



**DHS Secretary Janet Mann
Office of the Secretary**

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February 2, 2025

Rebecca Miller-Rice
Administrative Rules Chief Legal Counsel
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Little Rock, Arkansas 72201
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RE: Acts of the 2025 Session Requiring Rulemaking (February report)

Dear Ms. Miller-Rice,

Please allow this letter and attachment to serve as an update for the Arkansas Department of Human Services (DHS) regarding Acts requiring agency rulemaking. Please let me know if you have any questions or concerns.

Sincerely,

Mac Golden

Mac Golden
Office of Policy and Rules
mac.e.golden@dhs.arkansas.gov

cc: Janet Mann, Secretary, Department of Human Services
Misty Eubanks, Deputy Secretary for Operations and Budget, Department of Human Services
Lori McDonald, Chief of Staff, Department of Human Services
Jim Brader, Chief Counsel, Department of Human Services

Attachment: 2025 Act Implementation Report

ACT	TITLE	DETAILS	NEW, AMEND, OR REPEAL	STATUS	CAR Citation	DIVISION/OFFICE
103	Physical Therapy in a Clinic Setting	Requires Medicaid to reimburse for physical therapy in a clinic setting.	AMEND	Governor Approval Pending	TBD	DMS
105	Long-Term Care Training Act Updates	Updates definitions, time periods, and other training for long-term care aides.	AMEND	Internal approvals pending	TBD	DPSQA, Office of Long-Term Care
124 & 140	Pregnant Presumptive Eligibility	This rule added presumptive eligibility for pregnant women as a Medicaid Service category.	AMEND	Promulgated effective 7/1/25	20 CAR 500, 570, and 600	DCO/DMS
124, 140, 627, & 965	Maternal Health Providers	Implements mandated coverage and reimbursement for self-measurement blood pressure monitoring services for pregnant women and postpartum women and continuous glucose monitoring, and establishes two new provider types, doulas and lactation consultants.	NEW and AMEND	Public Comment Period pending 2/6 to 3/7	20 CAR 570, 641, and 652	DMS
139 and 824	To Amend the Division of Children and Family Services Policy and Procedure Manual	Amends and streamlines training and certification process for foster parents and certifying relatives as foster parents.	AMEND	Governor Approval Pending	9 CAR 40	DCFS
144	PACE Manual Updates	Exempts providers in the Program of All-Inclusive Care for the Elderly from the licensing requirements for home healthcare services.	AMEND	Internal approvals pending	20 CAR 640	DAABHS
301	Marketing Activities by Managed Care Network Providers	Clarifies marketing by providers under the medicaid provider-led organized care act.	NEW	Governor Approval Pending	20 CAR Part 707 (new)	DHS

ACT	TITLE	DETAILS	NEW, AMEND, OR REPEAL	STATUS	CAR Citation	DIVISION/OFFICE
348	<i>Title Pending</i>	Requires new 1915(c) Waiver and manual updates to comply with the Act. Act mandates coverage for acquired brain injury; need to apply for a waiver or add this population to an existing waiver program to allow a beneficiary under the Arkansas Medicaid Program to have the appropriate home and community-based services to meet the beneficiary's needs.	NEW and AMEND	Draft in development	TBD	DDS
431	Signature authority for Durable Medical Equipment Including Diabetic Shoes and Shoe Inserts	Updates to the Prosthetics rules to allow advanced practice registered nurses and physician assistants to authorize diabetic shoes and inserts for Medicaid beneficiaries.	AMEND	Draft in development	20 CAR Part 641	DMS
435	Community Health Workers	To comply with the Community Health Worker Act and establish a statewide certification of community health workers.	AMEND	Draft in development	TBD	DMS
482	Physician Assistants as Primary Care Providers	Medicaid will recognize Physician Assistants as Primary Care Providers.	AMEND	Draft in development	TBD	DMS
515, 635, & 772	Adverse Decisions	Implements changes to the Medicaid Fairness Act as amended by Acts 515 and 635, and prohibits certain human organ transplants instituted by Act 772.	AMEND	Governor Approval Pending	20 CAR 570, 600, & 642	DMS

ACT	TITLE	DETAILS	NEW, AMEND, OR REPEAL	STATUS	CAR Citation	DIVISION/OFFICE
556	Mobile Health	Covers healthcare services provided in mobile units.	AMEND	Draft in development	TBD	DMS
567	Diagnostic Laboratory Services Annual Cap Change for Chronic Pain and Pain Management (January 1, 2026)	Amends the annual cap for diagnostic laboratory services within the Arkansas Medicaid Program	AMEND	Draft in Development in consultation with CMS	20 CAR 570, 604, 610, 613, 624, 631, 636	DMS
568 and 967	PASSE Dental	Will allow PASSE's to reimburse for sedation related to dental procedures, and ensure that the Arkansas Medicaid to reimburse for dental and anesthesia costs in high complexity oral health care.	AMEND	Draft in Development in consultation with CMS	TBD	DMS
623 & 857	Continuous Glucose Monitors Billing Amendment	Updates coverage and billing for continuous glucose monitors.	AMEND	Public Comment Period pending 2/6 to 3/7	20 CAR 570 and 641	DMS
632	Arkansas Opportunities to Test Transition-Related Strategies to Support Community Reentry from Institutions for Mental Disease	Implements expanded coverage and services under the Act when authorized and approved by the Centers for Medicare & Medicaid Services.	NEW	Implementation with CMS ongoing	TBD	OSAMH

ACT	TITLE	DETAILS	NEW, AMEND, OR REPEAL	STATUS	CAR Citation	DIVISION/OFFICE
634	RSV Admin Fee for Children	Increases the Vaccine for Children (VFC) administration fee for Respiratory Syncytial Virus to 100% of the maximum administration fee of the VFC Program.	AMEND	Governor Approval Pending	20 CAR 570	DMS
636	Psychiatric Residential Treatment Facility Services for Under Age 21	Implement Title 20, Chapter 46, Subchapter 4 of the Arkansas Code, concerning psychiatric residential treatment facilities, which shall include components that ensure quality of care, health and safety of residents and facility staff, and compliance with all educational requirements.	NEW and AMEND	Promulgated effective 10/27/25	20 CAR 417 (new), 651 (new) and 627	MULTIPLE
640	Job Search Activities for TANF and Work Pays Applicants	Requires an applicant for Temporary Assistance for Needy Families program benefits to engage in job search activities while the application is being processed.	AMEND	Internal approvals pending	20 CAR 502 & 503	DCO
774	<i>Title Pending</i>	Implements requirements on persons enrolled in ARHome.	TBD	Draft in development awaiting CMS guidance	TBD	DCO

ACT	TITLE	DETAILS	NEW, AMEND, OR REPEAL	STATUS	CAR Citation	DIVISION/OFFICE
853	Personal Care and Ark. Independent Assessment Provider Manuals	Removes the certification process of the Department of Human Services from licensure as a private care agency.	AMEND	Updates to rule in progress following Public Health 1/7/26	20 CAR 607 & 634	DAABHS
856	Triage, Treat, and Transport Exemptions for Treat in Place	Provides coverage for an ambulance serve to triage, treat and transport a patient to an alternative destination.	AMEND	Governor Approval Pending	20 CAR 648	DMS
864	<i>Title Pending</i>	Modifies the informal dispute resolution process for longterm care facilities.	AMEND	Draft in development	TBD	DPSQA, Office of Long-Term Care
866	Birthing Centers	Provides coverage for delivery of a newborn in a licensed birthing center.	AMEND	Draft in development	TBD	DMS

ACT	TITLE	DETAILS	NEW, AMEND, OR REPEAL	STATUS	CAR Citation	DIVISION/OFFICE
875	Fictive Kin Addition and Act 875 ABLE Account Age	Update rules to add Fictive Kin as an approved relationship. Update disability age from 26 to 46 for ABLE Accounts per Act 875.	AMEND	Governor Approval Pending	TBD	DCO
969	To Amend the Supplemental Nutrition Assistance Program Manual	Prohibits the purchase of candy and soft drinks with benefits provided through the Supplemental Nutrition Assistance Program.	N/A	Waiver approved June 10, 2025	20 CAR 501	DCO
1025	Dental Rates and Annual Limit Increase	Increases rates for specific dental services and implements an increase to the annual reimbursement limit for dental services for adults with special needs from a cap of \$500 to \$1000.	AMEND	Draft in Development in consultation with CMS	20 CAR 570 and 615	DMS