

ARKANSAS REGISTER

Proposed Rule Cover Sheet



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Name of Department _____

Agency or Division Name _____

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person _____

Contact E-mail _____

Contact Phone _____

Name of Rule _____

Newspaper Name _____

Date of Publishing _____

Final Date for Public Comment _____

Location and Time of Public Meeting _____

II. Application Procedures:

E. Waiver Request for Offenses on Background Check

1. If an individual has been convicted of an offense listed in A.C.A. §17-23-102(a) ~~or (e), except those permanently disqualifying offenses found in A.C.A. §17-2-102(e)~~, the Board may waive disqualification of a potential applicant or revocation of a license based on the conviction if a request for a waiver is made by:

G. Licensure for ~~Active Duty~~ Uniformed Service Members, ~~Returning Military~~ Uniformed Service Veterans, and their Spouses

1. As used in this subsection, "~~returning military veteran~~ uniformed service veteran" means a former member of the United States ~~Armed Forces~~ Uniformed Services ~~who was discharged from active duty~~ under circumstances other than dishonorable.
2. The Board shall grant automatic licensure to an individual who ~~holds a substantially equivalent license in another U.S. jurisdiction~~ is the holder in good standing of a license with a similar scope of practice issued by another state, territory, or district of the U.S. and is:
 - a. ~~An active duty military~~ A uniformed service member stationed in the State of Arkansas;
 - b. ~~A returning military veteran applying for licensure within one (1) year of his or her discharge from active duty~~ A uniformed service veteran who resides in or establishes residency in the State of Arkansas; or
 - c. The spouse of: a person under Section G(2) a and b above.
 - (1) A person under B (1) or (2) above;
 - (2) A uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; or
 - (3) A uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.
3. The Board shall grant automatic licensure upon receipt of all of the following:
 - a. Payment of the initial application and licensure fee;
 - b. Evidence that the individual holds a ~~substantially equivalent~~ license with a similar scope of practice in another state; and
 - c. Evidence that the applicant is a qualified applicant under Section E(ii) above.
4. The expiration date of a license for a deployed uniform service member or spouse will be extended for one hundred and eighty (180) days following the date of the uniformed service member's return from deployment.
5. A full exemption from continuing education requirements will be allowed for a deployed uniform service member or spouse until one hundred and eighty (180) days following the date of the uniformed service member's

return from deployment.

- J. The Board shall grant a license to an applicant who fulfills the Arkansas requirements for licensure and is a person who holds a Federal Form I-766 United States Citizenship and Immigration Services-issued Employment Authorization Document, known popularly as a “work permit.”

VII. Fees: (Ark. Code Ann. §17-103-205)

B. The Board shall waive the initial licensing fee if the applicant:

1. Is receiving assistance through the Arkansas Medicaid Program, the Supplemental Nutrition Assistance Program, the Special Supplemental Nutrition Program for Women, Infants, and Children, the Temporary Assistance for Needy Families Program, or the Lifeline Assistance Program;
2. Was approved for unemployment within the last twelve (12) months; or
3. Has an income that does not exceed two hundred percent (200%) of the federal poverty income guidelines.

IX. Continuing Education Guidelines: (Ark. Code Ann. §17-103-203)

A. Definition:

2. A SWCE Credit Hour represents one clock hour (60 minutes) of a SWCE activity. A credit hour represents actual time of the SWCE activity. For example, a workshop that begins at 9:00 a.m. and ends at 3:00 p.m. with one-hour lunch break would provide five (5) credit hours for the participant. An exception would be for volunteer services provided under the Arkansas Volunteer Health Care Act, in which a credit hour represents eight (8) hours of volunteer services.

XIV. Telemedicine (Ark. Code Ann. §17-103-309)

A. Definitions:

2. “Originating site” means a site at which a patient is located at the time healthcare services are provided to him or her by means of telemedicine, including the home of a patient. Ark. Code Ann. §17-80-402(2).

F. Professional Relationship Exceptions:

Under Ark. Code Ann. §17-80-403(c), “Professional relationship” does not include a relationship between a social worker and a client established only by the following:

1. An internet questionnaire;
2. An email message;
3. Patient-generated medical history;
4. ~~Audio-only communication, including without limitation interactive audio;~~
5. Text messaging;
6. A facsimile machine; or
7. Any combination thereof.

G. Requirements for Services Provided Via Telemedicine:

The following requirements apply to all services provided by social workers using telemedicine:

10. Social workers may use telemedicine to provide group therapy. Telemedicine may not be used for group therapy provided to a child who is eighteen (18) years of age or younger.

MARKY UP

II. Application Procedures:

E. Waiver Request for Offenses on Background Check

1. If an individual has been convicted of an offense listed in A.C.A. §17-3-102(a) or (e), the Board may waive disqualification of a potential applicant or revocation of a license based on the conviction if a request for a waiver is made by:

G. Licensure for Uniformed Service Members, Uniformed Service Veterans, and their Spouses

1. As used in this subsection, “uniformed service veteran” means a former member of the United States Uniformed Services discharged under circumstances other than dishonorable.
 2. The Board shall grant automatic licensure to an individual who is the holder in good standing of a license with a similar scope of practice issued by another state, territory, or district of the U.S. and is:
 - a. A uniformed service member stationed in the State of Arkansas;
 - b. A uniformed service veteran who resides in or establishes residency in the State of Arkansas; or
 - c. The spouse of:
 - (1) A person under B (1) or (2) above;
 - (2) A uniformed service member who is assigned a tour of duty that excludes the uniformed service member’s spouse from accompanying the uniformed service member and the spouse relocates to this state; or
 - (3) A uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.
 3. The Board shall grant automatic licensure upon receipt of all of the following:
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