

Rules by Recommended Committee Assignments

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Public Health, Welfare and Labor Committees				
Workers' Compensation Commission				
Enforce				
99.01 Commission Location & Sessions				ID#: 2137
Statutory Authority: 11-9-204	12/11/1981	03/01/1982	02/19/1982	
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: Rule 1 specifies the office of the Commission to be in the City of Little Rock. The Rule also authorizes the Commission to remain in continuous session in order to be available to conduct any business at any time as needed.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2137/Final/rule1.pdf				
99.03 Carrier Reporting Requirement				ID#: 2139
Statutory Authority: 11-9-205	08/03/1993	10/21/1993	10/11/1993	01/01/2006
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: Rule 3 specifies the National Council on Compensation Insurance (NCCI) as the Advisory Organization licensed in Arkansas to collect policy information data. Provides specific timeline to carriers for reporting and information required to report.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2139/Final/rule3.pdf				
99.04 Insurance Coverage Termination				ID#: 2140
Statutory Authority: 11-9-205	08/03/1993	10/21/1993	10/11/1993	01/01/2006
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: Rule 4 provides procedures for carriers to follow upon cancellation or termination of coverage prior to the expiration date of any policy. Rule specifies NCCI as the Advisory Organization licensed in Arkansas to collect policy information data. Rule outlines timelines and obligation for employers to obtain other coverage in the event of cancellation or termination.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2140/Final/rule4.pdf				
99.05 Self-Insurance Program				ID#: 2141
Statutory Authority: 11-9-404	01/11/1989	04/01/1989	03/22/1989	01/01/2008
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: Rule 5, as authorized by A.C.A. §11-9-404 provides guidelines, filing requirements, qualifications, individual and group application requirements and acceptable securities for self-insured employers.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2141/Final/rule5.pdf				
99.08 Reporting Injuries or Deaths				ID#: 2144
Statutory Authority: 11-9-529	12/11/1981	03/01/1982	02/19/1982	
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: Rule 8 provides clarification to A.C.A. §11-9-529 by specifying lost time (seven days) injuries and permanent disability to the “injuries and death” language.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2144/Final/rule8.pdf				

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99.09 Weekly Benefit Waiting Period				ID#: 2145
Statutory Authority: 11-9-205	12/11/1981	03/01/1982	02/19/1982	
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: Rule 9 seeks to alleviate confusion within A.C.A. §11-9-501 and specifies “seven (7) calendar days” instead of “seven (7) days” as stated in the statute.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2145/Final/rule9.pdf				
99.10 Separate Check Payment, Attorneys Fees				ID#: 2146
Statutory Authority: 11-9-207	12/11/1981	03/01/1982	02/19/1982	
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: Rule 10 allows attorneys to be compensated by separate check when attorney’s fees are approved by the Commission to ensure the claimant’s attorney receives the awarded fee.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2146/Final/rule10.pdf				
99.11 Remands & Mandates from Courts of Superior Jurisdiction				ID#: 2147
Statutory Authority: 11-9-205	12/11/1981	03/01/1982	02/19/1982	
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: Rule 11 requires notice to the Commission of an order, opinion, or remand from a separate Court affecting a case over which the Commission has jurisdiction. Specifies the time period to file a copy of the opinion with the Commission. Ensures the Commission has adequate notice of any such order, opinion, or remand.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2147/Final/rule11.pdf				
99.12 Compensation for Amputation of Fingers				ID#: 2148
Statutory Authority: 11-9-205	12/11/1981	03/01/1982	02/19/1982	
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: Rule 12 provides greater detail and specificity for permanent injury compensation listed in A.C.A. §11-9-521. It expands the standards to be utilized in computing compensation for finger injuries and how permanent anatomical impairment should be determined in such cases.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2148/Final/rule12.pdf				
99.13 Hearings Before Commission & Administrative Law Judges				ID#: 2149
Statutory Authority: 11-9-207	12/11/1981	03/01/1982	02/19/1982	
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: Rule 13 establishes administrative procedures for hearings before the Commission and the Administrative Law Judges. Specific procedures needed to conduct hearings are not provided within statute.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2149/Final/rule13.pdf				
99.15 Pretrial Conferences				ID#: 2151
Statutory Authority: 11-9-207	12/11/1981	03/01/1982	02/19/1982	
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: Rule 15 allows Commission or Administrative Law Judges (ALJ) to direct parties to appear for pretrial conference. Pretrial conferences with Commission or ALJ expedites disposition of the case, improves the quality of the trial, and facilitates a settlement of the case.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2151/Final/rule15.pdf				

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99.16 Depositions				ID#: 2152
Statutory Authority:	11-9-708	12/11/1981	03/01/1982	02/19/1982
<input type="checkbox"/> Required under State or Federal Law:	(none)			
Requirement Statement:	(none)			
Enforce:	Rule 16 provides clarification to authority given by A.C.A. §11-9-207(10) to take testimony by deposition and A.C.A. §11-9-708 to “cause depositions of witnesses to be taken in such manner as it may direct”.			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2152/Final/rule16.pdf			
99.17 Oral Arguments				ID#: 2153
Statutory Authority:	11-9-207	12/11/1981	03/01/1982	02/19/1982
<input type="checkbox"/> Required under State or Federal Law:	(none)			
Requirement Statement:	(none)			
Enforce:	Rule 17 specifies and allows oral arguments to the Commission “if necessary or advisable” by authority given by A.C.A. §11-9-705 to “conduct a hearing, in a manner as will best ascertain the rights of the parties.”			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2153/Final/rule17.pdf			
99.18 Filings with the Commission or Appellate Courts				ID#: 2154
Statutory Authority:	11-9-207	12/11/1990	03/01/1991	02/19/1991
<input type="checkbox"/> Required under State or Federal Law:	(none)			09/20/2001
Requirement Statement:	(none)			
Enforce:	Rule 18 provides administrative procedures for filing documents and briefs with the Commission. The Rule adds additional instructions for the filing of briefs, the contents of the briefs, and allows for a fee for processing appeals.			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2154/Final/rule18.pdf			
99.19 Joint Petition Settlements				ID#: 2155
Statutory Authority:	11-9-207	01/11/1989	04/01/1989	03/22/1989
<input type="checkbox"/> Required under State or Federal Law:	(none)			
Requirement Statement:	(none)			
Enforce:	Rule 19 clarifies authority given by A.C.A. §11-9-805 to “take testimony and make investigation as may be necessary to determine whether a final settlement should be had.”			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2155/Final/rule19.pdf			
99.20 Reporting Costs, Transcription Costs, Witness Fees				ID#: 2156
Statutory Authority:	11-9-207	12/11/1981	03/01/1982	02/19/1982
<input type="checkbox"/> Required under State or Federal Law:	(none)			09/20/2001
Requirement Statement:	(none)			
Enforce:	Rule 20 provides administrative procedures for costs incurred for reports, transcripts, and witnesses under authority given by A.C.A. §11-9-207(b)(1).			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2156/Final/rule20.pdf			
99.21 Treatment at Veterans Administration Hospital				ID#: 2157
Statutory Authority:	11-9-205	12/11/1981	03/01/1982	02/19/1982
<input type="checkbox"/> Required under State or Federal Law:	(none)			
Requirement Statement:	(none)			
Enforce:	Rule 21 outlines procedures when an injured workman seeks treatment from a VA Hospital. Ensures right of employee to change physicians and limits liability for payment of treatment expenses to VA Hospital			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2157/Final/rule21.pdf			

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99.22 Replacement of Prosthesis					ID#: 2158
	Statutory Authority:	11-9-205	12/11/1981	03/01/1982	02/19/1982
<input type="checkbox"/>	Required under State or Federal Law:	(none)			
	Requirement Statement:	(none)			
	Enforce:	Rule 22 allows replacement of prosthetics damaged as a result of an on-the-job accident. Replacement of the prosthetic device restores the employee as far as practicable to his physical condition before his work-related injury.			
	Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2158/Final/rule22.pdf			
99.23 Deviation from Rules					ID#: 2159
	Statutory Authority:	11-9-207	12/11/1981	03/01/1982	02/19/1982
<input type="checkbox"/>	Required under State or Federal Law:	(none)			
	Requirement Statement:	(none)			
	Enforce:	Rule 23 allows deviation from the Rules if compliance with a Rule is impossible or impracticable. This Rule allows the Commission or ALJ to relax or deviate from the Rules when warranted by the circumstances.			
	Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2159/Final/rule23.pdf			
99.25 Scope of Review on Appeal					ID#: 2161
	Statutory Authority:	11-9-207	12/11/1981	03/01/1982	02/19/1982
<input type="checkbox"/>	Required under State or Federal Law:	(none)			
	Requirement Statement:	(none)			
	Enforce:	Rule 25 identifies scope of issues to be presented on appeal. Under A.C.A. §11-9-207(6) the Commission is given authority to enter orders in appealed cases. Rule 25 specifies requirements in the notice of appeal/cross-appeal and requirements that must be met in the hearing before the ALJ or single Commissioner.			
	Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2161/Final/rule25.pdf			
99.26 Conferences with Legal Advisor					ID#: 2162
	Statutory Authority:	11-9-703	10/13/1997	01/01/1998	12/22/1997
<input checked="" type="checkbox"/>	Required under State or Federal Law:	11-9-703			09/20/2001
	Requirement Statement:	11-9-703 states "The Workers' Compensation Commission is authorized and directed to promulgate appropriate rules and regulations to establish and implement...a preliminary conference procedure..."			
	Enforce:	Rule 26 outlines procedures for mediation conferences with the goal of mediating disputed issues between claimants and respondents under the authority given by A.C.A. §11-9-703 to "establish and implement...a preliminary conference procedure".			
	Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2162/Final/rule26.pdf			
99.27 Medical Reports					ID#: 2163
	Statutory Authority:	11-9-516	01/11/1989	04/01/1989	03/22/1989
<input type="checkbox"/>	Required under State or Federal Law:	(none)			01/01/2008
	Requirement Statement:	(none)			
	Enforce:	A.C.A. §11-9-516 requires the medical provider to provide records/reports. Rule 27 provides filing requirements for medical reports and allows delay in payment responsibility until medical report is obtained. Ensures carrier/self-insured can obtain medical report from the medical provider.			
	Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2163/Final/rule27.pdf			

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99.28 Death & Permanent Total Disability Trust Fund Claims				ID#: 2164
Statutory Authority: 11-9-205	01/11/1989	04/01/1989	03/22/1989	01/01/2004
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: A.C.A. §11-9-502(c)(1) established a deadline of June 30, 2019 by which a claim against the Death & Permanent Total Disability Trust Fund must be filed. After that date all claims will be barred. Rule 28 should remain in place to address Death & Permanent Total Disability Trust Fund claims until July 1, 2019, then possible repeal of the Rule should be considered.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2164/Final/rule28.pdf				
99.29 Designated Claim Office / Administrator / Underwriter				ID#: 2165
Statutory Authority: 11-9-205	01/11/1989	04/01/1989	03/22/1989	01/01/2008
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: Rule 29 outlines responsibilities for carriers / self-insurers regarding claim offices and outlines responsibility of a designated Administrator.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2165/Final/rule29.pdf				
99.30 Medical Cost Containment Program (Fee Schedule)				ID#: 2166
Statutory Authority: 11-9-517	06/13/1994	09/01/1994	08/22/1994	05/15/2000
<input checked="" type="checkbox"/> Required under State or Federal Law: 11-9-517				
Requirement Statement: 11-9-517 states "The Workers' Compensation Commission is authorized to establish rules and regulations, including schedules maximum allowable fees for specified medical services rendered with respect to compensable injuries, for the purpose of controlling the cost of medical and hospital services and supplies..."				
Enforce: Rule 30 provides procedures to help control costs of medical benefits and implement a system of managed health care as authorized by A.C.A. §11-9-508(c),(d),(f) and §11-9-517.				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2166/Final/rule30.pdf				
99.31 Accident Prevention Services				ID#: 2167
Statutory Authority: 11-9-205	10/13/1993	12/30/1993	12/20/1993	01/01/2008
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: Rule 31 provides procedures to ensure Arkansas employers are provided accident prevention services from workers' compensation insurance companies as authorized by A.C.A. §11-9-409(d).				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2167/Final/rule31.pdf				
99.32 Hazardous Employer Program				ID#: 2168
Statutory Authority: 11-9-409	04/06/1994	06/25/1994	06/15/1994	01/01/2008
<input type="checkbox"/> Required under State or Federal Law: (none)				
Requirement Statement: (none)				
Enforce: Rule 32 provides criteria to identify hazardous employers and steps those hazardous employers must take to mitigate injuries and improve their safety programs as authorized by A.C.A. §11-9-409(c).				
Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2168/Final/rule32.pdf				

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99.33 Managed Care					ID#: 2169
	Statutory Authority: 11-9-508	04/12/1994	07/01/1994	06/21/1994	01/01/2008
<input checked="" type="checkbox"/>	Required under State or Federal Law: 11-9-508(c)				
	Requirement Statement: 11-9-508(c) states "In order to help control the cost of medical benefits, the commission...is authorized and directed to establish and implement a system of managed health care the State of Arkansas."				
	Enforce: Rule 33 provides for certification, administration, evaluation and enforcement of managed care organizations and outlines procedures for obtaining a change of physician as authorized by A.C.A. §11-9-508(d)(1) and 11-9-14(a)(3).				
	Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2169/Final/rule33.pdf				
99.34 Impairment Rating Guide					ID#: 2170
	Statutory Authority: 11-9-519, 11-9-521	04/12/1994	07/01/1994	06/21/1994	07/01/1995
<input checked="" type="checkbox"/>	Required under State or Federal Law: 11-9-519				
	Requirement Statement: 11-9-519(g)(1)(A) states "The commission...shall adopt an impairment rating guide to be used in the assessment of anatomical impairment."				
	11-9-521(h)(1)(A) also states "The Workers' Compensation Commission...shall adopt an impairment rating guide to be used in the assessment of anatomical impairment."				
	Enforce: Rule 34 establishes and adopts an impairment rating guide to be used in the assessment of anatomical impairment as authorized by A.C.A. §11-9-519 and §11-9-521. Rule 34 currently adopts Guides to the Evaluation of Permanent Impairment (4th ed.1993).				
	Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2170/Final/rule34.pdf				
99.35 Electronic Data Interchange Filings					ID#: 2171
	Statutory Authority: 11-9-205	09/01/1995	11/20/1995	11/10/1995	
<input type="checkbox"/>	Required under State or Federal Law: (none)				
	Requirement Statement: (none)				
	Enforce: Rule 35 outlines requirements for submission of electronic filings for specified forms and claims to the Commission. Allows for a faster and more efficient method of reporting claim information to the Commission.				
	Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2171/Final/rule35.pdf				
99.36 A Voluntary Program for Drug-Free Workplaces					ID#: 2172
	Statutory Authority: 11-14-101	08/26/1999	11/01/1999	10/20/1999	01/01/2008
<input type="checkbox"/>	Required under State or Federal Law: (none)				
	Requirement Statement: (none)				
	Enforce: Rule 36 provides guidance to employers to promote drug-free workplaces in order to maximize productivity and reduce work-related accidents resulting from drug or alcohol abuse as authorized by A.C.A. §11-14-101.				
	Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2172/Final/rule36.pdf				
99.37 Occupational Carpal Tunnel Syndrome					ID#: 2173
	Statutory Authority: 11-9-117	07/02/2001	09/20/2001	09/10/2001	
<input type="checkbox"/>	Required under State or Federal Law: (none)				
	Requirement Statement: (none)				
	Enforce: Rule 37 contains provisions for medical diagnostic and treatment guidelines regarding occupational carpal tunnel syndrome as authorized by A.C.A. §11-9-117.				
	Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2173/Final/rule37.pdf				

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99.38	Third Party Administrators				ID#: 2174
	Statutory Authority: 11-9-205	07/02/2001	09/20/2001	09/10/2001	01/01/2006
<input type="checkbox"/>	Required under State or Federal Law: (none)				
	Requirement Statement: (none)				
	Enforce: Rule 38 outlines requirements to act as a Third Party Administrator to charge premiums or fees, adjust or settle claims, or provide administrative services concerning workers' compensation coverage within the State of Arkansas.				
	Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2174/Final/rule38.pdf				
99.39	Filing Requirements / Report Cards / Sanctions				ID#: 2175
	Statutory Authority: 11-9-207	10/12/2007	01/01/2008	12/21/2007	
<input type="checkbox"/>	Required under State or Federal Law: (none)				
	Requirement Statement: (none)				
	Enforce: Rule 39 provides administrative procedures, standards, and time frames for filing forms and expected performance levels of carriers/self-insurers. The rule allows for fines and sanctions for those carriers / self-insurers continually not meeting standards and procedures.				
	Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2175/Final/rule39.pdf				
99.40	Carrier Premium Tax Auditing				ID#: 2176
	Statutory Authority: 11-9-306	02/13/2013	07/01/2013	06/20/2013	
<input type="checkbox"/>	Required under State or Federal Law: (none)				
	Requirement Statement: (none)				
	Enforce: Rule 40 provides authorization for the Commission to audit carrier premium calculations to verify accurate payment of premium tax as authorized by §11--9-306(f)				
	Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2176/Final/rule40.pdf				
99.41	Drug Formulary				ID#: 2177
	Statutory Authority: 11-9-205	05/01/2017	07/01/2018	11/17/2017	
<input type="checkbox"/>	Required under State or Federal Law: (none)				
	Requirement Statement: (none)				
	Enforce: Rule 41 was enacted in November 2017 and effective July 2018 to help combat the opioid crisis by reducing opioids prescribed in workers' compensation cases and reduce costs to employers.				
	Link to Rule Document: http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2177/Final/rule41.pdf				