ADMINISTRATIVE RULES SUBCOMMITTEE
OF THE
ARKANSAS LEGISLATIVE COUNCIL

Thursday, October 16, 2025
10:00 a.m.
Room A, MAC
Little Rock, Arkansas

A. Call to Order

B. Rules Filed Pursuant to Arkansas Code § 10-3-309

1. Arkansas Judicial Retirement System (Amy Fecher, Laura Gilson)

a. Arkansas Judicial Retirement System, 24 CAR pt. 15 (REPEAL of 24 CAR § 15-104)

DESCRIPTION: Arkansas Code § 24-8-203(d) requires that the AJRS Board meet at least once quarterly and at other times as necessary. 24 CAR § 15-104 is obsolete since the board has changed the meeting date and is already required by law to meet each quarter.

PUBLIC COMMENT: A public hearing was held on August 12, 2025, and the public comment period expired that same day. The Arkansas Judicial Retirement System received no public comments.

The proposed effective date is pending legislative review and approval.

FINANCIAL IMPACT: The Arkansas Judicial Retirement System states that the proposed repeal of the rule has no financial impact.

LEGAL AUTHORIZATION: Arkansas Code § 24-8-203(c)(1) imposes a duty on the Board of Trustees of the Arkansas Judicial Retirement System to make all rules necessary and proper for carrying out the provisions of Arkansas Code § 24-8-203, which vests the administration and control of the Arkansas Judicial Retirement System to the board.

2. Arkansas Public Employees' Retirement System (Amy Fecher, Laura Gilson)

a. Benefits, 24 CAR § 1-201 et seq.

DESCRIPTION: Arkansas Code § 24-4-520 and the current rule 24 CAR § 1-218 require that all APERS members terminate APERS covered employment to be eligible for retirement. Returning to work for an APERS participating employer within 180 days, or in some cases one year, constitutes a failure to terminate covered employment. Act 370 of 2025 specifically allows judges, which includes district judges covered under APERS, to serve as special judges immediately upon retirement. The proposed amendment to 24 CAR § 1-218 clarifies that a retired district judge's appointment to serve as a special judge does not constitute

a failure to terminate covered employment under Arkansas Code § 24-4-520. The amendment also repeals repetitive language and language that restates Arkansas Code § 24-4-520.

PUBLIC COMMENT: A public hearing was held on August 12, 2025, and the public comment period expired that same day. The Arkansas Public Employees' Retirement System received no public comments.

The proposed effective date is pending legislative review and approval.

FINANCIAL IMPACT: The Arkansas Public Employees' Retirement System states that the proposed changes to the rule have no financial impact.

LEGAL AUTHORIZATION: Arkansas Code § 24-4-105(b)(1) imposes a duty upon the Board of Trustees of the Arkansas Public Employees' Retirement System to make all rules as it shall deem necessary from time to time in the transaction of its business and in administering the Arkansas Public Employees' Retirement System.

The rule implements Acts 2025, No. 370, sponsored by Representative Carol Dalby, which amended the law concerning the compensation of a retired judge appointed as a special judge; and clarified that a retired judge may serve as a special judge immediately upon retirement.

3. Auditor of State

a. Arkansas Unclaimed Property Administrative Rules, 18 CAR pt. 21 (T.J. Fowler, Josh Wood)

DESCRIPTION: The rules provide guidance and definition that is intended to aid all participants in the Unclaimed Property process: Holders (those entities that hold, report, and remit unclaimed property to the state), Owner/Claimant (individuals who own unclaimed property and endeavor to claim it from the state), Finders (professionals who seek out unclaimed property on behalf of owners for a fee), and the Administrator.

The Arkansas UCP Act is a uniform statute adopted by a majority of states. Most of the other states have similar administrative rule sets. The Auditor of State has surveyed those rules and endeavored to create a rule set that uses the best portions of those other state's rules.

PUBLIC COMMENT: A public hearing was held on September 2, 2025. The public comment period closed that same day. The agency provided the following summary of public comments:

1. Tameron Bishop, Attorney, Kutak Rock (representing ARVEST)

COMMENT: As currently written, 18 CAR § 1-307(b):

- Suggests a holder of safe deposit boxes or similar safekeeping depositories must comply with the requirements listed, including that holders must sell contents at public auction under Arkansas Code § 18-27-102(c)(3). However, holders have the option, and

not the obligation, to sell the contents of safe deposit boxes under Arkansas Code § 18-27-102(c)(3). Arkansas Code § 18-28-210 also permits delivery of property to the state to assume custody and responsibility for the safekeeping of the property. We have suggested revised language below to clarify the holder has the option but not obligation to sell the contents.

- 18 CAR § 1-307(b)(2)(A) states holders must only remit remaining property "of value" to the Auditor of the State; however, Arkansas Code § 18-27-102(c)(3)(C) requires "any unauctioned contents" must be remitted to the Auditor of the State under Arkansas Code § 18-28-201 et seq. We have suggested revised language consistent with Arkansas Code § 18-27-102(c)(3)(C) noting any unauctioned contents must be remitted to the Auditor of the State.
- 18 CAR § 1-307(b)(2)(B) states holders should dispose of items having no commercial value. Arkansas Code § 18-27-102(c)(3)(C) does not give holders the direction or discretion to dispose of any contents of boxes or determine whether contents have value. We have suggested deletion of the instruction in 18 CAR § 1-307(b)(2)(B).

We recommend 18 CAR § 1-307(b) be restated to read as follows:

"(b) **Safe deposit boxes**. A holder of safe deposit boxes or similar safekeeping depositories who elects to sell the contents in accordance with Arkansas Code § 18-27-102(c)(3) must comply with the requirements for sale thereunder, including:

(1) Any sale of safe deposit box contents by a Holder must be at a public action pursuant to the requirements of Arkansas Code § 18-27-102(c)(3)(B); and

(2) After any sale, holder must remit any unauctioned contents of boxes and any excess proceeds from the sale to the Auditor of the State pursuant to Arkansas Code § 18-27-102(c)(3)(C).

RESPONSE: After speaking to Ms. Bishop, her client's primary concern was that portions of the proposed language created potential ambiguities for her client. Specifically, she was concerned that the language may be interpreted that holders have an obligation and not option to sell contents, and the language might be interpreted to require her client to make independent valuations on safe deposit box contents that are not required by current statutes and would not be protected by the UCP act's indemnity provisions.

In a joint-drafting effort with Ms. Bishop and her client, we have made technical changes to the proposed language of 18 CAR § 1-307(b). Those amendments are included as an addendum to this report.

2. Shannon Wild, Executive Director, Unclaimed Property Professionals Organization (UPPO)

COMMENT: Section 1-304: Prior to Reporting (Due Diligence)

Concern about Telephone Contact: Requiring holders to contact owners by phone is seen as burdensome and costly. The rule lacks clarity on what qualifies as "contacting by telephone," leading to ambiguity (e.g., voicemail vs. live contact).

- Employee Verification Burden: Verifying that an owner is not a current employee requires manual cross-checking between property and employee databases, which are typically disconnected—especially challenging for third-party administrators (TPAs).
- "Well-Known" Entity Identification: Manually identifying "well-known individuals or organizations" is impractical due to data volume and lack of a clear definition. Recognition may vary by person or region (e.g., overseas staff may not recognize U.S.-based entities like Merrill Lynch).

RESPONSE: We have worked with UPPO and engaged in a joint-drafting effort with their representatives. Through that effort, we have made technical changes to the proposed language of 18 CAR § 1-304. Those amendments are included as an addendum to this report.

COMMENT: Section 1-306: Reporting and Delivery of Property

- Clarification Needed: The section's intent is unclear and requires further explanation to ensure proper compliance.

RESPONSE: During our discussions with UPPO representatives, we shared our proposed technical changes to 18 CAR § 1-306 that were made in response to Ms. Bishop's public comment (#1, discussed above). UPPO representatives have indicated they are satisfied with those amendments.

COMMENT: Section 1-306 (g)(1),(2), and (3) Form of Property for Reporting

- Discussion and Clarification Needed: The proposed rules indicate that property must be reported based on its original nature. This requirement may be confusing and could be overly broad. For example, if an owner requests that a certain number of securities in their account be liquidated and the proceeds be sent to them as a check, but they never cash the check, would this be reported as securities, or a check? There are other examples like this as well.

RESPONSE: We have worked with UPPO and engaged in a joint-drafting effort with their representatives. Through that effort, we have made technical changes to the proposed language of 18 CAR § 1-306(g).

COMMENT: Section 1-307 (c): Securities Pre-Approval Requirement

- Discussion and Clarification Needed: Before remitting securities (except those held in IRAs), holders are required by the rule to obtain prior approval from the Auditor of State (AOS). The report must be submitted before the transfer is initiated. The timing of submission of report and submission of information for approval to transfer could cause holders to report and transfer securities late.

RESPONSE: We have worked with UPPO and engaged in a joint-drafting effort with their representatives. Through that effort, we have made technical changes to the proposed language of 18 CAR § 1-307(c)-(f) that is mutually acceptable. That amendment is included as an addendum to this report.

COMMENT: Section 1-402: Burden of Proof

- No Major Issues Noted: Generally acceptable, but clearer guidance is recommended on what constitutes sufficient evidentiary support for claims—especially to avoid requiring sensitive documents like driver's licenses or bank statements.

RESPONSE: Through discussions with UPPO representatives, we believe all parties now better understand why it is not possible to include a universal list of documentary proof necessary to verify UCP claims. The proof required is dictated by the facts and circumstances of the individual claims. In some instances, that may include information that UPPO deems sensitive.

Camille Fleming, an attorney with the Bureau of Legislative Research, asked the following questions and was provided with the following agency responses:

(1) Generally: This rule mentions several deadlines throughout. Only 18 CAR § 1-311(b) specifically mentions out "calendar days". Are the other deadlines that mention days "calendar days" or "business days"? **Response**: Not to my knowledge. It could be changed to just "days" if that better comports with your style guide. I assume that adjective was added for clarity, but is not required IMO.

(2) 18 CAR § 1-201(b): The rule states, "The Auditor of State has explicit authority to delegate his or her duties to division directors or employees as deemed appropriate." What authority does the Auditor of State rely on to delegate his or her duties? **Response**: The Arkansas Legislature separately appropriates the Unclaimed Property Program within the Auditor of State's budget, and creates 10 positions for that purpose of administering that program. See Sections 4 and 5, Act 894 of 2025. That program is self-funded by a unique budgeting mechanism pursuant to Ark. Code Ann. 18-28-213.

(3) 18 CAR § 1-303(a): This subsection references that holders who have

remitted abandoned property to the state are relieved of liability for any claim which exists or may arise pursuant to Arkansas Code § 18-28-208(d). This Arkansas Code statute references other categories of people that are not held liable for claims (issuers, holders, and any transfer agent or other person acting pursuant to the instructions of and on behalf of the issuer or holder). Is there a reason this language was omitted from the rule? **Response**: 18 CAR 1-301 et seq. falls under Subpart 3 of the rules, which are requirements for holders. That section does not specifically address transfer agents or issuers, except in instances where they are also the holder.

(4) 18 CAR § 1-304(a)(1): This subdivision states that a holder must attempt to locate the rightful owner more than ninety (90) days prior to making their report to the Auditor of State. Arkansas Code § 18-28-207(e) states that the holder "shall send written notice to the apparent owner, not more than one hundred eighty (180) days or less than ninety (90) days before filing the report, stating that the holder is in possession of the property…" Is there a reason the language regarding the one hundred eighty (180) days was omitted from the rule? **Response**: The 180 day "start limit" in 18-28-207(e) applies only to the final, written notice from holders to owners required by that code section, prior to reporting. However, that notice is but one element of the "due diligence" required before a holder can report. There is good reason to have the 180 day start limit on that notice; it should have some temporal proximity to the report. That ensures the notice captures all UCP a holder may possess for a given owner. If that notice were sent 2 years before the report/delivery, they might accumulate more UCP in that interim period (especially true of interest-bearing accounts).

However, we do not want to place a "start limit" on *all* due diligence practices. Good public policy requires that holders make attempts to return property to owners as soon as possible. These practices include basic correspondence (regular mail, telephone calls and email) to the owner. That is why only the 90 day "end limit" is applicable for 18 CAR 1-304, but the 180 start makes sense for 18-28-207.

(5) 18 CAR § 1-304(b)(2): This subdivision references a process that the owner can follow to collect property from the holder. Will this be a uniform process created by the Auditor of State or will this process be left up to the holders? **Response**: That process is part of the uniform code and codified by Arkansas at Ark. Code Ann. 18-28-210(c).

(6) 18 CAR § 1-304(b)(3): This subdivision states that if an owner fails to claim the property, the holder will report the property to the Auditor of State as unclaimed property. At what point is it determined that the owner has failed to claim the property after being notified by the holder? **Response**: If the owner is receiving the final, written notice required under the due diligence period, then the property at issue has crossed the dormancy threshold (set forth in Ark. Code Ann. 18-28-202) and, by law,

must be reported by Nov 1 (or May 1 for life insurance proceeds) pursuant to Ark. Code Ann. 18-28-207(d).

(7) 18 CAR § 1-305(c): This subsection lists specific information that shall be included in unclaimed property reports. Arkansas Code § 18-28-207(b) also lists out information that must be included in a report, but some of that information is not listed in this rule. Is the report referenced in the rule the same report of abandoned property in 18-28-207? **Response**: Yes. Both the statute and the rule apply. While some overlap is necessary for clarity, items required by the rule are meant to be supplemental to the statute as contemplated by Ark. Code Ann. 18-28-207(b)(7).

(8) If it is the same report, is there a reason that the subsection's requirements for the report differ from the statute's requirements for the verification and contents of the report? **Response**: Yes. See above. The rules are meant to supplement the statute, which is expressly permitted by 18-28-207(b)(7).

(9) 18 CAR § 1-307(b)(1): This subdivision states that holders of safe deposit boxes are directed to sell the contents at public auction pursuant to Arkansas Code § 18-27-102(c)(3)(A). However, this subdivision of the Arkansas Code concerns liens for the rental of the box, cost of opening the box, and related damages. Did the agency intend to cite to this subdivision here? **Response**: That citation goes one level too far. The correct citation is 18-27-102(c)(3).

(10) 18 CAR § 1-307(b)(3): This subdivision states that the holder may deduct the rental owed, cost of opening the box, and damages in connection with the abandoned box from the proceeds of the sale pursuant to Arkansas Code § 18-27-102(c)(2). However, this subdivision of the Arkansas Code sets forth that the bank, financial institution, or company must inventory the contents of the box in detail and place the contents in a sealed envelope or container bearing the name of the lessee. Did the agency intend to cite to this subdivision here? **Response**: See above. The correct citation is 18-27-102(c)(3).

(11) 18 CAR § 1-307(b)(3): The rule provides that a holder may deduct the cost from the proceeds, however Arkansas Code § 18-207-102(c)(3)(A) provides that the box is subject to a lien. Is there a reason the rule appears to differ? **Response**: There are two broad categories of safe deposit box deliveries to UCP. The first is where a box rental fee goes unpaid AND the owner is missing. In those instances, 18-27-102(c) controls at first. In those instances, the bank is entitled to open the box and sell contents to offset the owner's debt to the bank. Proceeds of that sale then satisfy the bank's lien. Any remaining property in the box is then delivered to the Auditor as UCP under the Arkansas UCP Act.

The second category is where the box rental is paid, but the box is abandoned. In those instances, 18-207-102 does not apply. The bank

simply applies the Arkansas UCP Act. In this instance, the bank is permitted to deduct costs under Ark. Code Ann 18-28-205.

The intent of the rule is to walk safe deposit box holders through all possible analysis permutations. So the first analysis is determining if 18-27-102 applies. If it does, they go through that process first. If it does not, they move directly into the Arkansas UCP Act.

The proposed effective date is pending legislative review and approval.

FINANCIAL IMPACT: The agency has indicated that the proposed rules do not have a financial impact.

LEGAL AUTHORIZATION: The Auditor of the State may promulgate rules necessary to carry out the Unclaimed Property Act, Arkansas Code § 18-28-201 et seq., which concerns certain abandoned property held by the State of Arkansas until said property is collected by its owner. *See* Arkansas Code § 18-28-228. The Auditor of State may also prescribe by rule the information to be contained in the reports made by holders of abandoned property. *See* Arkansas Code § 18-28-207(b)(7).

The proposed rule includes a section in relation to Acts 2025, No. 430, sponsored by Senator Ricky Hill, which amended the law concerning unclaimed property funds, amended the law concerning the deposit and investment of unclaimed property funds, and created the Unclaimed Property Interest Trust Fund.

4. Department of Commerce, State Insurance Department (Tasha Tidwell)

a. Funeral Expense Insurance, 23 CAR pt. 91

DESCRIPTION: Ark. Code Ann.§ 23-64-202(c) requires the Arkansas Insurance Department to define funeral expense insurance and establish general requirements to sell funeral expense insurance.

The last time the definition was revised was in 2011 when the maximum benefit was raised from $10,000 to $15,000. At that time, funeral home reports indicated an average funeral cost of $8,805, including approximately $1,060 for items associated with a funeral but not sold by funeral home such as obituary charges, cemetery charges, sales taxes, etc.

Funeral directors in Arkansas report today's average traditional funeral service to be between $10,000 and $12,000 with many services between $13,000 to $17,000. These averages do not include related costs such as flowers, obituary charges, and cemetery costs. Raising the maximum benefit limit from $15,000 to $25,000 allows funeral expense insurers to not only sell policies that cover the costs of today's funerals but also the costs of funerals that may occur 20, 30, or more years from now.

PUBLIC COMMENT: The department held a public hearing on August 19, 2025. The public comment period expired on August 19, 2025. The agency indicated it received no public comments.

The proposed effective date is pending legislative review and approval.

FINANCIAL IMPACT: The department indicated this rule has no financial impact.

LEGAL AUTHORIZATION: Arkansas Code § 26-61-108 provides that the "Insurance Commissioner, in consultation with the Secretary of the Department of Commerce, may make reasonable rules necessary for or as an aid to the effectuation of any provision of the Arkansas Insurance Code." Arkansas Code § 23-64-202(c)(7)(B) provides that "[f]uneral expense insurance" shall be defined in rules adopted by the commissioner."

5. Department of Human Services, Division of County Operations (Mary Franklin)

a. Community Services Block Grant Rule, 20 CAR pt. 505

DESCRIPTION:

Statement of Necessity

The Community Services Block Grant (CSBG) Act (42 U.S.C. § 9901 et seq.) was created, "[T]o provide assistance to States and local communities, working through a network of community action agencies and other neighborhood-based organizations, for the reduction of poverty, the revitalization of low-income communities, and the empowerment of low-income families and individuals in rural and urban areas to become fully self-sufficient…" The CSBG Act mandates certain aspects of how state CSBG offices will operate in carrying out their defined roles as administrators of CSBG but leaves significant authority and flexibility in the hands of the states. Pursuant to the Act, the Governor designates an appropriate agency to act as the lead for the administration of the Community Services Block Grant.

In Arkansas, the Department of Human Services, Division of County Operations (DCO), Office of Program and Grant Management (OPGM), acts as lead agency. As part of its duties, it submits the CSBG state plan for renewal every two years. As part of the current renewal cycle, DCO updates the CSBG Rule for FY 2026 and FY 2027. The updates for this cycle reflect current processes, office names, and programs, and other technical corrections.

Summary

The Community Services Block Grant rule is found in the Code of Arkansas Rules at 20 CAR pt. 505. DCO updates the Codification Note, Rule, and Appendix "A" to reflect current processes, offices, and programs, including removal of reference to the Emergency Solutions Grant Program and outdated language regarding administration of CSBG. References to specific fiscal years were removed to avoid promulgating updates to such every two years. The Appendix was updated to clarify

current administration of CSBG by DCO. All other changes are typographic or stylistic in nature.

Post-public comment, DHS determined that revision of the stated Federal Poverty Line of 125% in the rule required revision to account for possible future limits set by Congress exceeding that percentage. The FPL has been allowed at 200% for many years but currently is set to expire on 9/31/25. It is anticipated the FPL may increase again in the near future. The revised rule provides flexibility to allow for future changes.

PUBLIC COMMENT: No public hearing was held on this rule. The public comment period expired on August 9, 2025. The agency provided the following public comment summary:

Commenter's Name: Jacob Bright, Crowley's Ridge Development Council, Inc.

COMMENT: I respectfully propose that Arkansas DHS amends its CSBG income-eligibility threshold from 125% of the Federal Poverty Line (FPL) to 200% of FPL. At the current 125% level, many working low-income families lose CSBG eligibility as soon as they earn modest wages, often still well below a living wage in Arkansas. Raising the eligibility cap to 200% FPL would better align CSBG support with families' actual cost-of-living needs and help prevent "benefits cliffs" that discourage work or force families to choose between earning enough to qualify and retaining essential supports.

Rationale for 200% FPL

1. Bridging the Benefits Cliff. Many working families gain only a few dollars of net income by moving from part-time or low-wage jobs to fuller employment, yet lose eligibility for transportation, childcare, and other CSBG-funded supports. A 200% FPL cap would smooth this transition.

2. Aligning with Peer States. Several states use 175–200% FPL for comparable anti-poverty programs (e.g., WIC, early-childhood services), recognizing that 125% FPL no longer reflects today's living costs.

3. Improving Self-Sufficiency Outcomes. By extending benefits to families earning up to $62,400/year (200% FPL for a family of four), DHS can better support job training, asset-building, and other services that lead to long-term self-sufficiency rather than short-term crisis intervention.

Thank you for considering this amendment. Adjusting the CSBG eligibility threshold to 200% FPL will keep Arkansas families connected to critical support as they work toward economic stability.

RESPONSE: The current legislation does not allow the 200% federal poverty level authorization past September 30, 2025. However, we have updated the policy to allow the percentage set by the United States Congress.

The proposed effective date is pending legislative review and approval.

FINANCIAL IMPACT: The agency indicated that this rule has no financial impact.

LEGAL AUTHORIZATION: The Department of Human Services has the responsibility to administer assigned forms of public assistance and is specifically authorized to maintain an indigent medical care program (Arkansas Medicaid). *See* Ark. Code Ann. §§ 20-76-201(1), 20-77-107(a)(1). The Department has the authority to make rules that are necessary or desirable to carry out its public assistance duties. Ark. Code Ann. § 20-76-201(12). The Department and its divisions also have the authority to promulgate rules as necessary to conform their programs to federal law and receive federal funding. Ark. Code Ann. § 25-10-129(b).

~~**6. Department of Human Services, Division of Medical Services**~~

~~**a. Urgent Care Clinics (20 CAR pt. 600)**~~

7. Department of Human Services, Division of Medical Services and Division of Provider Services and Quality Assurance (Melissa Weatherton, Martina Smith, Paula Stone)

a. Psychiatric Residential Treatment Facility Services for Under Age 21 (20 CAR pts. 417, 627, 651)

DESCRIPTION:

Statement of Necessity

This rule is necessary pursuant to Act 636 of 2025. Currently, no licensure manual or Medicaid provider manual exists for Psychiatric Residential Treatment Facility (PRTF) providers. The Department of Human Services (DHS) finds certain minimum standards are necessary for providers to deliver services to enrolled beneficiaries who are admitted into a PRTF. This rule helps ensure the health and safety of beneficiaries who are admitted into a Psychiatric Residential Treatment Facility.

Rule Summary

DHS creates two new manuals for Psychiatric Residential Treatment Facility (PRTF) Providers. The first is a licensure manual that sets the minimum standards for providers delivering services to enrolled beneficiaries who are admitted into a PRTF. The second is a companion Medicaid Provider Manual, "Psychiatric Residential Treatment Facility Services for Under Age 21". These new manuals necessitate removal of duplicative standards currently found within the "Inpatient Psychiatric Services for Under Age 21" provider manual.

PUBLIC COMMENT: A public hearing was held on this rule on July 9, 2025. The public comment period expired on July 21, 2025. The agency made changes to the rule based on public comment and released the rule for a second public comment period. A second public hearing was held on August 27, 2025. The second public comment period expired on September 6, 2025.

Due to its length, the public comment summary is attached separately.

Lacey Johnson, an attorney with the Bureau of Legislative Research, asked the following questions and received the following responses:

1. Act 636, § 1 requires prior approval from the Health Services Permit Agency for any renovation project that exceeds $250,000 for an existing psychiatric residential treatment facility. Is this "prior approval" equivalent to a "permit" under 20 CAR § 417-202(a)(4)? If so, why does the rule not address renovations over $250,000? **RESPONSE:** It applies to both. See definition 22 New Construction where we define New Construction as construction OR renovation after January 1.

2. The list of minimum license posting requirements in 20 CAR § 417-202(f)(1) mirrors the list in Act 636, § 10 [codified at § 20-46-403], with one exception. The Act includes "The status of the license, whether regular, provisional, or probationary;" while the rule does not. Is there a reason this language was omitted from the rule? **RESPONSE:** This was an agency decision. Once the permanent rules are in place we do not plan to issue anything other than a regular license.

3. 20 CAR § 417-202(j) provides that no PRT Facility may be sold or transferred without prior approval from the Office of Long-Term Care. Is there specific statutory authority for a violation of this provision constituting a Class D felony, as provided in 20 CAR § 417-202(k)? **RESPONSE:** [The agency amended the rules to remove the provision at issue.]

4. 20 CAR § 417-304(d)(1)(B) sets a minimum staffing ratio of 1:8 from 10:00 p.m. to 6:00 a.m. or 11:00 p.m. to 7:00 a.m., depending on age and need. Where does the 1:8 minimum ratio come from? **RESPONSE:** This was an agency decision that mimics ratios in Intermediate Care Facilities and aligned the ratios the PRTF providers were previously under, Minimum Licensing Standards for Child Welfare Agencies, which was 1:8 during sleeping hours.

5. 20 CAR § 417-405(l) provides that a PRT Facility shall not admit, after July 1, 2025, a child who is under 10 years of age. Where does this provision come from? **RESPONSE:** This was an agency decision. There are more appropriate services in place for children ages 5-9.

6. 20 CAR § 417-406 contains a list of requirements for an individual plan of care that mirrors the list found in 42 C.F.R. § 441.155(b), with one exception. The CFR includes "prescribe an integrated program of therapies, activities, and experiences designed to meet the objectives;" (42 C.F.R. § 441.155(b)(4)) while the DHS rule does not. Is there a reason this language was omitted from the rule? **RESPONSE:** [The agency amended the rule to include the language at issue.]

7. 20 CAR § 417-408 requires retention of complete medical records for two years after the resident reaches the age of majority. 42 C.F.R.

§ 483.70(h)(4)(iii) requires long-term care facilities to keep medical records for three years after a resident reaches majority. Does this CFR provision apply to PRT Facilities? If so, why is the retention period in the state rule shorter than that prescribed by federal regulation? **RESPONSE:** The agency amended the rule to address this issue.]

8. 20 CAR § 417-411 requires notification of a resident's "parent or legal guardian" in certain situations. Arkansas Code § 20-10-107 requires notification of "the resident's guardian or other responsible party" in these situations. Why is the language in the rule different than the language in statute? **RESPONSE:** [The agency amended the rule to address this issue.]

9. 20 CAR § 417-411 states that reportable serious occurrences include, among other things, "a serious injury to a Resident as defined in 42 C.F.R. § 483.352" and "any significant impairment of the resident as determined by qualified medical personnel." 42 C.F.R. § 483.352 defines "serious injury" as "any significant impairment of the physical condition of the resident as determined by qualified medical personnel" and includes a non-exhaustive list of examples. In light of this fact, why are both the reference to the CFR definition and the language regarding significant impairment included in the DHS rule? **RESPONSE:** This was discussed at length between DHS staff and the PRTF providers. We were attempting to avoid confusion on reportable events and included significant impairment in the definition of serious occurrences.

10. 20 CAR § 417-417, regarding medication storage, states that "Food and drinks shall not be stored in the same refrigerator." Does this mean that food and drinks may not be stored together, or does this mean that food and drinks may not be stored in a medication refrigerator? **RESPONSE:** [The agency amended the rule to address this issue.]

11. 20 CAR § 417-501(e) states, "Restraint may not be used simultaneously." I see that this language comes from 42 C.F.R. § 483.356(a)(4), which states "Restraint and seclusion must not be used simultaneously." Given that the DHS rules categorically prohibit the use of seclusion, what is subsection (e) prohibiting? **RESPONSE:** [The agency amended the rule to address this issue.]

12. Given that 20 CAR § 417-501(a)(3) prohibits the use of seclusion, why does 20 CAR § 417-501(o) reference a "restraint or seclusion order"? **RESPONSE:** [The agency amended the rule to address this issue.]

13. Given that 20 CAR § 417-501(a)(3) prohibits the use of seclusion, why does 20 CAR § 417-505(a)(5) reference preventing "the future use of restraint or seclusion"? **RESPONSE:** Since seclusion is allowed under federal regulation we wanted to closely align with that federal regulation but also state seclusion will not be allowed.

14. 20 CAR § 417-704 sets the minimum size for a single room at 50

square feet. 42 C.F.R. § 483.90(e)(1)(ii) requires single resident rooms in long-term care facilities to measure at least 100 square feet. Does the CFR provision apply to PRT Facilities? If so, why does this rule set the minimum size for a single room at 50 square feet? If not, where does the 50 ft^2 minimum come from? **RESPONSE:** This was an agency decision. All buildings providing PRTF services were designed in accordance with Minimum Licensing Standards for Child Welfare Agencies. The 50 square feet was the requirement at time of build. To now require 100 square feet would not be feasible and would cause all the buildings to undergo major renovations.

15. What is the source for the minimum and maximum temperatures referenced in 20 CAR § 417-711? **RESPONSE:** This was an agency decision based on a lengthy conversation with the PRTF providers. Under the former rules, Minimum Licensing Standards for Child Welfare Agencies, they were required to maintain temperature between 65 and 85 degrees.

This rule was previously reviewed and approved under the emergency provisions of the Arkansas Administrative Procedure Act. The effective date of the emergency rule was June 20, 2025. The proposed effective date for permanent promulgation is October 27, 2025.

FINANCIAL IMPACT: The agency indicated that this rule has no financial impact.

LEGAL AUTHORIZATION: The Department of Human Services shall promulgate rules to implement Title 20, Chapter 46, Subchapter 4 of the Arkansas Code, regarding psychiatric residential treatment facilities. *See* Ark. Code Ann. § 20-46-404(b), *as created by* Act 636 of 2025. These rules "shall include components that ensure quality of care, health and safety of residents and psychiatric residential treatment facility staff, and compliance with all educational requirements." *Id.*

This rule implements Act 636 of 2025. The Act, sponsored by Representative Frances Cavenaugh, moved licensing and regulation of psychiatric residential treatment facilities from the Child Welfare Agency Review Board to the Department of Human Services and set standards for the licensing and regulation of psychiatric residential treatment facilities.

8. Southwest Central Regional Solid Waste Management District (Courtney Decker)

a. General Rules, 8 CAR pt. 332

DESCRIPTION: The Southwest Central Regional Solid Waste Management District proposes its new rules to be included in 8 CAR pt. 332 as the new Subpart 4. The proposed rules:

1. Require applicants to obtain a Certificate of Need (CON) before filing for a solid waste facility permit with the Division of Environmental Quality;

2. Set forth application procedures, including notice of intent, application content, and review timelines;

3. Establish evaluation criteria such as consistency with regional planning environmental protection measures, and capacity needs;

4. Outline the Southwest Central Regional Solid Waste Management District Board's decision-making process, including written findings, approvals, denials, and appeals; and

5. Specifies that CONs are non-transferable and subject to expiration if not acted upon within the prescribed period.

The purpose of the rules is to ensure that proposed facilities align with the district's regional solid waste management plan, meet environmental standards, and reflect the needs of the service area.

PUBLIC COMMENT: A public hearing was held on this matter on May 17, 2025. The public comment period ended on May 20, 2025. The agency indicated that it received no public comments.

The proposed effective date is pending legislative review and approval.

Grant Wise, an attorney with the Bureau of Legislative Research, asked the following questions and made the following observations, and was provided with the following agency responses:

1. 8 CAR § 332-402(b)(1)(G) — This provision includes a citation to "8 CAR § 322-XXX." What section was intended by the district? **RESPONSE:** 8 CAR 332-407. Determination.

2. 8 CAR § 332-407(a)(3) — This subdivision states that a proposed solid waste facility should not disturb "any archeological site as recognized by the Arkansas Archeological Survey; *and* [a] rare and endangered species habitat," (Emphasis added.) This provision seems to be premised on Arkansas Code § 8-6-706(b)(2)(C), which states that a proposed disposal facility must not "disturb an archaeological site as recognized by the Arkansas Archeological Survey *or* a rare and endangered species habitat," (Emphasis added.) Is there a reason for the difference? **RESPONSE:** There is no reason for the difference, other than an oversight. In accordance with law, we wish to see this rephrased appropriately. [The agency subsequently determined that no changes would be made at this time.]

3. 8 CAR § 332-407(a)(11) — This subdivision seems to be premised on Arkansas Code § 8-6-706(d)(4) and states that in no event shall the district's excess permitted projected capacity exceed thirty (30) years. However, Arkansas Code § 8-6-706(d)(4) states "in no event shall the district's excess permitted projected capacity exceed thirty (30) years, unless the city or county government within whose jurisdiction the proposed landfill is located authorizes through adoption of a resolution approval of the excess capacity." Is there a reason the rule does not also

include the qualifying language? **RESPONSE:** There is no reason that this was left out, other than an oversight. In accordance with law, we wish to see this rephrased appropriately. [The agency subsequently determined that no changes would be made at this time.]

4. 8 CAR § 332-407(c) — This subsection states that the "executive director and/or administrative staff" of the district will decide if applicants have met the requirements of the certificate of need issuance policy and advise the Board accordingly. Under what circumstances would the executive director decide and advise the Board, and when would the administrative staff do it? **RESPONSE:** This would be a determination of completeness and advise the Board if all requirements of the Certificate of Need are met. The Executive Director and Administrative staff are only for purposes of preparing the application for Board review to ensure all parts are included. The Executive Director shall not provide a vote to approve or deny the certificate, nor advise on the need of such certificate.

5. 8 CAR § 332-409

a. This section appears to be premised on Arkansas Code § 8-6-706(c) and states an "interested person or persons" may appeal the Board's decision regarding a certificate of need to the Secretary of the Department of Energy and Environment. However, Arkansas Code § 8-6-706(c) states that an "interested party to a certificate of need determination by a board may appeal the decision to the Director of the Division of Environmental Quality." Is there a reason the rule states an appeal may be made to the Secretary of the Department of Energy and Environment, but the statute says it may be made to the Director of the Division of Environmental Quality? **RESPONSE:** No reason other than oversight. In accordance with law, we wish to see this rephrased appropriately. [The agency subsequently determined that no changes would be made at this time.]

b. Is there a reason the rule uses the term "interested person or person" rather than "interested party" as used in the statute and defined in the Arkansas Code? **RESPONSE:** No reason other than oversight. In accordance with law, we wish to see this rephrased appropriately. [The agency subsequently determined that no changes would be made at this time.]

FINANCIAL IMPACT: The agency indicated that the amended rules do not have a financial impact.

LEGAL AUTHORIZATION: The regional solid waste management boards have the power to issue or deny certificates of need to any applicant for a solid waste disposal facility permit within their districts. *See* Arkansas Code § 8-6-704(a)(4). Arkansas Code § 8-6-704(a)(3) further provides that the boards have a duty "[t]o formulate recommendations to all local governments within their districts on solid waste management issues and tor formulate plans for providing adequate

solid waste management." Finally, under Arkansas Code § 8-6-704(a)(6), the boards have the power "[t]o adopt rules under the Arkansas Administrative Procedure Act, § 25-15-201 et seq., as are reasonably necessary to assure public notice and participation in any findings or rulings of the regional solid waste management boards and to administer the duties of the regional solid waste management boards."

9. State Board of Elections Commissioners (Richard Chris Madison)

a. Rules for the Verification of Voter Registration, 7 CAR pt. 90

DESCRIPTION: The State Board of Election Commissioners amends the Rule for Verification of Voter Registration to include procedures for the verification of the identity of voter assistors who accompany a voter to the poll for the purpose of assisting a disabled voter in the act of marking and casting his or her ballot. See A.C.A. § 7-5-310(d) (as amended by Act 593 of 2025). The Amendment includes procedures and parameters for the verification of an assistor chosen by the voter's identification. There are three categories of identification requirements, first is an assistor who presents an identification that complies with Amendment 51 parameters such as an Arkansas Driver's License, U.S. Passport, Military Identification etc. The second category would be for an assistor who presents an out of state identification, such as a daughter assisting her mother in voting, but the daughter drove over from Oklahoma and presents an Oklahoma driver's license. The last category is when an assistor does not have a photo identification, in that case, the assistor will execute an affidavit verifying, under penalty of perjury, that they have provided correct identifying information.

PUBLIC COMMENT: No public hearing was held on this rule. The public comment period expired September 15, 2025.

The proposed effective date for this rule is November 1, 2025.

The board provided the following summary of the one public comment it received:

Commenter name: Gene Haley, Garland County

COMMENTER: The Commenter requested that the Rule be revised to remove the requirement that a voter sign or mark that they are being assisted by the assistor. **RESPONSE**: The State Board met on September 10, 2025, and discussed this requested change. The Board voted to proceed with the proposal as written and determined that changing the Proposed Rule was not in the best interest of voters.

Isaac Linam, an attorney with the Bureau of Legislative Research, asked the following question and was provided with the following board response:

(1) Acts 2025, No. 593, § 1, amends Arkansas Code § 7-5-310(b)(2)(B) to set requirements for an assistor, among those that the assistor must

"[present] a document or identification card" that meets board requirements (emphasis added). Section 2 of Act 593 adds a subdivision (b)(5)(B) that requires the list of assistors maintained by poll works to "contain the name of the assistor as it appears on the document or identification card presented by the assistor" (emphasis added). Your rule, however, provides that an assistor without a photo identification may provide their name, home address, and date of birth to poll workers and to sign "an affidavit provided and published by the Arkansas State Board of Election Commissioners confirming the information provided to the election official is true and correct under penalty of perjury", and does not appear in those circumstances to be required to "present a document or identification card". Can you reconcile the requirements of Act 593 for an assistor to "present a document or identification card" with your rule's provision that an assistor without a photo identification need not "present a document" if they provide certain information and sign a board-provided affidavit? **RESPONSE:** The intent of the Rule and the Act was to cover three circumstances. Assistor provides an Arkansas Amendment 51 qualifying ID, or the Assistor provides an identification from another state or tribal government, and lastly when they have no id, we collect the information on the affidavit and that is the other document they present. Once it is completed and signed by the assistor under penalty of perjury, the assistor is verifying the information provided and that affidavit acts as the other document. That is how we intended it and how we drafted the rule and how we plan to implement it.

FINANCIAL IMPACT: The agency indicated this rule has no financial impact.

LEGAL AUTHORIZATION: Arkansas Code § 7-5-310(d), which was added by Acts 2025, No. 593, § 3, provides that the State Board of Election Commissioners "shall promulgate rules concerning the required documents or identification necessary to assist a voter with a disability". Arkansas Code § 7-4-101(f)(5) provides that the board has the authority to "promulgate all necessary rules to assure even and consistent application of voter registration laws and fair and orderly election procedures". Arkansas Constitution, Amendment 51, § 13, provides that the board has the authority to promulgate rules to implement § 13(b), which states, "[i]n order to determine that all who cast a ballot in an election, a runoff election, or a school election in this state are legally qualified to vote in that election, each voter shall verify his or her registration".

The proposed changes include those made in light of Acts 2025, No. 593, sponsored by Senator Kim Hammer. Act 593 amended the law concerning voter assistance and requires a person assisting a voter with a disability to present identification.

b. Rules of Procedure for Citizen Complaints Regarding Violations of State Election and Voter Registration Laws, 7 CAR pt. 60

DESCRIPTION: The State Board of Election Commissioners amends the Rules of Procedure for Citizen Complaints Regarding Violations of State Election and Voter Registration Laws to bring the Rule into compliance with changes made by Act 279 of 2025. Act 279 of 2025 altered the deadline for which complaints can be filed with the State Board. Under the Act, the beginning period for filing a complaint was expanded from 45 days before an election to 49 days before election day. Further, the Act expanded the period after an election for which the Agency may accept a complaint. Under the Act, the deadline to file a complaint after an election is expanded from 40 or 45 days, depending on the certification deadline, to a consistent 49 days after the election. The Act expanded the deadline to complete investigations from 180 and 240 days respectively to 182 and 245 days. Lastly, the Act clarified when complaint files are subject to the Arkansas Freedom of Information Act and clarified that State Monitor Reports are always subject to FOIA requests.

PUBLIC COMMENT: No public hearing was held on this rule. The public comment period expired September 15, 2025. The board indicated it received no public comments.

The proposed effective date for this rule is November 1, 2025.

FINANCIAL IMPACT: The agency indicated this rule has no financial impact.

LEGAL AUTHORIZATION: Arkansas Code § 7-4-101(f)(5) provides that the State Board of Election Commissions has the authority to "promulgate all necessary rules to assure even and consistent application of voter registration laws and fair and orderly election procedures". Arkansas Code § 7-4-120(h)(1) requires the board to "adopt rules concerning the imposition of fines" allowed under that statute. Arkansas Code § 7-4-120(e)(2) provides that the board may "[i]mpose a fine of no less than twenty-five dollars ($25.00) and no more than one thousand dollars ($1,000) for a negligent, knowing, or intentional violation" of voter registration laws or election laws.

The proposed changes include those made in light of Acts 2025, No. 279, sponsored by Senator Kim Hammer. Act 279 amended the law concerning complaints of election law violations and the deadlines for complaints of election law violations.

c. Voter Intent and Ballot Remake, 7 CAR pt. 92

DESCRIPTION: The State Board of Election Commissioners amends the Voter Intent rule to "Voter Intent and Ballot Remake" to bring the Rule into compliance with changes made by Act 458 of 2025. Act 458 of 2025 directed the State Board of Election Commissioners to promulgate

rules necessary for the duplication of damaged or defective ballots permitted by A.C.A. § 7-5-615. The Act also allows counties to report the number of outstanding ballots requiring remaking as part of the election night reporting to the Secretary of State's Office. The purpose of this is to permit the County to follow State Board guidance in the mechanical process of remaking damaged or defective ballots. The proposed Rule directs that at least four election officials sign off on or agree the duplicate ballot is a true duplicate of the originally voted ballot. Further, the Rule allows poll watchers and candidates to inspect any duplicated ballot before it is processed through the DS200. The purpose of these procedures is to ensure that each duplicated ballot is a complete and true duplicate of the originally voted ballot.

The State Board offered the amendments to the Voter Intent Rule to include requirements mandated by Act 458 of 2025. During the public meeting of the State Board on September 10, 2025, the proposed rule was added as an item on the agenda. A motion was made and approved to amend the proposal to require the election supervisor to be a member of the County Board of Election Commissioners. The attached proposal incorporates that slight modification, thereby requiring a CBEC member be present during remakes and that the CBEC member is the supervisor over the remaking process.

PUBLIC COMMENT: No public hearing was held on this rule. The public comment period expired September 15, 2025. The board indicated that it received no public comments.

The proposed effective date for this rule is November 1, 2025.

Isaac Linam, an attorney with the Bureau of Legislative Research, asked the following questions and was provided with the following board responses:

(1) The definition of "voting machine" in your rule at 7 CAR § 92-102(11) currently matches the definition of "voting machine" in Arkansas Code § 7-1-101. This amendment to your rule revises the definition of "voting machine" in your rule to remove direct-recording electronic voting machines from the definition. What is the board's rationale for this revision? **RESPONSE:** There are NO Direct-recording electronic voting machines certified to be used in Arkansas and none are used in Arkansas.

(2) Why is the board repealing 7 CAR § 92-103(b)(12), concerning the counting of write-in votes? **RESPONSE:** Because there are no write-in candidates any more. Most of those were repealed in the 23 session and in the 25 session, we removed remaining references to write-in candidates.

(3) The new section created in the rule, 7 CAR § 92-105, uses "remade", "remake", and "duplicate" to describe certain ballots. Are these terms meant to be synonyms and refer to the same type of ballot?
RESPONSE: Yes. A remade ballot is a ballot that previously was a ballot

to remake and a duplicate is the final product of remaking a needed remade ballot.

(4) Similar to Question 3, 7 CAR § 92-103(b)(3) provides, "The Remade ballot shall be denoted as a remake." Is this provision meant to satisfy Arkansas Code § 7-5-615(d)(2)(B), which requires an election official, when duplicating a ballot, to ["s]tamp or write the word "duplicate" on the duplicated ballot"? **RESPONSE:** Yes. The remade ballot must be noted somewhere on the ballot that it is a duplicate or remade ballot and that it have a serial number that ties it back to the original ballot.

FINANCIAL IMPACT: The agency indicated this rule has no financial impact.

LEGAL AUTHORIZATION: Arkansas Code § 7-5-615(g), which was added by Acts 2025, No. 458, § 2, provides that "[t]he State Board of Election Commissioners shall promulgate necessary rules regarding the duplication of damaged or defective ballots".

Arkansas Code § 7-4-101(f)(5) provides that the State Board of Election Commissions has the authority to "promulgate all necessary rules to assure even and consistent application of voter registration laws and fair and orderly election procedures".

The proposed changes include those made in light of Acts 2025, No. 458, sponsored by Representative RJ Hawk, which amended the law concerning damaged or defective ballots and allowed the board to promulgate rules regarding the duplication of damaged or defective ballots.

C. Agency Requests to Be Excluded from Reporting Requirements of Act 595 of 2021

1. Department of Commerce, State Insurance Department (Crystal Phelps)

a. Act 348 of 2025

b. Act 390 of 2025

c. Act 424 of 2025

d. Act 512 of 2025

e. Acts 560 and 779 of 2025

f. Act 628 of 2025

g. Act 772 of 2025

h. Act 860 of 2025

2. Department of Health, State Board of Health (Laura Shue)

a. Act 1021 of 2025

D. Agency Updates on the Status of Outstanding Rulemaking from the 2023 Regular Session Pursuant to Act 595 of 2021

1. Department of Commerce, Arkansas Economic Development Commission (Brian Black, Jennifer Emerson)

Rules Outstanding as of October 1, 2025, as Reported and Updated by the Agency

- **Consolidated Incentive Act Rules (Act 834 of 2023)**
    - The Arkansas Economic Development Commission has determined that rules under the Consolidated Incentive Act are not necessary to accomplish the goals of Act 834 of 2023 and is currently working to repeal the existing Consolidated Incentive Act rules. Under Ark. Code Ann. § 15-4-2710, rules are allowed but not required under the Act. The existing rules are unclear and largely restate the statute, serving as a potential barrier to businesses looking to utilize the Act's incentives. AEDC is currently in the process of drafting the repeal documents and should be in the public comment phase soon.

2. Department of Corrections (Tawnie Hughes)

Rules Outstanding as of October 1, 2025, as Reported and Updated by the Agency

Secretary of Corrections

- **Visitation (Act 659, § 112 of 2023)**
    - This rule will be promulgated by the Secretary of Corrections, who has preliminarily approved it. There was a stakeholder request for a definition change. The updated rule is being reviewed.

Post-Prison Transfer Board

- **Transfer to Post-Release Supervision (Act 659, § 2 of 2023)**
    - This rule is being promulgated by the Post-Prison Transfer Board and has been submitted for review by the executive.

3. Department of Education (Courtney Salas-Ford)

Rules Outstanding as of October 1, 2025, as Reported and Updated by the Agency

Arkansas State Library

- **Rules Governing the Standards for State Aid to Public Libraries (Act 566, § 11 of 2023)**
    - Rulemaking regarding Act 566 of 2023 was temporarily suspended due to the passage of Act 903 of 2025. Rulemaking will resume now that a new slate of library board members has been appointed.

Division of Career and Technical Education

- **Rules Governing the Approval of Computer Science-Related Career and Technical Education Courses (Act 654, § 4 of 2023)**
    - This rule has been redrafted in compliance with the Code of Arkansas Rules. It is anticipated that the final rule will be submitted to ALC for review in December.
- **Rules Governing the Vocational Start-Up Grant Program (Act 867, § 7 of 2023)**
    - This rule is being redrafted in compliance with the Code of Arkansas Rules. It is anticipated that the final rule will be submitted to ALC for review in December.

Division of Elementary and Secondary Education

- **Rules Governing School District Waivers (Act 347, § 1 of 2023)**
    - The agency is redrafting this rule due to the enactment of Act 304 of 2025. The rule will be a top priority for the current round of rulemaking. It is anticipated that the final rule will be submitted to ALC for review in December.
- **Rules Governing Grading and Course Credit (Act 654, §§ 2, 4 of 2023)**
    - This rule was approved by the State Board of Education to be released for public comment; however, the agency is redrafting this rule due to the enactment of Act 341 of 2025. The rule will be a top priority for the current round of rulemaking. It is anticipated that the final rule will be submitted to ALC for review in December.

State Board of Education

- **Rules Governing the Course Choice Program (Act 237, § 20 of 2023)**
    - The agency is redrafting this rule due to the enactment of Act 730 of 2025. The rule will be a top priority for the current round of rulemaking. It is anticipated that the final rule will be submitted to ALC for review in December.
- **Rules Governing Public Charter Schools (Act 237, § 49 of 2023)**
    - The agency is redrafting this rule due to the enactment of Act 800 of 2025. The rule will be a top priority for the current round of rulemaking. It is anticipated that the final rule will be submitted to ALC for review in December.

Division of Higher Education

- **Rules Governing Universal Academic Credit (Act 237, § 54 of**

2023)

- The agency is redrafting this rule due to the enactment of Act 341 of 2025. The rule will be a top priority for the current round of rulemaking. It is anticipated that the final rule will be submitted to ALC for review in December.

E. Agency Monthly Written Updates Pursuant to Act 595 of 2021 Concerning Rulemaking from the 2025 Regular Session

F. Adjournment