

# The Arkansas Register

**Volume XXXVII,  
Number 2  
August 2013**



**Mark Martin**  
Secretary of State

**Elections Division**

State Capitol • Little Rock, Arkansas 72201-1094

501.682.5070

1.800.482.1127

[www.sos.arkansas.gov](http://www.sos.arkansas.gov)

---

# THE ARKANSAS REGISTER

---

## DISCLAIMER

The Secretary of State website, [www.sos.arkansas.gov](http://www.sos.arkansas.gov), contains copies of rules filed by Arkansas state agencies, boards and commissions with the *Arkansas Register* in an “acceptable electronic format” as per Act 1648 of 2001. The rules contained therein are not to be considered “official” copies of agency rules. The official copies remain the paper copies housed in the *Arkansas Register* division of the Secretary of State’s office. The Secretary of State’s office makes no warranties or guarantees regarding the content of the copies presented on its website.

## ACCESS TO RULES

Electronic versions of agency rule filings are available from the Secretary of State website. The rules may be accessed by clicking on the title of the rule listed in **BLUE**. Most of the rules are available in an Adobe PDF format, however, some rules may link you to a specific website for the particular agency. Rule titles followed by asterisks (\*\*\*) are not available in an electronic form. To receive a hard copy of these types of rules or any other rule you may either contact the agency contact person or the office of the *Arkansas Register*. Copies of rules obtained from the office of the Register are subject to a 9 cent per page copy charge. Inquiries may be directed to the *Arkansas Register* office at the contact points listed below.

Secretary of States’ office  
Arkansas Register  
026 State Capitol  
Little Rock, AR 72201  
(501) 682-3527  
[register@sos.arkansas.gov](mailto:register@sos.arkansas.gov)

---

# ADOPTED RULES AND REGULATIONS

---

## ARKANSAS DEPARTMENT OF HEALTH

*Division of Health Statistics*

Docket No: 007.11.13-001F  
Effective Date: 09/11/2013  
Contact Person: Lynda Lehing  
Telephone: (501) 661-2231

### Hospital Discharge Data System

*Health Facility Services*

Docket No: 007.05.13-002F  
Effective Date: 09/05/2013  
Contact Person: Reginald Rogers  
Telephone: 501-661-2609

### Regulations Pertaining to the Management of Medical Waste from Generators and Health Care Related Facilities

*Pharmacy Services*

Docket No: 007.07.13-001F  
Effective Date: 09/07/2013  
Contact Person: Gail Gannaway  
Telephone: 501-661-2305

### Amendment of Rules and Regulations Pertaining to Controlled Substances

Docket No: 007.07.13-003E  
Effective Date: 08/12/2013  
Contact Person: Gail Gannaway  
Telephone: 501-661-2305

### Emergency Rule: Pertaining to the List of Controlled Substances for the State of Arkansas

## BOARD OF DENTAL EXAMINERS

Docket No: 038.00.12-003F  
Effective Date: 08/24/2013  
Contact Person: William Trice, III  
Telephone: 501-372-4144

### Article XIX: Governing the Issuance of Collaborative Care Permits to dentists and dental hygienists

## CAPITOL ZONING DISTRICT COMMISSION

Docket No: 034.00.13-001F  
Effective Date: 08/29/2013  
Contact Person: Boyd Maher  
Telephone: 501-324-9644

### Capitol Zoning General Standards

---

# ADOPTED RULES AND REGULATIONS

---

## COMMISSION OF LAW ENFORCEMENT STANDARDS & TRAINING

Docket No: 132.00.13-003F  
Effective Date: 08/24/2013  
Contact Person: Sue Albritton  
Telephone: 870-574-1810

### Minimum Standards for Firearms Qualification

## DEPARTMENT OF EDUCATION

*Division of Learning Services*

Docket No: 005.15.13-003E  
Effective Date: 08/12/2013  
Contact Person: Jeremy Lasiter  
Telephone: 501-682-4227

### Rules Governing Public Charter Schools Emergency Rule

## DEPARTMENT OF HIGHER EDUCATION

*Colleges and Universities Plans and  
Operations*

Docket No: 008.02.13-002F  
Effective Date: 09/08/2013  
Contact Person: Chief Gary Dennis  
Telephone: 479-619-3121

### 2013 Parking Rules and Regulations for NorthWest Arkansas Community College

## DEPARTMENT OF HUMAN SERVICES

*Children and Family Services*

Docket No: 016.15.13-004F  
Effective Date: 08/21/2013  
Contact Person: Christin Harper  
Telephone: 501-682-8541

### POLICY VIII-L: SUBSIDIZED GUARDIANSHIP and PROCEDURE VIII-L2: Denial of Subsidized Guardianship Arrangement

Docket No: 016.15.13-005F  
Effective Date: 08/21/2013  
Contact Person: Christin Harper  
Telephone: 501-682-8541

### POLICY VI-H: INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN and Procedure VI-H13: Request for Interstate Compact on the Placement of Children Priority Placement

Docket No: 016.15.13-006F  
Effective Date: 08/21/2013  
Contact Person: Christin Harper  
Telephone: 501-682-8541

### Appendix 1: Glossary -- new and revised definitions per Acts 1006, 1055, 725, and 1208 of 2013

---

# ADOPTED RULES AND REGULATIONS

---

Docket No: 016.15.13-007F  
Effective Date: 08/21/2013  
Contact Person: Christin Harper  
Telephone: 501-682-8541

## **Policy I-F: Confidentiality**

Docket No: 016.15.13-008F  
Effective Date: 08/21/2013  
Contact Person: Christin Harper  
Telephone: 501-682-8541

**POLICY IX-B (AND RELATED PROCEDURES): Child Near Fatality and Fatality; POLICY IX-C: Incident Reporting; CFS-307: Child Fatality Disclosure Case Briefing Summary; CFS-329: Child Death Notification**

Docket No: 016.15.13-009F  
Effective Date: 08/21/2013  
Contact Person: Christin Harper  
Telephone: 501-682-8541

**Child Maltreatment -- POLICY XIV-A (and Related Procedures); PROCEDURES IX-A3, IX-A4, IX-A5, IX-A6, IX-A7, XII-A3, XIII-A4, XIII-A5; PUB-52, PUB-357; CACD-223-T1, CACD-223-T3, CACD-224-T1, CACD-224-T3, CACD-240-U1, CACD-240-U2, CACD-284-N; CFS-223-T1, CFS-223-T3, CFS-224-T1, CFS-224-T3, CFS-240-U1, CFS-240-U2, CFS-284-N; POLICY II-E (and Related Procedures); CFS-200, CFS-217; POLICY II-K; CACD-223-T2, CACD-224-T2; CFS-223-T2, CFS-224-T2**

Docket No: 016.15.13-010F  
Effective Date: 08/21/2013  
Contact Person: Christin Harper  
Telephone: 501-682-8541

**POLICIES II-H -- FAMILY IN NEED OF SERVICES; VI-D -- INITIAL AND GENERAL HEALTH SERVICES FOR CHILDREN RECEIVING OUT-OF-HOME PLACEMENT SERVICES; VI-G -- CASE REVIEW JUDICIAL HEARINGS FOR CHILDREN IN OUT-OF-HOME PLACEMENT; VII-K -- CHANGES IN OUT-OF-HOME PLACEMENT; VIII-D -- TERMINATION OF PARENTAL RIGHTS; VIII-E -- DECISIONS INVOLVING CHILDREN IN DHS CUSTODY WITH PARENTAL RIGHTS TERMINATED; and CFS-495: Notification of Change**

---

# ADOPTED RULES AND REGULATIONS

---

Docket No: 016.15.13-011F  
Effective Date: 08/21/2013  
Contact Person: Christin Harper  
Telephone: 501-682-8541

**POLICIES III-B - NOTIFICATION OF RELATIVES AND FICTIVE KIN WHEN A CHILD IS TAKEN INTO CUSTODY; VI-A - OUT-OF-HOME PLACEMENT CRITERIA; VI-B - CONSIDERATION OF RELATIVES AND FICTIVE KIN FOR CHILDREN IN FOSTER CARE; VII-A - FOSTER HOME PURPOSE AND ROLES; VII-C - FOSTER HOME ASSESSMENT PROCESS; VIII-G - FOSTER PARENT, PROVISIONAL FOSTER PARENT, AND RELATIVE ADOPTION; VIII-DEVELOPMENT OF ADOPTIVE HOMES; PROCEDURES III-F1, VIII-I1; APPENDIX 8; PUB-22 - Standards of Approval for Foster and Adoptive Homes; PUB-30 - Foster Parent Handbook; Forms CFS-323-B, CFS-341, CFS-475-A, CFS-475- C**

Docket No: 016.15.13-012F  
Effective Date: 08/21/2013  
Contact Person: Christin Harper  
Telephone: 501-682-8541

**POLICY VIII-B: EXTENDED FOSTER CARE**

Docket No: 016.15.13-013F  
Effective Date: 10/01/2013  
Contact Person: Christin Harper  
Telephone: 501-682-8541

**Policy to comply with Title IV-E eligibility requirements of the federal Indian Child Welfare Act**

*Developmental Disabilities Services*

Docket No: 016.05.13-001F  
Effective Date: 08/25/2013  
Contact Person: Shelley Lee  
Telephone: 501-682-8677

**Policy 1010 -- Service Concern Resolution**

*Division of County Operations*

Docket No: 016.20.13-003F  
Effective Date: 10/01/2013  
Contact Person: Cathy Rowe  
Telephone: 501-682-8726

**Low Income Home Energy Assistance Program (LIHEAP) State Plan FY 2014**

*Medical Services*

Docket No: 016.06.13-008F  
Effective Date: 08/15/2013  
Contact Person: Brett Hays  
Telephone: 501-682-8859

**Provider Manual Update Transmittal DENTAL-2-13**

---

# ADOPTED RULES AND REGULATIONS

---

Docket No: 016.06.13-009F  
Effective Date: 08/15/2013  
Contact Person: Brett Hays  
Telephone: 501-682-8859

**Provider Manual Update Transmittal  
DENTAL-3-13 -- Dental Provider Manual  
expanded to provide more in depth  
information and requirements for  
orthodontic treatment**

Docket No: 016.06.13-010F  
Effective Date: 09/01/2013  
Contact Person: Lisa Smith  
Telephone: 501-683-5776

**Provider Manual Update Transmittal:  
THERAPY-1-13**

## DEPARTMENT OF LABOR

*Safety Division*

Docket No: 010.15.13-001E  
Effective Date: 08/14/2013  
Contact Person: Daniel Faulkner  
Telephone: 501-682-4504

**Emergency Rule: Arkansas Amusement  
Ride and Amusement Attraction Safety  
Insurance Act**

## GAME & FISH COMMISSION

Docket No: 002.00.13-006F  
Effective Date: 08/25/2013  
Contact Person: Diane Boone  
Telephone: 501-223-6327

**2013-2014 Early Migratory Bird  
Regulations**