

# The Arkansas Register



Volume XXXIV, Number 12

June 2011

# TABLE OF CONTENTS

**RULES AND REGULATIONS** ..... 4

**OPINIONS, ORDERS & NOTICES**

**Attorney General, Insurance Department  
and Legislative Audit.** ..... 7

**ARKANSAS REGISTER**

Subscription Order Form ..... 8

**Mark Martin  
Secretary of State  
State Capitol, Room 026  
Little Rock, AR 72201-1094**

**Editor** ..... **Jon Davidson**

**Published by** ..... *Secretary of State  
Mark Martin*

The *Arkansas Register* is an official publication of the State of Arkansas. It contains administrative rules and regulations adopted by state agencies, boards and commissions pursuant to Act 434 of 1967, as amended. The subscription rate is \$40 per year or \$3.50 a copy, distributed monthly, postpaid within the United States.

---

# 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. While the rule texts are not the “official” copies every attempt has been made to ensure their accuracy and reliability. However, 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 .25 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 AGRICULTURE DEPARTMENT

*Livestock & Poultry Commission*

Docket No: 209.01.11-002E  
Effective Date: 06/17/2011  
Contact: Hannah Howe  
Telephone: 501-907-2411

**Emergency Rule: Trichomoniasis  
Testing and Movement Requirements for  
Cattle**

## BENTON COUNTY REGIONAL SOLID WASTE MANAGEMENT DISTRICT

Docket No: 207.00.11-001F  
Effective Date: 06/12/2011  
Contact: Wendy Cravens  
Telephone: (479) 254-9786

**District Rules and Regulations —  
including the implementation of a Waste  
Assessment Fee**

## BOARD OF NURSING

Docket No: 067.00.11-001E  
Effective Date: 06/30/2011  
Contact: Sue Tedford  
Telephone: 501-686-2703

**Emergency Rule: Chapter 6: Standards  
for Nursing Education Programs; Section  
2(l)(2)(b) - Program Requirements**

## BOSTON MOUNTAIN SOLID WASTE DISTRICT

Docket No: 218.00.11-001F  
Effective Date: 07/07/2011  
Contact: Maylon Rice  
Telephone: 479-846-3005

**Rules and Regulations of the District**

## COMMISSION FOR PUBLIC SCHOOL ACADEMIC FACILITIES & TRANSPORTATION

Docket No: 203.00.10-007F  
Effective Date: 06/26/2011  
Contact: Andrew Blankenship  
Telephone: 501-682-4227

**Rules Governing the Academic Facilities  
Partnership Program**

## DEPARTMENT OF CAREER EDUCATION

Docket No: 172.00.11-001F  
Effective Date: 06/25/2011  
Contact: Bill Walker  
Telephone: 501-683-1152

**Special Policies and Procedures for  
Secondary Technical Centers**

---

# ADOPTED RULES AND REGULATIONS

---

## DEPARTMENT OF WORKFORCE SERVICES

Docket No: 208.00.11-001F  
Effective Date: 07/31/2011  
Contact: Sharon Walker  
Telephone: (501) 320-5642

### Regulation 27

## EDUCATION DEPARTMENT

*Learning Services*

Docket No: 005.15.11-001E  
Effective Date: 06/13/2011  
Contact: Mark White  
Telephone: 501-682-4234

**Emergency Rule: District Conversion or Limited Public Charter School New Application**

## FINANCE & ADMINISTRATION

*Revenue Division*

Docket No: 006.05.11-001F  
Effective Date: 06/26/2011  
Contact: Monica Carmichael  
Telephone: 501-682-7750

**Rule 2007-9: The Delta Geotourism Incentive Act of 2007 — To allow for geotourism tax credits to be sold, transferred, or assigned to recipients both within and outside the Lower Mississippi River Delta community, and other changes**

Docket No: 006.05.10-002F  
Effective Date: 06/26/2011  
Contact: Monica Carmichael  
Telephone: 501-682-7750

**Rule 2005-7: Amendment to Dealer Plates and Tags for Motor Vehicles and Motorcycles**

## GAME & FISH COMMISSION

Docket No: 002.00.11-006F  
Effective Date: 07/03/2011  
Contact: James Goodhart  
Telephone: 501-223-6327

**Closure of permit hunt on Shirey Bay Rainey Brake WMA; Amend regulations to provide for issuance of lifetime hunting and fishing licenses; Administrative License Suspension Procedures**

## HUMAN SERVICES

*Administrative Services*

Docket No: 016.14.11-004E  
Effective Date: 06/30/2011  
Contact: Felicia Boone  
Telephone: 501-682-5835

**Emergency Rule: Amendment #2 — Social Services Block Grant Pre-Expenditure Report for State Fiscal Year July 1, 2011 - June 30, 2012**

---

# ADOPTED RULES AND REGULATIONS

---

## *Chief Counsel*

Docket No: 016.18.11-001F  
Effective Date: 07/31/2011  
Contact: Breck Hopkins  
Telephone: 501-682-8934

### **Policy 5014 - Facility Access, Evacuation, and Disaster Policy**

## *Children & Family Services*

Docket No: 016.15.11-003F  
Effective Date: 07/18/2011  
Contact: Christin Harper  
Telephone: 501-682-8541

### **Policy to comply with the Arkansas Supreme Court's decision to overturn Initiated Act I**

## *County Operations*

Docket No: 016.20.11-003F  
Effective Date: 06/17/2011  
Contact: Thomas Green  
Telephone: 501-682-8715

### **ARRA Weatherization Assistance Program State Plan 2009 - 2012**

## *Medical Services*

Docket No: 016.06.10-018F  
Effective Date: 07/01/2011  
Contact: Lisa Smith  
Telephone: 501-683-5776

### **Prior Authorization for Procedure Codes 87901, 87903, 87904**

Docket No: 016.06.11-021F  
Effective Date: 06/25/2011  
Contact: Becky Murphy  
Telephone: (501) 682-8096

### **Official Notice 001-11 and Section V-1-11 — Dental**

Docket No: 016.06.11-022F  
Effective Date: 06/25/2011  
Contact: Lisa Smith  
Telephone: 501-683-5776

### **Physician Update #5-10 and Hospital Update #6-10**

## **PUBLIC SERVICE COMMISSION**

### *Utilities Section*

Docket No: 126.03.11-001F  
Effective Date: 07/03/2011  
Contact: Jan Sanders  
Telephone: 501-682-5782

### **Conservation and Energy Efficiency Programs**

---

# OPINIONS, ORDERS AND NOTICES

---

- \*\*\* For copies of Attorney General's Opinions that were released during this filing period please visit the Attorney General's website at: [www.arkansasag.gov](http://www.arkansasag.gov).
  
- \*\*\* For copies of Insurance Department Orders that were released during this filing period please call (501) 682-3527.
  
- \*\*\* No Legislative Audit Notices will be listed in this edition of the *Arkansas Register*. For copies of the Notices that were released during this filing period please call (501) 682-3527.



Secretary of State  
Mark Martin  
*Arkansas Register Division*  
State Capitol Building, Room 026  
Little Rock, AR 72201-1094



\*\*\*\*\* **2011** subscriptions to the *ARKANSAS REGISTER* will be sold on a “CALENDAR YEAR” basis (January through December) only. To subscribe to the *ARKANSAS REGISTER* complete the following form and mail to the address given above.

\_\_\_\_\_ I would like to subscribe to the *ARKANSAS REGISTER* for the year (January through December) at the price of **\$40** per subscription.

\_\_\_\_\_ I would like to order the following copies of the *ARKANSAS REGISTER* at \$3.50 per copy.

**Volume:** \_\_\_\_\_ **Issue:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

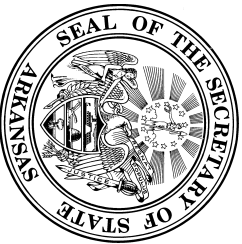
**Contact Person:** \_\_\_\_\_ **Phone No.:** (     ) \_\_\_\_\_

The *ARKANSAS REGISTER*, an official publication of the State of Arkansas, is published monthly. Subscribe to the *ARKANSAS REGISTER* by completing the form above and mailing it to the address given on the form. Make all checks payable to the *ARKANSAS REGISTER*.



# ARKANSAS

# REGISTER



Mark Martin  
Secretary of State  
State Capitol, Room 026  
Little Rock, AR 72201-1094