



Michael Preston  
SECRETARY OF COMMERCE

Alan McClain  
COMMISSIONER,  
ARKANSAS INSURANCE  
DEPARTMENT

September 1, 2021

Ms. Jessica C. Whittaker, Administrator  
Administrative Rules Review Section  
Bureau of Legislative Research  
One Capitol Mall, 5<sup>th</sup> Floor  
Little Rock, Arkansas 72201

VIAL EMAIL TO: [whittakerj@blr.arkansas.gov](mailto:whittakerj@blr.arkansas.gov)

**RE: Arkansas Insurance Department - Act 595  
Written Notice of Intent Not to Adopt Rules**

Dear Ms. Whittaker,

Please allow this letter to confirm that the Arkansas Insurance Department has conducted its review of newly enacted legislation from the regular session of 2021, and now believes the Acts in the chart below that were identified in the *Report on the Acts of the 2021 Regular Session Requiring New Rulemaking* either do not need rules or are in litigation. Two of the Acts provide sufficient details to permit AID enforcement, are self-executing, and any proposed rules would merely restate the language of the legislation. One is currently in litigation. AID now requests that these rules be excluded from the requirements of Act 595.

Act	Subject Matter of New Law	Action
Act 965	Fairness in Cost Sharing	No Rule Needed
Act 1103	340B Drug Pricing	In Litigation
Act 1105	Best Interest Billing	No Rule Needed

Please let me know if you have any questions or need assistance. Thank you.

Sincerely,

Jim Brader  
General Counsel  
Arkansas Insurance Department