

**ADMINISTRATIVE RULES SUBCOMMITTEE
OF THE
ARKANSAS LEGISLATIVE COUNCIL**

Thursday, October 15, 2026

**1:30 PM or 15 Minutes Upon Adjournment of ALC - JBC Budget Hearings, Whichever is Later
Room B, MAC
Little Rock, Arkansas**

A. Call to Order

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

1. Arkansas Ethics Commission (Jill Rogers Barham)

a. REPEAL Rules on Campaign Contribution Limit, 7 CAR pt. 2

DESCRIPTION: Act 270 of 2025, § 3, amended Ark. Code Ann. § 7-6-203, removing the requirement that the Arkansas Ethics Commission (AEC) establish the campaign contribution limit via rulemaking. The Rules on Campaign Contribution Limit are no longer necessary or required by law, and the AEC seeks to repeal the rules. Likewise, Act 270 of 2025 set out new guidelines for how the maximum contribution limit should be calculated and adjusted. 7 CAR pt. 2 should be repealed in full.

PUBLIC COMMENT: A public hearing was held on August 21, 2026. The public comment period expired on August 19, 2026. The agency received no public comments.

The proposed effective date is pending legislative review and approval.

FINANCIAL IMPACT: The agency states that the repealed rule has no financial impact.

LEGAL AUTHORIZATION: Pursuant to Arkansas Code § 7-6-203(i)(2)(C), the maximum campaign contribution limit established under subdivision (i)(1) of the statute is not a rule under §§ 10-3-309 and 25-15-202 and shall not be promulgated under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

The repeal of the rule stems from Act 270 of 2025, which was sponsored by Representative David Ray and concerned the establishment of the maximum campaign contribution limit by the Arkansas Ethics Commission and amended portions of law resulting from initiated acts.

b. Rules on Campaign Finance and Disclosure, 7 CAR pt. 3

DESCRIPTION: The proposed amendments will bring the Rules on Campaign Finance and Disclosure, 7 CAR pt. 3, into conformity with legislation passed during the 95th General Assembly in 2025.

PUBLIC COMMENT: A public hearing was held on August 21, 2026. The public comment period expired on August 19, 2026. The agency received no public comments.

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

1. 7 CAR § 3-140(b)(1)(C)(iv) – This provision appears to track Arkansas Code § 7-6-208(c)(2)(C)(iv). However, where the statute makes a reference to “this subchapter” the rule cites to “this section”. Was this intended?

RESPONSE: The updated draft has been correct to comport with the statutory language.

2. 7 CAR § 3-141(b)(4) – 7 CAR § 3-141, contents of reports of contributions – candidates for school district, township, or municipal office, appears to be premised in large part on Arkansas Code § 7-6-208, concerning reports of contributions for candidates for school district, township, or municipal office. The proposed rule adds language in subdivision (b)(4) concerning a candidate keeping remaining funds. While Act 592 of 2025, § 5, added this same language to Arkansas Code § 7-6-207, that statute concerns reports of contributions for state or district office. Act 994 of 2025, § 1, repealed this same language from Arkansas Code § 7-6-208 and added somewhat differing language at subdivision (a)(2)(B) of that section. Was it intended to include this particular language in 7 CAR § 3-141? **RESPONSE:** This word choice was inadvertent, because the overall substance of the two provisions was very similar. The suggested correction has been made, and the proper language from Act 994 of 2025 has been added to the updated amended drafts.

The proposed effective date is pending legislative review and approval.

FINANCIAL IMPACT: The agency indicated that the amended rule does not have a financial impact.

LEGAL AUTHORIZATION: The Arkansas Ethics Commission shall have the authority to, under the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq., promulgate reasonable rules to implement and administer the requirements of § 7-6-201 et seq., concerning campaign financing; the Disclosure Act for Public Initiatives, Referenda, and Measures Referred to Voters, § 7-9-401 et seq.; § 19-64-503, concerning special state employees and conflicts of interest; § 21-8-301 et seq., concerning the Code of Ethics; the Disclosure Act for Lobbyists and State and Local Officials, § 21-8-401 et seq., § 21-8-601 et seq., § 21-8-701 et seq., and § 21-8-801 et seq.; § 21-8-901 et seq., concerning legislators’ disclosures of sales to the state; § 21-8-1001 et seq., concerning conflicts of interest by members of state boards, commissions, and entities receiving state funds; § 21-8-1101 et seq., concerning disclosure by representatives of a hostile foreign principal; § 25-1-125, concerning taxpayer funds used for advertisement; and Arkansas Constitution, Article 19, §§ 28-30, concerning contributions, registration as a lobbyist by a former member of the General Assembly, and gifts from lobbyists. *See* Arkansas Code § 7-6-217(g)(1).

The proposed changes include those made in light of:

Act 250 of 2025, which was sponsored by Representative Andrew Collins and amended the law concerning reports of contributions for a candidate for state or district office, extended the deadline for final reports, and amended portions of law resulting from Initiated Act 1 of 1990;

Act 270 of 2025, which was sponsored by Representative David Ray and concerned the establishment of the maximum campaign contribution limit by the Arkansas Ethics Commission and amended portions of law resulting from initiated acts;

Act 524 of 2025, which was sponsored by Representative RJ Hawk and required certain candidates to file reports with the Secretary of State and amended portions of Initiated Act 1 of 1996;

Act 592 of 2025, which was sponsored by former Senator Jonathan Dismang and amended the law concerning ethics and campaign finance, amended portions of Initiated Act 1 of 1990, and amended portions of Initiated Act 1 of 1996;

Act 994 of 2025, which was sponsored by Representative Kendon Underwood and increased transparency regarding campaign contributions and expenditures, amended campaign finance reporting and protected election integrity, and amended portions of Initiated Act 1 of 1996; and

Act 996 of 2025, which was sponsored by Representative RJ Hawk and amended the law concerning alternatives to electronic filing for campaign finance reports.

c. Rules on Political Committees, 7 CAR pt. 5

DESCRIPTION: The purpose of these proposed amendments is to bring 7 CAR pt. 5, Rules on Political Committees, into conformity with the legislation passed in 2025 during the 95th General Assembly of the Arkansas Legislature.

PUBLIC COMMENT: A public hearing was held on August 21, 2026. The public comment period expired on August 19, 2026. The agency received no public comments.

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

1. 7 CAR § 5-103(l)(3) – 7 CAR § 5-103(l)(1) – (3) appear to have been removed from the rule due to Act 592 of 2025. However, the statutory language upon which 7 CAR § 5-103(l)(3) appears to be based was not repealed by the act and can be found at Arkansas Code § 7-6-215(d)(6)(A). Is there a reason this provision is being repealed from the rule? **RESPONSE:** Act 592 of 2025 amended Ark. Code Ann. § 7-6-215(d)(6) by deleting two (2) of the four (4) subchapters. However, in the initial draft of the amended rules, three (3) of the four (4) subchapters were erroneously removed. This omission was in error and Mr. Wise’s comment has been incorporated. The contents of Ark. Code Ann. § 7-6-215(d)(6)(A) have been added back to the amended draft of the rules.

2. 7 CAR § 5-111 – This rule provision appears premised on Arkansas Code § 7-6-206(a). However, where the statute mentions “a county political party committee” the rule references “a county political party”. Is there a reason? **RESPONSE:** The word “committee” has been added to the amended draft section of the Rules on Political Committees to be harmonious with the statute. The omission of the word “committee” was inadvertent.

The proposed effective date is pending legislative review and approval.

FINANCIAL IMPACT: The agency indicated that the amended rule has no

financial impact.

LEGAL AUTHORIZATION: The Arkansas Ethics Commission shall have the authority to, under the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq., promulgate reasonable rules to implement and administer the requirements of § 7-6-201 et seq., concerning campaign financing; the Disclosure Act for Public Initiatives, Referenda, and Measures Referred to Voters, § 7-9-401 et seq.; § 19-64-503, concerning special state employees and conflicts of interest; § 21-8-301 et seq., concerning the Code of Ethics; the Disclosure Act for Lobbyists and State and Local Officials, § 21-8-401 et seq., § 21-8-601 et seq., § 21-8-701 et seq., and § 21-8-801 et seq.; § 21-8-901 et seq., concerning legislators' disclosures of sales to the state; § 21-8-1001 et seq., concerning conflicts of interest by members of state boards, commissions, and entities receiving state funds; § 21-8-1101 et seq., concerning disclosure by representatives of a hostile foreign principal; § 25-1-125, concerning taxpayer funds used for advertisement; and Arkansas Constitution, Article 19, §§ 28-30, concerning contributions, registration as a lobbyist by a former member of the General Assembly, and gifts from lobbyists. *See* Arkansas Code § 7-6-217(g)(1).

The proposed changes to the rule include those made in light of Act 592 of 2025, which was sponsored by former Senator Jonathan Dismang and amended the law concerning ethics and campaign finance, amended portions of Initiated Act 1 of 1990, and amended portions of Initiated Act 1 of 1996.

d. Rules on Independent Expenditures, 7 CAR pt. 6

DESCRIPTION: The purpose of these proposed amendments is to bring 7 CAR pt. 6, Rules on Independent Expenditures, into conformity with the legislation passed in 2025 during the 95th General Assembly of the Arkansas Legislature.

PUBLIC COMMENT: A public hearing was held on August 21, 2026. The public comment period expired August 19, 2026. The agency received no public comments.

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

1. 7 CAR § 6-102(b) – 7 CAR § 6-102(b) concerns the contents of the registration form of an independent expenditure committee (IEC). Language requiring an affirmation was added as subdivision (b)(6) of the rule that appears premised on Act 999 of 2025, § 3. That section of the Act, however, amended Arkansas Code § 7-6-220, which concerns reports of independent expenditures, rather than the registration form of an IEC addressed in Arkansas Code § 7-6-227. Was this affirmation language intended to be placed in 7 CAR § 6-102, rather than in 7 CAR § 6-103, which concerns the contents of a report? **RESPONSE: The new requirement for an affirmation to be filed was added to the section related to *reports*, but the initial amended draft rules added it the *registration* section. This has been corrected in the updated version.**

2. 7 CAR § 6-107(c) – This provision appears premised on Arkansas Code § 7-6-206(a). However, where the statute cites to Arkansas Code “§ 7-6-201 et seq.”, the rule cites solely to Arkansas Code § 7-6-201. Was this intended? **RESPONSE: “et seq.” was inadvertently omitted from the initial drafted**

amended rules. This has been corrected.

The proposed effective date is pending legislative review and approval.

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

LEGAL AUTHORIZATION: The Arkansas Ethics Commission shall have the authority to, under the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq., promulgate reasonable rules to implement and administer the requirements of § 7-6-201 et seq., concerning campaign financing; the Disclosure Act for Public Initiatives, Referenda, and Measures Referred to Voters, § 7-9-401 et seq.; § 19-64-503, concerning special state employees and conflicts of interest; § 21-8-301 et seq., concerning the Code of Ethics; the Disclosure Act for Lobbyists and State and Local Officials, § 21-8-401 et seq., § 21-8-601 et seq., § 21-8-701 et seq., and § 21-8-801 et seq.; § 21-8-901 et seq., concerning legislators' disclosures of sales to the state; § 21-8-1001 et seq., concerning conflicts of interest by members of state boards, commissions, and entities receiving state funds; § 21-8-1101 et seq., concerning disclosure by representatives of a hostile foreign principal; § 25-1-125, concerning taxpayer funds used for advertisement; and Arkansas Constitution, Article 19, §§ 28-30, concerning contributions, registration as a lobbyist by a former member of the General Assembly, and gifts from lobbyists. *See* Arkansas Code § 7-6-217(g)(1).

The proposed changes also include changes made in light of:

Act 592 of 2025, which was sponsored by former Senator Jonathan Dismang and amended the law concerning ethics and campaign finance, amended portions of Initiated Act 1 of 1990, and amended portions of Initiated Act 1 of 1996; and

Act 999 of 2025, which was sponsored by Representative Mindy McAlindon and amended the law concerning disclosure for matters referred to voters, banned foreign funding for ballot measures, and amended portions of the Arkansas Code that resulted from Initiated Act 1 of 1996.

e. Rules on Ballot and Legislative Question Committees, 7 CAR pt. 7

DESCRIPTION: The purpose of these proposed amendments is to bring 7 CAR pt. 7, Rules on Ballot and Legislative Question Committees, into conformity with the legislation passed in 2025 during the 95th General Assembly of the Arkansas Legislature.

PUBLIC COMMENT: A public hearing was held on August 21, 2026. The public comment hearing expired on August 19, 2026. The agency received no public comments.

The proposed effective date is pending legislative review and approval.

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

LEGAL AUTHORIZATION: The Arkansas Ethics Commission shall have the authority to, under the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq., promulgate reasonable rules to implement and administer the requirements of § 7-6-201 et seq., concerning campaign financing; the Disclosure

Act for Public Initiatives, Referenda, and Measures Referred to Voters, § 7-9-401 et seq.; § 19-64-503, concerning special state employees and conflicts of interest; § 21-8-301 et seq., concerning the Code of Ethics; the Disclosure Act for Lobbyists and State and Local Officials, § 21-8-401 et seq., § 21-8-601 et seq., § 21-8-701 et seq., and § 21-8-801 et seq.; § 21-8-901 et seq., concerning legislators' disclosures of sales to the state; § 21-8-1001 et seq., concerning conflicts of interest by members of state boards, commissions, and entities receiving state funds; § 21-8-1101 et seq., concerning disclosure by representatives of a hostile foreign principal; § 25-1-125, concerning taxpayer funds used for advertisement; and Arkansas Constitution, Article 19, §§ 28-30, concerning contributions, registration as a lobbyist by a former member of the General Assembly, and gifts from lobbyists. *See* Arkansas Code § 7-6-217(g)(1).

The proposed changes also include changes made in light of:

Act 592 of 2025, which was sponsored by former Senator Jonathan Dismang and amended the law concerning ethics and campaign finance, amended portions of Initiated Act 1 of 1990, and amended portions of Initiated Act 1 of 1996; and

Act 999 of 2025, which was sponsored by Representative Mindy McAlindon and amended the law concerning disclosure for matters referred to voters, banned foreign funding for ballot measures, and amended portions of the Arkansas Code that resulted from Initiated Act 1 of 1996.

f. Rules on Conflicts, 21 CAR pt. 2

DESCRIPTION: The purpose of these proposed amendments is to bring 21 CAR pt. 2, Rules on Conflicts, into conformity with the legislation passed in 2025 during the 95th General Assembly of the Arkansas Legislature.

PUBLIC COMMENT: A public hearing was held on August 21, 2026. The public comment period expired on August 19, 2026.

The proposed effective date is pending legislative review and approval.

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

LEGAL AUTHORIZATION: The Arkansas Ethics Commission shall have the authority to, under the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq., promulgate reasonable rules to implement and administer the requirements of § 7-6-201 et seq., concerning campaign financing; the Disclosure Act for Public Initiatives, Referenda, and Measures Referred to Voters, § 7-9-401 et seq.; § 19-64-503, concerning special state employees and conflicts of interest; § 21-8-301 et seq., concerning the Code of Ethics; the Disclosure Act for Lobbyists and State and Local Officials, § 21-8-401 et seq., § 21-8-601 et seq., § 21-8-701 et seq., and § 21-8-801 et seq.; § 21-8-901 et seq., concerning legislators' disclosures of sales to the state; § 21-8-1001 et seq., concerning conflicts of interest by members of state boards, commissions, and entities receiving state funds; § 21-8-1101 et seq., concerning disclosure by representatives of a hostile foreign principal; § 25-1-125, concerning taxpayer funds used for advertisement; and Arkansas Constitution, Article 19, §§ 28-30, concerning contributions, registration as a lobbyist by a former member of the

General Assembly, and gifts from lobbyists. *See* Arkansas Code § 7-6-217(g)(1).

The proposed changes also include changes made in light of:

Act 323 of 2025, which was sponsored by Representative Steve Unger and amended the law concerning prohibited activities by public servants; and

Act 796 of 2025, which was sponsored by Representative Joey Carr and amended provisions of the Arkansas Code concerning the Arkansas School for the Blind and the Arkansas School for the Deaf and transferred the Arkansas School for the Blind and the Arkansas School for the Deaf to the Arkansas School for the Deaf and Blind.

2. Department of Human Services, Division of Medical Services (Elizabeth Pitman)

a. Physician Assistants and Clinical Nurse Specialists as Primary Care Providers (Concerning 20 CAR pts. 570, 600, 608, 610, 611, 614, 619, 622, 624, 625, 628, 631, 636, 646, 650, 654, 655)

DESCRIPTION:

Statement of Necessity

The Division of Medical Services (DMS) implements provisions of Act 482 of 2025 and provisions of Acts 303 and 872 of 2023 and completes the necessary state plan revisions to align reimbursement rules with current practice authority for physician assistants and clinical nurse specialists. The goal of this rule is to increase the number of providers available to meet the needs of Arkansas Medicaid beneficiaries and increase access to services in rural areas of the state. Physician assistants and clinical nurse specialists will be able to bill independently for services rendered to Medicaid beneficiaries and serve as primary care providers in the Medicaid Primary Care Case Management (PCCM) program.

Summary

The rule allows physician assistants and clinical nurse specialists to bill for services rendered to Medicaid beneficiaries at 80% of the physician's rate based on existing nurse practitioner methodology. Implementing the practice authority and reimbursement rules requires an Arkansas Medicaid State Plan Amendment (20 CAR 570), along with extensive revision of the Arkansas Medicaid Provider Manuals. The following manuals are revised by this rule:

- Section I – General Policy (20 CAR 600)
- ARKids-First B (20 CAR 608)
- Certified Nurse-Midwife (20 CAR 610)
- Child Health Services (EPSDT) (20 CAR 611)
- Counseling and Crisis Services (20 CAR 614)
- Federally Qualified Health Center (20 CAR 619)
- Home Health (20 CAR 622)
- Hospital-Critical Access Hospital-End Stage Renal Disease (20 CAR 624)

- Hyperalimentation (20 CAR 625)
- Life360 HOMES (20 CAR 628)
- Nurse Practitioner (20 CAR 631)
- Physicians-Independent Lab-CRNA-Radiation Therapy Center (20 CAR 636)
- Rural Health Clinic (20 CAR 646)
- Visual Care (20 CAR 650)
- Clinical Nurse Specialist (20 CAR 654 – NEW)
- Physician Assistant (20 CAR 655 – NEW)

The agency indicated that, after the rule was released for public comment, CMS requested some updates to the SPA coverage pages to remove language that was too limiting, and to improve precision, accuracy and consistency. The reimbursement pages were updated to detail fee schedule language and alignment for physician reimbursement with the coverage pages.

PUBLIC COMMENT: A public hearing was held on this rule on May 27, 2026. The public comment period expired on June 8, 2026. The agency provided the following public comment summary:

Commenter's Name: David W Wroten, Executive Vice President, Arkansas Medical Society

COMMENT: The Arkansas Medical Society hereby submits the following comments regarding the proposed rule designed to implement provisions of Act 482 of 2025 and Act 303 and 872 of 2023. These comments specifically address the requirements of Act 482 of 2025 and Act 303 of 2023.

Act 303 of 2023 allows physician assistants to be identified as the treating provider in billing and claims processes and to file claims as the billing provider for medical services delivered by the physician. Subsequently, in 2025, Act 482 allows physician assistants to be recognized as primary care providers authorized to carry out the responsibilities of a primary care case manager under the Arkansas Medicaid program. The Arkansas Medical Society supported the passage of both statutes with the requirement that the physician assistant obtain the approval of his or her supervising physician.

Both Acts contain specific language requiring authorization from the supervising physician. This authorization requirement is noted in the proposed rule. However, what appears to be missing in the proposed rule is a process whereby the Arkansas Medicaid program verifies that the authorization was granted by the supervising physician. Act 482 of 2025 mandated a specific process for verifying authorization. This is stated in 20-77-154 (e):

When initially applying to the program to be recognized as a primary care provider and case manager under this section, a physician assistant shall provide a written authorization that is signed and dated by his or her supervising physician.

While this specific language was included in Act 482, we believe it is appropriate for verifying authorization under Act 303 as well. It is possible that given the length of the rule, we overlooked the language that requires written authorization

be provided to Medicaid. But in the event the language is not currently in the rule, we request that it be added.

RESPONSE: The authorization requirement is listed in § 171.100 H. However, we agree this language should be better aligned with the requirements of § 20-77-154(e). This will be updated as follows:

H. Physician Assistants authorized by a supervising physician may choose to enroll as PCPs. When initially enrolling with Medicaid to be recognized as a primary care provider, a physician assistant shall provide written authorization that is signed and dated by his or her supervising physician. In addition, the supervising physician must be actively enrolled in Arkansas Medicaid.

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).

This rule implements Act 482 of 2025. The Act, sponsored by Senator Clint Penzo, authorized the Arkansas Medicaid Program to recognize a physician assistant as a primary care provider.

C. Adjournment