

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1419

By: Representative Steimel

By: Senator J. Boyd

For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS WORKERS' COMPENSATION INSURANCE PLAN; TO REVISE THE REPORTING REQUIREMENTS FOR THE ARKANSAS WORKERS' COMPENSATION INSURANCE PLAN; TO AMEND THE ADMINISTRATION AND PLAN SELECTION PROCESS UNDER THE ARKANSAS WORKERS' COMPENSATION INSURANCE PLAN; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE ARKANSAS WORKERS' COMPENSATION INSURANCE PLAN; AND TO REVISE THE REPORTING REQUIREMENTS FOR THE ARKANSAS WORKERS' COMPENSATION INSURANCE PLAN.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 23-67-313 is amended to read as follows:
23-67-313. Competitive selection.

(a)(1) The Insurance Commissioner shall make a good faith effort to comply with the intent of the provisions requiring competitive selection of the administrator of the Arkansas Workers' Compensation Insurance Plan and servicing carriers.

(2) The administrator and servicing carriers under subdivision (a)(1) of this section shall be competitively selected no less often than every three (3) years.

(3) Consideration for the selection of the administrator and servicing carriers under subdivision (a)(1) of this section shall include



cost, finances, operating and service capabilities, and the record of service and other factors deemed necessary for the effective and proper operation of the plan.

(b) The commissioner may suspend formal bidding for the administrator ~~provided that~~ if:

(1) The commissioner has sought and compared other administrative services available;

(2) The commissioner deems there to have been in the interim a satisfactory improvement in administrator and servicing carrier performance;

(3) The commissioner judges continuation of the present administrator subject to the modifications ~~herein set forth and to hereafter be under this section and~~ promulgated by rule of the commissioner to be in the best interests of Arkansas;

(4)(A) Coverage and service is adequately and properly provided to Arkansas employers entitled to insurance, and coverage is provided in other states for employees of Arkansas employers to the extent possible and the proper coverage is in the best interests of the employers and plan operations.

(B) Adequate coverage of employees while working on a temporary or occasional basis in other states is essential to Arkansas employers and employees; and

(5) The administrator has an office in Arkansas and the office has the staff and authority necessary to properly serve Arkansas employers and the commissioner ~~in accordance with the provisions of this act~~ under this subchapter.

~~(b) The commissioner shall review the plan operations to ensure compliance with this act. The commissioner shall review and report to the Legislative Council and the Senate Committee on Insurance and Commerce and the House Committee on Insurance and Commerce by September 1 of each year, with the first report to be submitted no later than September 1, 1997, including, but not limited to, the following information:~~

~~(1) Competitive selection of the administrator and servicing carriers;~~

~~(2) Plan operating performance and service in accordance with the intent of this act, including performance reviews of the administrator, servicing carriers, and plan rules;~~

~~(3) Proper authority and independence of the Arkansas office to properly perform and secure prompt, fair, and reasonable service as required by this act; and~~

~~(4) Coverage provided by the plan in other states, including evidence providing that carriers promptly provide coverage for employees of Arkansas employers working in other states as provided in this act.~~

~~(c) The commissioner is encouraged to hold public hearings as needed to assist in achieving the objectives of this act and to assist with the review and report provided to the Legislative Council and the Senate Committee on Insurance and Commerce and the House Committee on Insurance and Commerce.~~