

DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES

SUBJECT: RSV Administration Fee for Children (20 CAR pt. 570)

DESCRIPTION:

Statement of Necessity

The proposed rule increases the Vaccines for Children (VFC) administration fee rate to comply with Act 634 of 2025. VFC administration fees are paid to providers who administer certain immunizations or monoclonal antibodies to help prevent Respiratory Syncytial Virus (RSV) disease in children. The VFC program is a joint Federal and State program that supplies vaccines recommended by the Advisory Committee on Immunization Practices to enrolled providers. Providers bill Medicaid for administering VFC-eligible vaccines to children. The Act sets the rate at 100% of the maximum administration fee of the VFC Program regardless of the eligibility category in which the beneficiary receiving the immunization or antibody is enrolled.

Summary of Changes

This rule updates the administration fee rate paid to VFC providers through a proposed amendment to the Arkansas Medicaid State Plan that mirrors the Act. If approved, the administration fee increases from the current rate of \$13.14 to a new rate of \$19.54.

PUBLIC COMMENT: A public hearing was held on this rule on March 25, 2026. The public comment period expired on April 12, 2026. The agency indicated that it received no public comments.

The proposed effective date is pending legislative review and approval.

FINANCIAL IMPACT: The agency indicated that this rule has a financial impact.

Per the agency, the total estimated cost to implement this rule is \$3,876 for the current fiscal year (\$1,193 in general revenue and \$2,683 in federal funds) and \$46,514 for the next fiscal year (\$13,945 in general revenue and \$32,569 in federal funds). The total estimated cost by fiscal year to a state, county, or municipal government to implement this rule is \$1,193 for the current fiscal year and \$13,945 for the next fiscal year.

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 634 of 2025. The Act, sponsored by Representative Zack Gramlich, set administration fees under the Arkansas Medicaid Program for immunizations and monoclonal antibodies for respiratory syncytial virus disease and provided civil immunity for administration of immunizations and monoclonal antibodies for respiratory syncytial virus disease.



**ARKANSAS
DEPARTMENT OF
HUMAN
SERVICES**

Office of Policy and Rules

P.O. Box 1437, Slot S295, Little Rock, AR 72203-1437

P: 501.320.6383 F: 501.404.4619

March 13, 2026

Mrs. Rebecca Miller-Rice
Administrative Rules Review Section
Arkansas Legislative Council
Bureau of Legislative Research
#1 Capitol, 5th Floor
Little Rock, AR 72201

Dear Mrs. Rebecca Miller-Rice:

Re: RSV Admin Fee for Children

Please arrange for this rule to be reviewed by the ALC-Administrative Rules Subcommittee. If you have any questions or need additional information, please contact me at 501-320-6383 or by emailing Mac.E.Golden@dhs.arkansas.gov.

Sincerely,

Mac Golden

Mac Golden
Attorney III
Office of Policy and Rules

Attachments

**QUESTIONNAIRE FOR FILING PROPOSED RULES WITH
THE ARKANSAS LEGISLATIVE COUNCIL**

DEPARTMENT _____
 BOARD/COMMISSION _____
 BOARD/COMMISSION DIRECTOR _____
 CONTACT PERSON _____
 ADDRESS _____
 PHONE NO. _____ EMAIL _____
 NAME OF PRESENTER(S) AT SUBCOMMITTEE MEETING _____
 PRESENTER EMAIL(S) _____

INSTRUCTIONS

In order to file a proposed rule for legislative review and approval, please submit this Legislative Questionnaire and Financial Impact Statement, and attach (1) a summary of the rule, describing what the rule does, the rule changes being proposed, and the reason for those changes; (2) both a markup and clean copy of the rule; and (3) all documents required by the Questionnaire.

If the rule is being filed for permanent promulgation, please email these items to the attention of Rebecca Miller-Rice, miller-ricer@blr.arkansas.gov, for submission to the Administrative Rules Subcommittee.

If the rule is being filed for emergency promulgation, please email these items to the attention of Director Marty Garrity, garritym@blr.arkansas.gov, for submission to the Executive Subcommittee.

Please answer each question completely using layman terms.

1. What is the official title of this rule?

2. What is the subject of the proposed rule? _____
3. Is this rule being filed under the emergency provisions of the Arkansas Administrative Procedure Act? Yes No

If yes, please attach the statement required by Ark. Code Ann. § 25-15-204(c)(1).

If yes, will this emergency rule be promulgated under the permanent provisions of the Arkansas Administrative Procedure Act? Yes No

4. Is this rule being filed for permanent promulgation? Yes No

If yes, was this rule previously reviewed and approved under the emergency provisions of the Arkansas Administrative Procedure Act? Yes No

If yes, what was the effective date of the emergency rule? _____

On what date does the emergency rule expire? _____

5. Is this rule required to comply with a *federal* statute, rule, or regulation? Yes No

If yes, please provide the federal statute, rule, and/or regulation citation.

6. Is this rule required to comply with a *state* statute or rule? Yes No

If yes, please provide the state statute and/or rule citation.

7. Are two (2) rules being repealed in accord with Executive Order 23-02? Yes No

If yes, please list the rules being repealed.

If no, please explain.

8. Is this a new rule? Yes No

Does this repeal an existing rule? Yes No

If yes, the proposed repeal should be designated by strikethrough. If it is being replaced with a new rule, please attach both the proposed rule to be repealed and the replacement rule.

Is this an amendment to an existing rule? Yes No

If yes, all changes should be indicated by strikethrough and underline. In addition, please be sure to label the markup copy clearly as the markup.

9. What is the state law that grants the agency its rulemaking authority for the proposed rule, outside of the Arkansas Administrative Procedure Act? Please provide the specific Arkansas Code citation(s), including subsection(s).

10. Is the proposed rule the result of any recent legislation by the Arkansas General Assembly?
Yes No

If yes, please provide the year of the act(s) and act number(s).

11. What is the reason for this proposed rule? Why is it necessary?

12. Please provide the web address by which the proposed rule can be accessed by the public as provided in Ark. Code Ann. § 25-19-108(b)(1).

13. Will a public hearing be held on this proposed rule? Yes No

If yes, please complete the following:

Date: _____

Time: _____

Place: _____

Please be sure to advise Bureau Staff if this information changes for any reason.

14. On what date does the public comment period expire for the permanent promulgation of the rule? Please provide the specific date. _____

15. What is the proposed effective date for this rule? _____

16. Please attach (1) a copy of the notice required under Ark. Code Ann. § 25-15-204(a)(1) and (2) proof of the publication of that notice.

17. Please attach proof of filing the rule with the Secretary of State, as required by Ark. Code Ann. § 25-15-204(e)(1)(A).

18. Please give the names of persons, groups, or organizations that you anticipate will comment on these rules. Please also provide their position (for or against), if known.

19. Is the rule expected to be controversial? Yes No

If yes, please explain.

NOTICE OF RULE MAKING

The Department of Human Services (DHS) announces for a public comment period of thirty (30) calendar days a notice of rulemaking for the following proposed rule under one or more of the following chapters, subchapters, or sections of the Arkansas Code: §§20-76-201, 20 77-107, and 25-10-129. The projected effective date is June 1, 2026.

Act 634 of 2025 requires the Arkansas Medicaid Program to reimburse an administration fee that is equal to one hundred percent (100%) of the maximum administration fee of the Vaccines for Children Program for administration of an immunization or monoclonal antibody used for long-lasting protection from respiratory syncytial virus disease in infants and toddlers, regardless of the category in which the beneficiary receiving the immunization or monoclonal antibody is enrolled, including without limitation the Medicaid Provider-Led Organized Care Act, § 20-77-2701 et seq. The Division of Medical Services will submit to the Centers for Medicare & Medicaid a proposed amendment to the Arkansas Medicaid State Plan, as detailed above, that increases the administration fee from the current rate of \$13.14 to a new rate of \$19.54, effective June 1, 2026. The estimated financial impact is \$3,876.00 (State \$1,193.00; Federal \$2,683.00) for state fiscal year 2026, and \$46,514.00 (State \$13,945.00; Federal \$32,569.00) for SFY 2027.

The proposed rule is available for review at the Department of Human Services (DHS) Office of Policy and Rules, 2nd floor Donaghey Plaza South Building, 7th and Main Streets, P. O. Box 1437, Slot S295, Little Rock, Arkansas 72203 1437. You may also access and download the proposed rule at ar.gov/dhs-proposed-rules. Public comments can be submitted in writing at the above address or at the following email address: ORP@dhs.arkansas.gov. All public comments must be received by DHS no later than April 12, 2026. Please note that public comments submitted in response to this notice are considered public documents. A public comment, including the commenter's name and any personal information contained within the public comment, will be made publicly available and may be seen by various people.

A public hearing will be held online by remote access. Public comments may be submitted at the hearing. The details for attending the online public hearing appear at ar.gov/dhspublichearings.

If you need this material in a different format, such as large print, contact the Office of Policy and Rules at 501-320-6428. The Arkansas Department of Human Services is in compliance with Titles VI and VII of the Civil Rights Act and is operated, managed and delivers services without regard to religion, disability, political affiliation, veteran status, age, race, color or national origin. **4502292178**

Elizabeth Pitman, Director
Division of Medical Services

Kate Chagnon

From: Legal Ads <legalads@arkansasonline.com>
Sent: Thursday, March 12, 2026 9:51 AM
To: Kate Chagnon
Cc: Mac Golden; Jack Tiner; Lakeya Gipson; Elaine Stafford
Subject: Re: Full Run Ad (Rule 314)

EXTERNAL SENDER: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kate.

Thanks once more. Scheduled for Sat 3/14, Sun 3/15, and Mon 3/16.

Gregg Sterne, Legal Advertising
Arkansas Democrat-Gazette
legalads@arkansasonline.com

From: "Kate Chagnon" <Kate.Chagnon@dhs.arkansas.gov>
To: "legalads" <legalads@arkansasonline.com>
Cc: "Mac Golden" <Mac.E.Golden@dhs.arkansas.gov>, "Jack Tiner" <jack.tiner@dhs.arkansas.gov>, "Lakeya Gipson" <Lakeya.Gipson@dhs.arkansas.gov>, "Elaine Stafford" <elaine.stafford@dhs.arkansas.gov>
Sent: Wednesday, March 11, 2026 11:25:21 AM
Subject: Full Run Ad (Rule 314)

Hi Gregg,

Please reply to this email using REPLY ALL to confirm receipt and processing of this request.

Please run the attached public notice in the *Arkansas Democrat-Gazette* on **Saturday 3/14/26, Sunday 3/15/26, and Monday 3/16/16.**

I am aware that the print version will only be provided to all counties on Sundays.

Invoice to: **AR Dept of Human Services**
OPR, ATTN: Lakeya Gipson

Kate Chagnon

From: Kate Chagnon
Sent: Friday, March 13, 2026 8:22 AM
To: Arkansas Register
Cc: Mac Golden; Jack Tiner; Lakeya Gipson; JAMIE EWING
Subject: DHS/DMS—Proposed Filing—RSV Admin Fee for Children (Rule 314)
Attachments: Arkansas Register_Proposed Filing Packet_R314_RSV Admin Fee for Children.pdf

Hello,

Please find attached a proposed filing for RSV Admin Fee for Children (Rule 314).

The public notice will be published in the *Arkansas Democrat-Gazette* on 3/14/26, 3/15/26, and 3/16/26.

The public comment period ends 4/12/26.

I look forward to your confirmation of receipt.

Thank you!



Kate Chagnon
Rules & Regulations Coordinator
Arkansas Department of Human Services
Office of Policy and Rules

P: 501.371.1316
kate.chagnon@dhs.arkansas.gov

humanservices.arkansas.gov

Privacy Notice: This email may contain confidential information protected by state/federal laws. If you are not the intended recipient, please let the sender know, and delete the message/attachment(s) from your system.

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY.

DEPARTMENT _____
BOARD/COMMISSION _____
PERSON COMPLETING THIS STATEMENT _____
TELEPHONE NO. _____ **EMAIL** _____

To comply with Ark. Code Ann. § 25-15-204(e), please complete the Financial Impact Statement and email it with the questionnaire, summary, markup and clean copy of the rule, and other documents. Please attach additional pages, if necessary.

TITLE OF THIS RULE _____

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes No

2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?
Yes No

3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes No

If no, please explain:

(a) how the additional benefits of the more costly rule justify its additional cost;

(b) the reason for adoption of the more costly rule;

(c) whether the reason for adoption of the more costly rule is based on the interests of public health, safety, or welfare, and if so, how; and

(d) whether the reason for adoption of the more costly rule is within the scope of the agency's statutory authority, and if so, how.

4. If the purpose of this rule is to implement a *federal* rule or regulation, please state the following:
 - (a) What is the cost to implement the federal rule or regulation?

Current Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

(b) What is the additional cost of the state rule?

Current Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

5. What is the total estimated cost by fiscal year to any private individual, private entity, or private business subject to the proposed, amended, or repealed rule? Please identify those subject to the rule, and explain how they are affected.

Current Fiscal Year

\$ _____

Next Fiscal Year

\$ _____

6. What is the total estimated cost by fiscal year to a state, county, or municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year

\$ _____

Next Fiscal Year

\$ _____

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes No

If yes, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
 - (a) justifies the agency's need for the proposed rule; and
 - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
 - (a) the rule is achieving the statutory objectives;
 - (b) the benefits of the rule continue to justify its costs; and
 - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

Statement of Necessity and Rule Summary RSV Admin Fee for Children

Statement of Necessity

The proposed rule increases the Vaccines for Children (VFC) administration fee rate to comply with Act 634 of 2025. VFC administration fees are paid to providers who administer certain immunizations or monoclonal antibodies to help prevent Respiratory Syncytial Virus (RSV) disease in children. The VFC program is a joint Federal and State program that supplies vaccines recommended by the Advisory Committee on Immunization Practices to enrolled providers. Providers bill Medicaid for administering VFC-eligible vaccines to children. The Act sets the rate at 100% of the maximum administration fee of the VFC Program regardless of the eligibility category in which the beneficiary receiving the immunization or antibody is enrolled.

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METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES -
OTHER TYPES OF CARE

Revised: ~~July~~ June 1, 2026~~5~~

5. **Physician Services (Continued)**

- F. For dates of service beginning January 1, 2021, the maximum reimbursement rate for evaluation and management codes are increased by 3 percent of the 7/1/2020 fee-for-service rate for each of these codes. Except as otherwise noted in the plan, state-developed fee schedule rates are the same for both governmental and private providers of evaluation and management services. The agency's fee schedule rate was set as of January 1, 2021, and is effective for services provided on or after that date. All rates are published on the [agency's website](#).
- G. For dates of service beginning July 1, 2025, the reimbursement rates for obstetrical care to include prenatal care, delivery, and postpartum care are increased by seventy percent. The increase is based on an analysis of private pay rates from state fiscal years 2023 and 2024, Arkansas Blue Cross Blue Shield and Centene. Except as otherwise noted in the plan, state developed fee schedule rates are the same for both governmental and private providers. All rates are published on the [agency's website](#).

Effective for dates of service on or after July 1, 2020, the immunization administration fee for influenza will be based on the 2020 Medicare flu vaccine administration fee. All other immunization administration fees will be based on Medicare's 2020 physician fee schedule for the State of Arkansas. The rate is paid to all governmental and non-governmental providers, unless otherwise specified in the state plan. All rates are published at the [agency's website](#).

Based on Act 634 of 2025, effective 6/1/2026, the administration fee for an immunization or monoclonal antibody for protection against respiratory syncytial virus disease in infants and toddlers will be set at 100% of the maximum administration fee of the Vaccines For Children Program for Arkansas, regardless of the eligibility category in which the beneficiary receiving the immunization or antibody is enrolled.

METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES -
OTHER TYPES OF CARE

Revised: June 1, 2026

5. **Physician Services (Continued)**

- F. For dates of service beginning January 1, 2021, the maximum reimbursement rate for evaluation and management codes are increased by 3 percent of the 7/1/2020 fee-for-service rate for each of these codes. Except as otherwise noted in the plan, state-developed fee schedule rates are the same for both governmental and private providers of evaluation and management services. The agency's fee schedule rate was set as of January 1, 2021, and is effective for services provided on or after that date. All rates are published on the [agency's website](#).
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