



Hugh McDonald
SECRETARY OF COMMERCE

Jimmy Harris
COMMISSIONER,
ARKANSAS INSURANCE
DEPARTMENT

September 29, 2025

Senator Tyler Dees, Co-Chair
Representative Matthew Shepherd, Co-Chair
Administrative Rules Subcommittee
Arkansas Legislative Council
Via Rebecca Miller-Rice miller.ricer@blr.arkansas.gov

Re: State Insurance Department Arkansas Code § 25-15-216(c) Request to be Excluded from Promulgating Rules for Act 390 of 2025, An Act to Mandate Coverage for Lung Cancer Screenings.

Dear Senator Dees and Representative Shepherd;

Pursuant to Arkansas Code § 25-15-216(c), the State Insurance Department respectfully requests that it be excluded from the requirements of Arkansas Code § 25-15-216(b)(3)-(5), because it believes that promulgation of a rule to implement Act 390 of 2025 is unnecessary.

Act 390 requires a health insurance plan to provide coverage for lung cancer screenings and follow-up healthcare services according to American Cancer Society guidelines. Section One of the Act, Arkansas Code § 23-79-2904(a), requires the Department to promulgate rules to implement the subchapter. The Department requests an exception to rulemaking, because the statute is clearly written, and rulemaking would not provide any further clarity.

The Department requests that the Administrative Rules Subcommittee and Arkansas Legislative Council determine that rulemaking is unnecessary and excuse the Department from having to promulgate a rule for Act 390 of 2025.

Sincerely,

A handwritten signature in blue ink that reads "Crystal Phelps".

Crystal Phelps
Managing Attorney
Arkansas Insurance Department