

Arkansas Insurance Department

Asa Hutchinson
Governor



Alan McClain
Commissioner

Public Health Emergency Regulatory Suspensions Pursuant to Executive Order 20-06

On March 17, 2020, Governor Asa Hutchinson issued Executive Order 20-06 ordering state agencies to “identify provisions of any regulatory statute, agency order or rule that in any way prevents, hinders, or delays the agency’s ability to render maximum assistance” to Arkansans during the COVID-19 health emergency.

The Order instructs state agencies to identify regulatory statutes, orders, and rules that are hindering or preventing the rapid response necessary to combat the spread of and recovery from COVID-19. The Order requires agencies to identify any such statutes, orders, or rules on its website. Once posted, the statute, rule, or order is deemed suspended for thirty (30) days from the effective date of EO 20-06.

The Arkansas Insurance Commissioner has identified certain statutes in the Insurance Code and rules issued by the Department that he deems a hinderance to mitigating the spread of COVID-19. They are:

Prior Authorization Transparency Act (Ark. Code Ann. § 23-99-1101 *et seq.*)

- For cases involving COVID-19 patients, the prior authorization requirements found in Ark. Code Ann. §§ 1105, 1106, and 1107, are suspended.

AID Rule 115 – Prior Authorization Transparency Act

- For cases involving COVID-19 patients, § 8 of AID Rule 115 relative to the requirements of Ark. Code Ann. § 23-99-1109(b)(1) is suspended.

State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services

- In order to mitigate the spread of COVID-19 via in-person contact, Ark. Code Ann. § 23-61-1106(c)(1) authorizing in-person inspections of establishments regulated by the Board by AID personnel is suspended.

Under the terms of Executive Order 20-06, the period of the suspensions listed in this document are deemed to have started on March 17, 2020 and will expire on April 17, 2020.

Additionally, pursuant to EO 20-06, this document will be published on the Arkansas Insurance Department website, <http://insurance.arkansas.gov>.



ALAN MCCLAIN
INSURANCE COMMISSIONER
STATE OF ARKANSAS

April 6, 2020
DATE