Hugh McDonald
SECRETARY OF COMMERCE

Jimmy Harris
COMMISSIONER,
ARKANSAS INSURANCE
DEPARTMENT

January 30, 2026

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(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 if I can offer additional assistance.

Sincerely,

Crystal Phelps
Attorney III
State Insurance Department
Crystal.phelps@arkansas.gov
(501) 371-2841

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

ARKANSAS INSURANCE DEPARTMENT
February 2026 - Act 595 Monthly Status Report

Contact Person: Crystal Phelps, Managing Attorney
Phone Number: (501) 371-2841
Email address: crystal.phelps@arkansas.gov

Act, §	Description of Act	Rule Name and Cite	Rule change needed	Action
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.	Draft rule undergoing approval process
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.	Draft rule undergoing approval process
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.	Scheduled for February 2026 ALC-Administrative Rules meeting
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
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
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.	Meeting with sponsor to discuss enforcement
773, § 1	Requires AID to establish a program regulating pharmacy services administrative organizations (PSAOs).	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,	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.

	circumventive, or destructive to natural human functions.			