



Hugh McDonald  
SECRETARY OF COMMERCE

Jimmy Harris  
COMMISSIONER,  
ARKANSAS INSURANCE  
DEPARTMENT

September 30, 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](mailto:miller.ricer@blr.arkansas.gov)

Re: State Insurance Department Arkansas Code § 25-15-216(b)(4) Monthly Rulemaking Report

Dear Senator Dees and Representative Shepherd;

Pursuant to Arkansas Code § 25-15-216(b)(4), the State Insurance Department provides this monthly written update on rulemaking to the Administrative Rules Subcommittee and Arkansas Legislative Council.

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

Sincerely,

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

Crystal Phelps  
Managing Attorney  
State Insurance Department  
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(501) 371-2841

Cc: Jimmy Harris, Arkansas Insurance Commissioner; Sara Farris, General Council for the State Insurance Department

**ARKANSAS INSURANCE DEPARTMENT**  
**October 2025 - Act 595 Monthly Status Report**

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<b>Act, §</b>	<b>Description of Act</b>	<b>Rule Name and Cite</b>	<b>Rule change needed</b>	<b>Action</b>
Act 142, § 1	Regulates vision benefit managers, establishes minimum reimbursement thresholds, and adds several new prohibited practices to the Vision Care Plan Act of 2015.	Vision Care Plan Coverage, 23 CAR pt 142	Amend current rule to comply with Act, define terms undefined in the Act, and clarify reimbursement requirements and recoupment provision.	Amended rule is in draft phase
Act 261, § 1	Updated the Insurance Holding Company Regulatory Act. Includes new standards and requirements regarding AID's financial analysis and financial regulation of insurance carriers.	Insurance Holding Company Systems with Reporting Forms and Instructions, 23 CAR pt 9	Amend rule to comply with Act.	Amended rule undergoing approval process

348, § 1	Requires a health insurance plan to provide coverage for medically necessary treatment related to an “acquired brain injury.”	N/A	Act requires AID to promulgate rules to create a process to permit an expedited appeal of an adverse determination by the healthcare insurer for medically necessary treatment, but AID already has an existing process available for expedited appeal through its Arkansas External Review Rule, 23 CAR §117-108.	Requested exemption on 9/29/25
349, § 1	Repeals the requirement that a plan administrator and personnel of the Arkansas Workers’ Compensation Insurance Plan have an office in Arkansas.	Arkansas Worker's Compensation Insurance Plan Rule, 23 CAR pt 203	Amend rule to remove the Arkansas office mandate and modernize rule in accordance with industry request.	Amended rule in draft phase
390, § 1	Requires a health insurance plan to provide coverage for lung cancer screenings and follow-up healthcare services according to American Cancer Society guidelines.	N/A	Act requires AID to promulgate rules to implement the subchapter, but Act can be enforced without rulemaking.	Requested exemption on 9/29/25

424, § 1	Requires a health insurance plan to provide coverage for all services provided for breast reconstruction surgeries and to cover any surgery determined to be the best course of treatment by a healthcare professional consistent with prevailing medical standards.	N/A	Act requires AID to promulgate rules to implement the subchapter, but AID already has a process available through its Unfair Claims Settlement Practices Rule, 23 CAR pt 15, that establishes an interest penalty to be paid to providers when healthcare insurers fail to make timely payment.	Requested exemption on 9/29/25
425, § 5	Creates the Pharmacy Nondiscrimination Act. Prohibits a PBM from denying a pharmacy the opportunity to participate in the PBM's network if the pharmacy has an Arkansas license and agrees to accept "relevant and reasonable terms of participation."	Pharmacy Benefits Managers Rule, 23 CAR pt 146	Amend rule to include a hearing process for disputes relating to pharmacy participation in pharmacy benefits manager networks.	Amended rule in draft phase
426, § 1	Creates the Online Marketplace Guarantees Act. Provides a regulatory framework for an online marketplace and its affiliates to offer or sell an online guarantee. Requires AID to register online marketplace guarantee providers and ensure such providers are complying with financial standards to protect consumers.	N/A	AID will promulgate a new rule to establish a framework for regulation.	New rule undergoing approval process

427, § 2	Creates the Strengthen Arkansas Homes program through which Arkansas consumers may apply for grants to fortify their owner-occupied residences against damage from catastrophic wind events and hail.	N/A	Act requires AID to adopt rules for construction standards and eligibility requirements for receipt of funds.	New rule in draft phase
512, § 1	Creates the Arkansas Medical Audit Bill of Rights that establishes requirements that healthcare payors must follow to conduct a legal audit of a healthcare provider.	N/A	Act requires AID to promulgate rules to implement the subchapter, but Act can be enforced without rulemaking.	Requested exemption on 9/29/25
514, § 4	Amends the Arkansas Pharmacy Benefits Manager Licensure Act to define and prohibit "unfair and deceptive acts or practices."	Pharmacy Benefits Managers Rule, 23 CAR pt 146	Amend rule to establish timelines for complaints and appeals.	Amended rule in draft phase
560 and 779, § 4	Creates the State Captive Insurance Program for buildings, structures, facilities, and business personal property owned by public schools, state-supported institutions of higher education, and the state.	N/A	Requires AID to adopt rules for a cybersecurity risks insurance program for schools. Rules are unnecessary since AID will facilitate access to an insurance policy for cybersecurity risks, and the insurer will provide application and policy materials that describe eligibility for coverage and available coverage.	Requested exemption on 9/29/25

628, § 2	Requires a health benefit plan to cover medically necessary expenses for the treatment of diseases and conditions caused by severe obesity.	N/A	Act requires AID to promulgate rules to designate additional preoperative conditions that qualify as associated comorbidities for coverage requirements, but AID is unaware of any associated comorbidities other than the ones identified in Act 628.	Requested exemption on 9/29/25
633, § 2	Amends the Arkansas Pharmacy Benefits Manager Licensure Act so that initial and renewal application fees for a PBM license will be \$20,000.	Pharmacy Benefits Managers Rule, 23 CAR pt 146	Amend rule to include updated licensing fees.	Amended rule in draft phase
772, § 3	Prohibits a health benefit plan from providing coverage for a human organ transplant or post-transplant care if the transplant was done in China or a country known to participate in forced organ harvesting.	N/A	Act requires AID to promulgate rules for implementation, but the Act can be enforced without rulemaking.	Requested exemption on 9/29/25
773, § 1	Requires AID to establish a program regulating pharmacy services administrative organizations (PSAO's).	Pharmacy Benefits Manager Rule, 23 CAR pt 146	Amend rule to add licensing fees, application requirements, financial standards, penalties, compliance and enforcement requirements, and reporting requirements.	Amended rule in draft phase

775, § 5	Establishes prohibited PBM contracting practices and adds new penalties for violations of the PBM Licensure Act.	Pharmacy Benefits Manager Rule, 23 CAR pt 146	Amend rule to add penalties.	Amended rule in draft phase
859, §§ 3, 4	Creates the Reproductive Empowerment and Support Through Optimal Restoration (RESTORE) Act. The Act requires a healthcare insurer to cover restorative reproductive medicine, which is a scientific approach to reproductive medicine that seeks to cooperate with or restore the normal physiology and anatomy of the human reproductive system without the use of methods that are inherently suppressive, circumventive, or destructive to natural human functions.	In Vitro Fertilization, 23 CAR pt 80	Amend rule to establish minimum and maximum levels of coverage for restorative reproductive medicine, after conducting appropriate studies and public hearings.	AID is surveying providers and insurers to determine minimum and maximum levels of coverage for restorative reproductive medicine before it begins rulemaking.
860, § 1	Requires a health benefit plan to offer coverage for genetic testing for an inherited gene mutation to an individual with a personal or family history of cancer if testing provides clinical utility, is recommended by a healthcare provider, and is supported by medical and scientific evidence.	N/A	Act requires AID to promulgate rules for implementation, but the Act can be enforced without rulemaking.	Requested exemption on 9/29/25