Sarah Huckabee Sanders
GOVERNOR

Renee Mallory, RN, BSN
SECRETARY OF HEALTH

Jennifer Dillaha, MD
DIRECTOR

October 30, 2026

Senator Tyler Dees, Co-Chair
Representative Matthew Shepherd, Co-Chair
Administrative Rules Subcommittee
Arkansas Legislative Council
Via Rebecca Miller-Rice Email miller-ricer@blr.arkansas.gov

Dear Co-Chairs,

Pursuant to Ark. Code Ann. § 25-15-216 (b)(4), please consider the following State Board of Health and ADH update on rulemaking resulting from Acts of 2025. The Board of Health meets quarterly and ADH has drafted proposed amendments to rules and proposed repeal of rules to implement new laws. After Executive approval, ADH and the Board will continue the rule promulgation process outlined in the Administrative Procedure Act, including the public notice and comment period, followed by the Legislative review and approval process under Ark. Code Ann. § 10-3-309, prior to filing the final rules.

The Board of Health approved the following Rules pursuant to Acts on July 24, 2025 and October 23, 2025, and ADH anticipates presenting these Rules to the Administrative Rules Subcommittee in November:

Arkansas Kidney Disease Program, Act 852 of 2025 converts the State Kidney Disease Commission to the State Kidney Disease Advisory Council. See 20 CAR Chapter IV, Part 260.

Auto-Injectable Epinephrine, Act 245 clarifies the types of epinephrine for use by authorized entities and expands on the health care professionals who can issue a certificate. See 20 CAR Part 201.

Free Standing Birthing Centers, Act 141, Act 591, Act 819 allows electronic medical records, private professional providers to complete building project review, and allows facilities to ban emotional support animals. See 20 CAR Part 44.

Criminal History Records Checks for Home Health, Hospice and Private Care Agencies, Act 674, Act 853 of 2025 adds allowing third-party evaluation services to

conduct criminal history records checks and removes DHS DPSQA certification for Private Care Agencies. See 20 CAR Part 42.

Food Establishments, Acts 125 and 698 amend the law concerning the sale of milk that has not been pasteurized, and Act 942 of 2025 creates the Good Neighbor Act and clarifies food donation liabilities and immunities. See 20 CAR Parts 190-197.

Sincerely,



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