on August 4, 2026. The agency indicated that it received no comments.

The proposed effective date is October 1, 2026.

FINANCIAL IMPACT: The agency indicated that this rule has no financial impact.

LEGAL AUTHORIZATION: The Department of Health has the authority to regulate hospice care in Arkansas through the State Hospice Office, “to be administered in a division of the department to be designated by the Secretary of the Department of Health.” Ark. Code Ann. § 20-7-117(a), (b)(1). The State Hospice Office shall “implement rules, regulations, and standards for hospice care in general agreement with” national standards and federal law. Ark. Code Ann. § 20-7-117(b)(1)(B). These rules implement Acts 141 and 591 of 2025.

Act 141, sponsored by Senator Justin Boyd, permitted healthcare providers to

maintain medical records in an electronic format.

Act 591, sponsored by Senator Joshua Bryant, amended the law concerning construction and development and allowed third parties to perform plan reviews and site inspections.

4. Department of Human Services, Division of Medical Services (Elizabeth Pitman)

a. Signature Authority for Diabetic Shoes and Shoe Inserts (Concerning 20 CAR pt. 641)

DESCRIPTION:

Statement of Necessity

Act 431 of 2025 clarified that advanced practice registered nurse and physician assistant signature authority for durable medical equipment includes, without limitation, orthotics, prosthetics, and diabetic shoes or shoe inserts that are designed to reduce the risk of skin breakdown in patients with diabetes and existing foot disease and to relieve pressure to prevent diabetic foot ulcers. The Division of Medical Services (DMS) promulgates this rule to implement Act 431.

Summary of Changes

To implement Act 431, DMS updates the Arkansas Medicaid Prosthetics Provider Manual (20 CAR pt. 641). Section 212.600 of the manual is updated to state that providers of orthotic appliances may be reimbursed for diabetic shoes or shoe inserts when prescribed by a beneficiary's provider who has prescribing authority, if within the scope of practice, and the need is documented as medically necessary.

PUBLIC COMMENT: A public hearing was held on this rule on July 15, 2026. The public comment period expired on July 27, 2026. The agency indicated that it received no public comments.

The proposed effective date is October 1, 2026.

FINANCIAL IMPACT: The agency indicated that this rule has no financial impact.

LEGAL AUTHORIZATION: The Department of Human Services has the responsibility to administer assigned forms of public assistance and is specifically authorized to maintain an indigent medical care program (Arkansas Medicaid). *See* Ark. Code Ann. §§ 20-76-201(1), 20-77-107(a)(1). The Department has the authority to make rules that are necessary or desirable to carry out its public assistance duties. Ark. Code Ann. § 20-76-201(12). The Department and its divisions also have the authority to promulgate rules as necessary to conform their programs to federal law and receive federal funding. Ark. Code Ann. § 25-10-129(b).

This rule implements Act 431 of 2025. The Act, sponsored by Representative Lee Johnson, modified the signature authority for advanced practice registered nurses and physician assistants and clarified that durable medical equipment includes diabetic shoes and shoe inserts.

5. Department of Public Safety, Division of Arkansas State Police (Eric Wacaster)

a. Rules for Licensing and Regulation of Private Investigators, Private Security Agencies, Alarm Systems Companies, Polygraph Examiners, and Voice Stress Analysis Examiners, 17 CAR pt. 350

DESCRIPTION: The Department of Public Safety (DPS), through the Division of Arkansas State Police PI/Security Division, administers professional licensing and regulation for multiple vocations under Administrative Rule 17 CAR pt. 350, including private investigators, private security agencies, alarm systems companies, polygraph examiners, and voice stress analysis examiners. The division has proposed updates across several sections of 17 CAR pt. 350 to improve clarity; align rules with recent legislation, current technology, and operational practices; and reduce unnecessary burdens on applicants and licensees.

PUBLIC COMMENT: A public hearing was not held on this matter. The public comment period expired June 25, 2026. The agency indicated it received no public comments.

Grant Wise, an attorney with the Bureau of Legislative Research, asked the following questions and received the following responses:

1. 17 CAR § 350-302 and 17 CAR § 350-402 – Act 678 of 2025 and Arkansas Code § 17-40-340 allow for physical identification cards or electronic identification cards. Does the Division of Arkansas State Police intend to only issue electronic identification cards going forward? **RESPONSE:** Yes. With the development of our new licensing system and to reduce costs for the ASP and Arkansans, we no longer issue physical cards. Once a credential is approved, it will be emailed to the appropriate individual(s) and will be accessible electronically.

2. 17 CAR § 350-502 – In the questionnaire completed by the agency, it says that this provision was changed as security companies are no longer required to keep a copy of their licensed, credentialed, and/or commissioned employees' fingerprints at their business. Arkansas Code § 17-40-315(a) provides that each licensee or credential holder shall maintain a record containing the information relative to his or her employees as may be prescribed by the Director of the Division of Arkansas State Police. Why are fingerprints no longer required?

RESPONSE: Act 630 of 2021 requires electronic fingerprinting for all in state applicants at Harvester or Livescan sites. Fingerprints are accessible at any time through a live scan site and can be downloaded and printed as needed by authorized individuals. Fingerprint records are also maintained and available on file within the ASP AFIS section. Maintaining these records in an electronic format reduces costs for taxpayers and ASP, while also decreasing employee workload and improving overall efficiency.

3. 17 CAR § 350-506(a)(1) – What is the reasoning behind only requiring a credential card to be accessible instead of in plain sight? **RESPONSE:** Moving away from ASP-issued physical cards is intended to reduce costs for both taxpayers and ASP and increase efficiency in the licensing process. The credential will be maintained electronically by the credentialed party through their method

of choice (e.g., email or PDF). Additionally, several of our PI constituents conduct personal security detail work for individuals and families. Requiring them to carry or display a visible credential can present a safety risk to both the licensee and their clients.

4. 17 CAR § 350-506(a)(2) – It appears that previously anyone could request a licensee to produce identification. The rule now limits this to certified law enforcement officers. What is the reasoning behind this change?

RESPONSE: We have received several complaints from licensees regarding harassment by individuals after it is learned they are engaged in private security work. In some instances, individuals who have been asked to leave a property or area have demanded to see credentials, resulting in confrontation. By allowing credential holders to produce credentials only to law enforcement, it provides an avenue to involve law enforcement in potentially volatile situations, thereby reducing risk to both the licensee and the individuals involved.

5. 17 CAR § 350-903 – Does NICET Level II constitute Level I training?

RESPONSE: No, NICET Level II is not equivalent to Level I; it is the next step up. Level I is for entry-level trainees who work under frequent supervision, whereas Level II requires two years of experience and allows technicians to perform routine, specialized tasks with limited supervision. Earning Level II generally requires passing both exams and proving your field hours.

FOLLOW-UP QUESTION: The division indicated that NICET Level II is not equivalent to a Level I training course. Is there a reason NICET Level II would be included in a list of Level I training requirements in 17 CAR § 350-903(b) or other sections? **RESPONSE:** NICET is different than the other acceptable training courses (ESA, NESA, ELITE, Complete Electrical Academy, My CEUs, Stay Safe Ventures) in that NICET considers on the job experience as part of its training requirements. Therefore, NICET Level II would be equivalent to ESA, NESA, ELITE etc Level I. I think there was some confusion in Lt. McAllister's response. He was saying that NICET Level II is not equivalent to NICET Level I, it is a step up to be equivalent to the other recognized level I training courses.

6. 17 CAR § 350-903(b) – This subsection provides that Class E-S alarm system agents, apprentices and technicians are exempt from the Level I training requirements for NICET Level II, ESA Level I, NESA Level I, or Elite CEU Level I. So that I'm clear, does this mean that the Class E-S agents, apprentices, and technicians should still complete either Complete Electrical Academy - Level I, My CEUs.com - Level I or Stay Safe Ventures - Level 1, similar to the Class E Unrestricted and Restricted agents and technicians mentioned in 17 CAR § 350-901(b)(2) and 17 CAR § 350-902(b)(2) respectively? **RESPONSE:** No. Class E-S alarm system agents, apprentices, and technicians are completely exempt from these training requirements. They are not required to complete the Complete Electrical Academy – Level I, Stay Safe Ventures – Level 1, or any other equivalent Level I course.

No Alternative Courses Required. This exemption applies to all equivalent courses, including Complete Electrical Academy and Stay Safe Ventures. These courses are only required for Class E Unrestricted and Restricted licenses.

Class E-S licenses specifically cover single-station fire and heat detection devices.

Because these systems are less complex than the commercial fire alarm networks covered under Class E Unrestricted licenses, Arkansas law reduces the training requirements for field technicians and apprentices.

FOLLOW-UP QUESTION: The division indicated that Class E-S alarm system agents, apprentices, and technicians are “completely exempt” from the training requirements required for Class E Unrestricted and Restricted agents and technicians. Is there a reason only some of the training requirements Class E-S alarm system agents, apprentices, and technicians are exempt from are mentioned in 17 CAR § 350-903(b)? **RESPONSE:** It appears that the Complete Electrical Academy Level I, My CEUs.com Level I and Stay Safe Ventures Level I are missing from the list and should be added. They would also be exempt from that training. Everywhere that any of the level one courses are required, all of the above would be acceptable. I believe that is what Mr. Wise is asking.

7. 17 CAR § 350-1110 – This section concerns temporary licenses. How does this operate in theory? The rule says that any person may operate for up to ten (10) days without being issued credentials. When is a temporary license actually granted? **RESPONSE:** Under 17 CAR § 350-1110, out-of-state private investigators are granted an automatic 10-day exemption. This provision does not constitute the issuance of a physical license; rather, it functions as a short-term reciprocity window allowing limited investigative activity within Arkansas. To qualify for this exemption, investigators must meet two requirements: they must hold a valid out-of-state private investigator license and submit written notification to the Division of Arkansas State Police upon commencement of an investigation.

The proposed effective date is pending legislative review and approval.

FINANCIAL IMPACT: The agency indicated that this rule has no financial impact.

LEGAL AUTHORIZATION: The Director of the Division of Arkansas State Police shall issue rules consistent with Arkansas Code Title 17, Chapter 39, Subchapters 1, 2, and 3, concerning polygraph examiners and voice stress analysis examiners, for the administration and enforcement of the subchapters. *See* Arkansas Code §§ 17-39-106(b), 17-39-313. *See also* Arkansas Code § 17-39-215 (providing that the director may promulgate rules to permit the efficient administration of subchapters 1 and 2); Arkansas Code § 17-39-307 (providing that the director may promulgate rules to permit the efficient administration of subchapter 3). The director shall further have the power and duty to promulgate reasonable rules in the manner provided by the Arkansas Administrative Procedure Act, § 25-15-201 et seq. and to establish and enforce standards governing the safety and conduct of persons licensed, credentialed, or commissioned under the Private Security Agency, Private Investigator, and School Security Licensing and Credentialing Act, Arkansas Code § 17-40-101 et seq. *See* Arkansas Code § 17-40-207(a)(5)-(6). Pursuant to Arkansas Code § 17-40-318, the director shall also promulgate rules regarding the training requirements for alarm systems companies, alarm systems apprentices, alarm systems monitors, alarm systems technicians, and alarm systems agents.

Changes to the rule include those made in light of Act 678 of 2025, which was

sponsored by Representative Matt Brown and amended the law concerning polygraph examiners and voice stress analysis examiners and amended the law concerning private investigators and private security agencies.

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

1. Department of Education (Courtney Salas-Ford)

Rules Outstanding as of September 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. The rule was considered by the board in its August 14, 2026 meeting and released for a second round of public comment.

Division of Career and Technical Education

- Rules Governing Grading and Course Credit (Act 654 of 2023, § 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 October.
- 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 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 October.

D. 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. State Board of Finance
- E. Adjournment