

**EXHIBIT E:**

**Governor's and Legislative documented  
approvals**

**EXHIBIT E-1:**

**Governor's documented approval**

**From:** Caleb Stanton [mailto:Caleb.Stanton@governor.arkansas.gov]  
**Sent:** Wednesday, September 27, 2017 2:41 PM  
**To:** Charles R. Nestrud  
**Subject:** RE: City of Huntsville Third Party Rulemaking--Third Amended Petition

Chuck,

You're welcome. I appreciate your patience on this.

The Governor has approved for promulgation of the City of Huntsville third party rulemaking before the APCEC. Please proceed with the process. If there are any questions or issues that arise, please reach out to the Governor's Legal Counsel, Justin Tate at [Justin.tate@governor.arkansas.gov](mailto:Justin.tate@governor.arkansas.gov) or to me.

Thank you,

Caleb

Caleb Stanton  
Energy, Environment, Technology & Transportation  
*Office of Governor Asa Hutchinson*  
Office: (501) 683-6446  
Cell: (501) 472-7047

## EXHIBIT E-2

Joint Committee of Public Health, Welfare  
and Labor documented approval

**AGENDA**  
**Senate Committee on Public Health, Welfare, and Labor**  
**House Committee on Public Health, Welfare, and Labor**  
**Meeting Jointly**

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**Thursday, September 13, 2018**  
**10:00 AM**  
**Room A, MAC**  
**Little Rock, Arkansas**

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Sen. Cecile Bledsoe, Chair  
Sen. Eddie Cheatham, Vice-Chair  
Sen. Stephanie Flowers  
Sen. Missy Irvin  
Sen. David J. Sanders  
Sen. John Cooper  
Sen. Scott Flippo  
Sen. Lance Eads

Rep. Jeff Wardlaw, Chair  
Rep. Deborah Ferguson, Vice-Chair  
Rep. Fredrick J. Love  
Rep. Kim Hammer  
Rep. David Meeks  
Rep. Chris Richey  
Rep. Stephen Magie  
Rep. Josh Miller  
Rep. Richard Womack  
Rep. John Payton

Rep. Jack Ladyman  
Rep. Robin Lundstrum  
Rep. Mary Bentley  
Rep. Justin Gonzales  
Rep. Justin Boyd  
Rep. Ken Henderson  
Rep. Austin McCollum  
Rep. Bruce Coleman  
Rep. Aaron Pilkington  
Rep. Donald Ragland

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- A. Call to Order
- B. Comments by the Chairs
1. Senator Cecile Bledsoe
  2. Representative Jeff Wardlaw
- C. Consideration to Adopt the August 6, 2018, Meeting Minutes (**EXHIBIT C**)
- D. Department of Human Services (DHS), Division of Medical Services, Review of Rule ARChoices 1-18, Resource Utilization Groups (RUGS) Which Determines the Number of Attendant Care Hours for an ARChoices in Homecare Recipient (**EXHIBIT D**)
1. Mark White, JD, Deputy Director, Division of Aging, Adult and Behavioral Health Services, DHS
  2. Craig Cloud, Director, Division of Provider Services & Quality Assurance, DHS
  3. Discussion by the Committees
- E. Arkansas Department of Environmental Quality (ADEQ), Review of Rule Entitled, Regulation #2, Establishing Water Quality Standards for Surface Waters in Arkansas. The City of Huntsville is Requesting a Third Party Rulemaking, Allowing the City to Seek a Site-Specific Criteria and Designated, but not Existing or Attainable, Uses in the Stream Segments; which Allow Huntsville to be Compliant with its NPDES Permit While Making Certain that its Effluent Does Not Limit the Attainment of Any of the Designated Aquatic Life Uses of the Stream Segments or Any of the Uses in Beaver Lake, Including the Domestic Water Supply Use. (**EXHIBIT E**)
1. Michael Grappe', Chief Program Officer, ADEQ
  2. Charles Nestrud, JD, Attorney, Barber Law Firm
  3. Discussion by the Committees
- F. Arkansas Minority Health Commission Annual Report (ACA 20-2-103), and the Annual Health Workforce Report (ACA 25-1-117) (**EXHIBITS F-1, F-2, and F-3**)
1. Sharonda Love, Director, Arkansas Minority Health Commission
  2. Discussion by the Committees

**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](http://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'.**

G. Consideration of the following Interim Study Proposals (ISP) for Adoption, Study, and Referral to a Subcommittee of the Senate and House Public Health, Welfare & Labor Committees:

1. **ISP 2017-126** – “Requesting that the House Committee on Public Health, Welfare, and Labor Study the Need for the Training and Education of Those Who Interact with Individuals with Epilepsy on Seizure Recognition and Ways to Effectively Manage and Support Individuals with Epilepsy, and to Provide Community Support for Individuals with Epilepsy.” **(EXHIBIT G-1)**
  - a. Representative Kim Hammer, Sponsor
  - b. Discussion and Action by the Committees
2. **ISP 2017-131** – “An Act to Modify the Definition of “Ophthalmic Dispensing” to Include the Preparation and Dispensing of Contact Lenses; and for Other Purposes.” **(EXHIBIT G-2)**
  - a. Representative Stephen Magie, Sponsor
  - b. Discussion and Action by the Committees
3. **ISP 2017-132** – “An Act to Authorize a Licensed Dispensing Optician to Refract Eyes and Dispense Eyeglasses in Certain Conditions; and for Other Purposes.” **(EXHIBIT G-3)**
  - a. Representative Stephen Magie, Sponsor
  - b. Discussion and Action by the Committees

H. Other Business

I. Adjournment

## EXHIBIT E-3:

Administrative Rules and Regulations  
Subcommittee of the Arkansas Legislative  
Council

**AGENDA**  
**Administrative Rules and Regulations Subcommittee**  
**of the**  
**Arkansas Legislative Council**

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**Monday, October 15, 2018**  
**1:00 PM**  
**Room A, MAC**  
**Little Rock, Arkansas**

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Sen. David J. Sanders, Co-Chair  
Sen. Jim Hendren, Vice-Chair  
Sen. Larry Teague  
Sen. Jonathan Dismang  
Sen. Jane English  
Sen. Bruce Maloch  
Sen. Bart Hester  
Sen. Scott Flippo  
Sen. Bill Sample, ex officio  
Sen. Terry Rice, ex officio

Rep. Kim Hammer, Co-Chair  
Rep. Ken Bragg, Vice-Chair  
Rep. Lane Jean  
Rep. Matthew J. Shepherd  
Rep. Jeff Wardlaw  
Rep. Joe Jett  
Rep. George B. McGill  
Rep. Andy Davis  
Rep. Jon S. Eubanks, ex officio  
Rep. Jim Dotson, ex officio

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- A. Call to Order.**
- B. Reports of the Executive Subcommittee Concerning Emergency Rules.**
- C. Reports on Administrative Directives for the Quarter ending September 30, 2018 Pursuant to Act 1258 of 2015.**
  - 1. Department of Community Correction (Dina Tyler)**
- D. Rules Filed Pursuant to Ark. Code Ann. § 10-3-309.**
  - 1. DEPARTMENT OF EDUCATION (Lori Freno, item a; Jennifer Dedman, item b; and Mary Claire Hyatt, items c, d, and e)**
    - a. Educator Licensure**
    - b. Instructional Materials**
    - c. Public School Choice Act of 2015**
    - d. Student Permanent Records**

**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](http://www.arkleg.state.ar.us)**

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- e. **Class Size and Teaching Load**
- 2. **DEPARTMENT OF ENVIRONMENTAL QUALITY, OFFICE OF LAW AND POLICY (Michael Grappe)**
  - a. **Regulation No. 1: Prevention of Pollution by Oil Field Wastes**
- 3. **DEPARTMENT OF ENVIRONMENTAL QUALITY, WATER DIVISION (Michael Grappe)**
  - a. **Regulation 2, Water Quality Standards; Third Party Rulemaking by Huntsville**
- 4. **DEPARTMENT OF FINANCE AND ADMINISTRATION, ARKANSAS MEDICAL MARIJUANA COMMISSION (Mary Robin Casteel and Brian Bowen)**
  - a. **Application for Issuance and Renewal of Licenses for Medical Marijuana Cultivation and Dispensaries in Arkansas**
- 5. **DEPARTMENT OF HUMAN SERVICES, ADULT, AGING AND BEHAVIORAL HEALTH SERVICES (Paula Stone)**
  - a. **Outpatient Behavioral Health Services Program Provider Manual 3-18 and Certification Manual**
- 6. **DEPARTMENT OF HUMAN SERVICES, CHILD CARE AND EARLY CHILDHOOD EDUCATION (Beverly Wright)**
  - a. **Minimum Licensing Requirements for Child Care Centers  
Minimum Licensing Requirements for Child Care Family Homes  
Minimum Licensing Requirements for Out of School Time Facilities  
Minimum Licensing Requirements for Registered Child Care Family Homes**
- 7. **DEPARTMENT OF HUMAN SERVICES, DEVELOPMENTAL DISABILITIES SERVICES (Paula Stone)**
  - a. **Repeal of Community and Employment Supports Waiver Medicaid Provider Manual and Community and Employment Supports Waiver Minimum Certification Standards and Amendments to DDS Policy 1091**

8. **DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES (Paula Stone)**
  - a. **State Plan Amendment #2018-012: Include Managed Care Organizations in the State Supplemental Rebate Program**
  - b. **Provider-Led Arkansas Shared Savings Entity (PASSE) 1-18 Program Medicaid Provider Manual**
  - c. **Arkansas Independent Assessment (ARIA) New-18 Manual**
9. **OIL AND GAS COMMISSION (Shane Khoury)**
  - a. **Rule B-3: Spacing of Wells**
  - b. **Rule B-4: Application to Transfer a Well**
  - c. **Rule B-7: When Wells Shall be Plugged and Abandoned and Notice of Intention to Plug and Abandon Wells**
  - d. **General Rule B-17: Well Drilling Pits and Completion Pits Requirements**
10. **ARKANSAS SECURITIES DEPARTMENT (David H. Smith)**
  - a. **Amendments to Rule 302.01(c) and 302.02(f)**
11. **DEPARTMENT OF TRANSPORTATION**
  - a. **Permits for Overweight Vehicles Carrying Agronomic or Horticultural Products**

**E. Adjournment.**