

Title 23. Public Utilities and Regulated Industries
Chapter I. State Insurance Department, Department of Commerce
Subchapter A. Generally
Part 40. Arkansas Firefighter Cancer Relief Network Trust Fund

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"SECTION 1. AUTHORITY

This Rule is issued pursuant to Ark. Code Ann. § 21-5-110(d) and Section Three (3) of Act 823 of 2019, "An Act To Create The Arkansas Firefighter Cancer Relief Network Trust Fund." These provisions require the Arkansas Insurance Department ("Department") to promulgate rules necessary to implement the Arkansas Firefighter Cancer Relief Network Trust Fund."

"SECTION 4. EFFECTIVE DATE

This Rule shall be effective on September 3, 2020."

Subpart 1. Generally

23 CAR § 40-101. Purpose.

The purpose of this part is to:

- (1) Implement the Arkansas Firefighter Cancer Relief Network Trust Fund Program; and
- (2) Establish procedures for providing funds donated under Arkansas Code § 21-5-110 for relief of firefighters who are diagnosed with cancer and participating in a firefighter cancer relief network under Arkansas Code § 21-5-110.

Authority. Arkansas Code § 21-5-110.

23 CAR § 40-102. Arkansas Firefighter Cancer Relief Fund Board.

(a)(1) The Arkansas Association of Fire Chiefs, the Arkansas Professional Fire Fighters Association, and the Arkansas State Firefighters Association shall establish a board to set or establish eligibility and award amount requirements for funds received which are to be distributed in this program.

(2) This board shall be named the "Arkansas Firefighter Cancer Relief Fund Board" (hereafter, the "board").

(b) The board shall:

(1)(A) Consist of seven (7) persons appointed by the Governor from the three (3) associations.

(B) Each member shall serve two-year terms;

(2)(A) Meet biannually at such times and dates as determined by the board.

(B) Board meetings shall be conducted at the State Insurance Department;

(3) Elect a chairperson to preside over the board for a two-year term; and

(4) Hold its first meeting within thirty (30) days following the approval by the Governor of all of the nominated board members.

Authority. Arkansas Code § 21-5-110.

23 CAR § 40-103. Eligibility and award amount requirements and procedures.

(a) Within sixty (60) days following the first meeting of the Arkansas Firefighter Cancer Relief Fund Advisory Board, the board shall establish:

(1) In writing, eligibility criteria and award standards for firefighters who are diagnosed with cancer and are eligible for funds under the Arkansas Firefighter Cancer Relief Network Trust Fund Program; and

(2) A deposit and distribution process with the State Insurance Department for donations received under 23 CAR § 40-104.

(b) Nothing in this part or program hereby provides or vests any person with a legal or administrative right to any funds collected under this program.

(c) This program is discretionary and charitable in nature.

Authority. Arkansas Code §§ 21-5-110, 21-5-110.

23 CAR § 40-104. Donation process to the Arkansas Firefighter Cancer Relief Network Trust

(a) Individuals or businesses may make donations to the Arkansas Firefighter Cancer Relief Network Trust Fund Program by making donations payable to the "Arkansas Firefighter Cancer Relief Network Trust Fund" ("fund").

(b) The Arkansas Firefighter Cancer Relief Fund Advisory Board may consult with the Insurance Commissioner pertaining to the administration of this fund related to:

- (1) Receipt of donated funds;
- (2) Deposit procedures; and
- (3) Distribution of funds to awarded firefighters.

(c) The board shall designate and publish the requisite contact information and describe the donation process for individuals or companies donating to this program.

(d) The State Insurance Department may assist the board in developing any necessary:

- (1) Administrative forms for donation amount certifications; and
- (2) Public notice information about the process for making donations to this

program.

Authority. Arkansas Code § 21-5-110.