



Hugh McDonald
SECRETARY OF COMMERCE

Alan McClain
COMMISSIONER,
ARKANSAS INSURANCE
DEPARTMENT

December 28, 2023

Ms. Rebecca Miller-Rice, Administrator
Administrative Rules Review Section
Bureau of Legislative Research
One Capitol Mall, 5th Floor
Little Rock, Arkansas 72201

VIA EMAIL TO: miller-ricer@blr.arkansas.gov

**RE: Arkansas Insurance Department
Act 595 Monthly Update on Rulemaking Progress**

Dear Ms. Miller-Rice,

Pursuant to Ark. Code Ann. § 25-15-216(b)(4), the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services submits this written update on the progress of rules determined to be required under laws enacted in the 2023 legislative session. A summary of the Department's progress is in the attached chart.

Please let me know if you have any questions or I can offer additional assistance.

Sincerely,

Tasha Tidwell
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Arkansas Insurance Department
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501-683-2822

**STATE BOARD OF EMBALMERS, FUNERAL DIRECTORS, CEMETERIES, AND
BURIAL SERVICES**
Act 595 Monthly Status Report

The following Acts from the 2023 legislative session require rulemaking and were **not** included in the *Report on the Acts of the 2023 Regular Session Requiring New Rulemaking*. However, the Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services believes rulemaking is needed for the operation of the laws and will be taking the following rulemaking actions for these Acts:

Act	Rule Name	Rule Number	Summary of Law & Status	Action
Act 137	Rule Pertaining to Embalmers, Funeral Directors, Funeral Establishments, Crematories, Crematory Retort Operators, and Transport Services	1	Act 137 of 2023 allows occupational licensing entities to consider national certifications. The law further eliminates the one-year limitation for discharged service members to use service education, training or certification toward initial licensure requirements. Status: Awaiting cabinet level approvals (Department of Commerce).	Amend Rule
Act 457	Rule Pertaining to Embalmers, Funeral Directors, Funeral Establishments, Crematories, Crematory Retort Operators, and Transport Services	1	Act 457 of 2023 extends automatic licensure to new residents of Arkansas who are licensed in another state, regardless of military status. Status: Awaiting cabinet level approvals (Department of Commerce).	Amend Rule
Act 368	Rule Pertaining to Embalmers, Funeral Directors, Funeral Establishments, Crematories, Crematory Retort Operators, and Transport Services	1	Act 368 of 2023 revises the due date for renewal of licenses for embalmers and funeral directors. Status: Awaiting cabinet level approvals (Department of Commerce).	Amend Rule

Act 81	Rules and Regulations Governing Burial Associations	6	<p>Act 81 of 2023 clarifies the terms of benefits of membership and minimum percentage payables to substitute service-providing funeral homes based on membership data and proximity to the contract funeral home.</p> <p>Status: Amendments have been drafted, but the Board has determined that other amendments are necessary, that are not related to either Act 81 or Act 82.</p>	Amend Rule
Act 82	Rules and Regulations Governing Burial Associations	6	<p>Act 82 of 2023 changes the requirements for semi-annual financial reporting for the burial associations to annual reporting for the burial associations.</p> <p>Status: Amendments have been drafted, but the Board has determined that other amendments are necessary, that are not related to either Act 81 or Act 82.</p>	Amend Rule