

Final Report to the Arkansas Legislative Council

Occupational Licensing Review Subcommittee

October 18, 2024

I. Background

Act 600 of the 2019 Regular Session, the Red Tape Reduction Sunrise and Sunset Act of 2019, tasked the Legislative Council with conducting an annual rotating review of all occupational authorizations in the state with the purpose of determining and implementing the least restrictive form of occupational authorization to protect consumers from significant and substantiated harms to public health and safety. The Legislative Council (ALC) created the Occupational Licensing Review Subcommittee to carry out this requirement for review.

The rules of the ALC Occupational Licensing Review Subcommittee (the “Subcommittee”) required that the Subcommittee shall submit to ALC its recommendations during the December meeting of each year. The recommendations may include the following: repeal of an occupational authorization, conversion of an occupational authorization to a less restrictive occupational authorization, promulgation of revised rules reflecting the use of less restrictive occupational authorization, modification of qualifications for an occupational authorization, modification or redefinition of the scope of practice of an occupation or profession, or any other relevant legislative reforms deemed necessary. Upon adoption of any of the recommendations of the Subcommittee by ALC, the recommendations shall be submitted to the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

II. Work of the Subcommittee in 2024

Beginning in June of 2023, the Subcommittee determined the schedule for review of entities and the process for discussions of final recommendations. In addition, the Subcommittee adopted their rules and assigned entities to a hearing date, thereby establishing the deadline for each entity to submit their respective reports for review by the Subcommittee.

The Subcommittee began hearing occupational authorization entity reports assigned to Groups 4 and 5 in January of 2024. Groups 4 and 5 included 26 entities and the Subcommittee reviewed 165 licenses (*See Appendix A*). At the following meeting, the Subcommittee discussed possible recommendations, if any, from the reports heard previously as well as the reports assigned to that meeting. This pattern was followed until the Subcommittee heard all reports and discussed all recommendations made. In October of 2024, the Subcommittee reviewed and prepared to submit its final report to ALC, the Speaker of the House of Representatives, and the Pro Tempore of the Senate.

III. Recommendations by the Subcommittee

The Subcommittee did not develop any recommendations for the entities in Groups 4 and 5 that were reviewed during 2024.

IV. Conclusion

It is the intention of the Subcommittee to strive to fulfill its mandate under Act 600 of 2019 to determine and implement the least restrictive form of occupational authorizations to protect consumers from significant and substantiated harms to public health and safety.

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APPENDIX A

GROUP 4		
Entity	# of Licenses	Licenses Authorized
Appraiser Licensing and Certification Board, Arkansas	7	Registered Apprentice Appraiser, State Registered Appraiser, State Licensed Appraiser, Certified Residential Appraiser, Certified General Appraiser, Non-Resident Reciprocity, Temporary Practice Permit
Barber Examiners, Arkansas State Board of	3	Barber, Barber Instructor, Barber Technician
Dental Examiners, Arkansas State Board of	11	Dental Hygienist, Dentist, Registered Dental Assistant, Specialist License (Dentist), Local Anesthesia Permit (Registered Dental Hygienist), Moderate Sedation Permit (Dentist), Deep Sedation Permit (Dentist), Moderate Sedation Facility Permit (Issued to a Dentist), Deep Sedation Facility Permit (Dentist), Collaborative Care Permit (Dentist), Collaborative Care Permit (Hygienist)
Fire Training Academy, Arkansas	1	Firefighter II
Land Resources, Office of; Arkansas Department of Energy and Environment	12	Underground Storage Tank Licensed Contractor, Underground Storage Tank Licensed Individual, Underground Storage Tank Licensed Tester, Underground Storage Tank A/B Operator Certification, Illegal Dumps Control Officer, Solid Waste Management Facility Operator, Coal Mining Blaster's Certification, Open Cut and Quarry Mining Blaster's Certification, Hazardous Waste Facility Operator, Hazardous Waste Transporter, Environmental Professional Certification (Phase 1 assessments), Used Tire Transporter
Health, Arkansas Department of; Center for Local Public Health - Plumbing	18	Apprentice Plumber, Assembly Testing Technician, Backflow Prevention Instructional, Gas Fitter License, Governmental Maintenance, Gas Fitter Supervisor, Gas Fitter Trainee License, Gas Utility Serviceman, Hospital Maintenance, Maintenance Supervisor, Hospital Maintenance Trainee, Plumbing Inspector, Journeyman Plumber, Lifetime Master, Master Plumber, Repair Technician, State Plumbing Inspector, Water/Sewer Line Service
Health, Arkansas Department of; Center for Health Advancement - Family Health	1	Licensed Lay Midwife
Insurance Department, Arkansas; License Division	6	Adjuster, Insurance Broker (Surplus Line), Consultant, Insurance Sales Producer (Agent), Managing General Agent (MGA) [Insurance], Third Party Administrator (TPA) [Insurance]
Liquefied Petroleum Gas Board, Arkansas	8	Class 1-10 permits, DOT/ASME Certificate, Installation Certificate, TD Certificate, TD/ASME Certificate, TDI Certificate, TDXT Certificate, SS Certificate
Optician, Arkansas State Board of Dispensing	3	Licensed Optician, Registered Optician, Apprentice Optician
Plant Board, Arkansas State; Pesticide Division	8	Pesticide Dealer; Private Applicator (1 year); Private Applicator (5 years); Commercial Applicator (ground and/or pilot); Technician; Aerial 2, 4-D Authorization; Custom Permit (2, 4D; Non-Commercial Applicator (per category)
Police, Arkansas State; Regulatory Services Division; Concealed Handgun Carry License Section	1	Firearms Safety Training Instructor
Sanitarians, Arkansas State Board of Registered Professional	1	Sanitarian
Total Entities Group 4: 13	80	

GROUP 5		
Entity	# of Licenses	Licenses Authorized
Architects, Landscape Architects and Interior Designers, State Board of	3	Architect, Interior Designer, Landscape Architect
Chiropractic Examiners, Arkansas State Board of	7	Chiropractic Physician, Temporary Chiropractic Physician, Transfer Chiropractic Physician, Provisional-Reciprocal Chiropractic Physician, Chiropractic Externship/Extern (Certificate), Student Chiropractic Preceptorship for Chiropractic Student (Registration), Chiropractic Procurer (Registration)
Dietetics Licensing Board, Arkansas	1	Licensed Dietician
Foresters, State Arkansas Board of Registration for	1	Forester
Health, Arkansas Department of; Environmental Epidemiology; Lead-Based Paint Program	7	Lead-Based Paint Abatement Contractor/Consultant, Lead-Based Paint Abatement Inspector, Lead-Based Paint Abatement Project Designer, Lead-Based Paint Abatement Risk Assessor, Lead-Based Paint Abatement Supervisor, Lead-Based Paint Abatement Training Provider, Lead-Based Paint Abatement Worker
Health, Arkansas Department of; Environmental Health	10	Onsite Wastewater System Installer, Septic System Designer/Sewage Disposal Systems Designated Representative, Septic Tank Cleaner, Septic Tank Installer, Certified Monitoring Personnel, Grade "A" Milk Sampler Grader, Body Percers, Permanent Cosmetic Artist, Tattoo Artist, Artist Trainer
Hearing Instrument Dispensers, Arkansas Board of	3	Hearing Instrument Dispenser, Temporary Hearing Instrument Dispenser, Internship Hearing Instrument Dispenser
Labor and Licensing, Arkansas Department of; Boiler Inspection Division	5	Boiler Inspector (Insurance), Boiler Inspector (State), Boiler Installer, Boiler Operator (High Pressure and Low Pressure), Boiler Repairer
Livestock and Poultry Commission, Arkansas	4	Pullorum-Typhoid (PT) Blood Tester License, Equine Infectious Anemia (EIA) Verifier Certificate, Packing and Grading Permit, Livestock Dealer License
Optometry, Arkansas State Board of	2	Optometrist, Optometric Physician
Plant Board, Arkansas State; Plant Industry Division; Commercial Pest Control Section	3	Licensed Operator (6 categories available), Technician, Non-Commercial Applicators
Police, Arkansas State; Regulatory Services Division; Private Investigators - Security - Alarm Installation and Monitoring	35	Class D Private Investigator, Class A Private Investigator, Class A Private Investigator Manager, Class B Security Services Contractor Manager, Class B Security Services Contractor, Class C Combined Security Contractor/Private Investigator, Class C Combined Security Contractor/Private Investigator Manager, Credentialed Private Investigator, Class E Alarm Systems, Class E Alarm Systems Manager, Class E-M Alarm Systems Monitoring, Class E-M Alarm Systems Monitoring Manager, Class E-S Single Station Alarm, Class E-S Single Station Alarm Manager, Class G Security Contractor/Investigator/Alarm Systems, Class G Security Contractor/Investigator/Alarm Systems Manager, Alarm Systems Agent, Alarm Systems Apprentice, Alarm Systems Monitor, Alarm Systems Technician, Commission School Security Officer (CSSO), Commission Security Officer (CSO), Private Security Officer (PSO), Security Department of Private Business/School, Intern Polygraph Examiner, Polygraph Examiner, Voice Stress Analysis Examiner, ATA IOI - Assistant Training Administrator (Institution of Instruction), ATA - Assistant Training Administrator, Agency Representative (Owner, Manager, Owner/Manager, Corporate Officer, Private Investigator, Partner/Shareholder), TA IOI - Training Administrator, TA - Training Administrator, TI IOI- Training Instructor (Institution of Instruction), TI - Training Instructor, IOI - Institution of Instruction
Secretary of State, Office of the	4	Lobbyist, Paid Canvasser, Athlete Agent, Agent for Service of Process
Total Entities Group 5: 13	85	