

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025

A Bill

HOUSE BILL 1595

4
5 By: Representative Steimel
6 By: Senator J. Boyd

For An Act To Be Entitled

7
8 AN ACT TO ENACT THE STATE INSURANCE DEPARTMENT'S
9 GENERAL OMNIBUS AMENDMENT OF ARKANSAS INSURANCE CODE;
10 TO AMEND THE ARKANSAS WORKERS' COMPENSATION INSURANCE
11 PLAN; TO AMEND THE LAW CONCERNING RECIPROCAL
12 INSURERS; TO CLARIFY AN ATTORNEY'S BOND REQUIREMENT;
13 TO AMEND THE LAW CONCERNING EXAMINATIONS OF HOSPITAL
14 AND MEDICAL SERVICE CORPORATIONS; TO AMEND THE LAW
15 CONCERNING SERVICE OF PROCESS IN SUITS INVOLVING
16 INSURERS; TO REPEAL THE COMPREHENSIVE HEALTH
17 INSURANCE POOL ACT; AND FOR OTHER PURPOSES.
18

Subtitle

19
20
21 TO ENACT THE STATE INSURANCE
22 DEPARTMENT'S GENERAL OMNIBUS AMENDMENT
23 OF ARKANSAS INSURANCE CODE.
24

25
26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

27
28 SECTION 1. Arkansas Code § 23-67-304(e), concerning the ability of the
29 Insurance Commissioner to delegate responsibility under the Arkansas Workers'
30 Compensation Insurance Plan, is amended to read as follows:

31 (e)(1)(A) ~~At his or her discretion, the~~ The Insurance Commissioner ~~is~~
32 ~~authorized to~~ may delegate all or any part of the commissioner's
33 responsibility to establish and operate the plan.

34 (B) However, any such plan, or plan of operation, and any
35 amendments thereto must receive the prior approval of the commissioner.

36 (2) Any person or entity to whom the establishment,



1 implementation, or operation of the plan is delegated pursuant to this
2 subsection shall file with and obtain the approval of the commissioner as to
3 all policy forms, rates, or supplementary rate information necessary to
4 effectuate the plan.

5 (3)(A) In delegating all or part of the commissioner's
6 responsibility, the commissioner shall not approve any plan or filing that
7 abrogates or restricts his or her authority to select the plan administrator
8 or servicing carriers.

9 (B) The commissioner shall competitively select the
10 organization or organizations to whom the responsibility of plan
11 administrator shall be delegated.

12 (C) If the administration of the plan is delegated, the
13 plan administrator or administrators shall ~~have an office in Arkansas~~ be
14 adequately staffed, outfitted, and maintained to provide the plan services
15 delegated.

16 (D) The commissioner shall specify duties and functions of
17 plan administrators and may structure and delegate administrative functions
18 separately such as, but not limited to, rates, forms, and statistics for the
19 best operation of the plan.

20 (4) Under the provisions of this subsection, the commissioner
21 shall vigorously promote competition for the designation of the plan
22 administrator and servicing carrier for the most effective operation of the
23 plan.

24 (5)(A) ~~The office in Arkansas is established~~ plan administrator
25 and personnel are placed in their positions to improve services provided by
26 the plan, to promote and secure courteous and timely service, and to assure
27 that the minimum standards as provided under subdivision (f)(2) of this
28 section are met.

29 (B) ~~The office~~ plan administrator and personnel in
30 Arkansas shall also assist employers or agents with questions, problems, or
31 complaints pertaining to the servicing carriers and secure and expedite
32 prompt and fair treatment to employers for servicing carrier errors and
33 service failures.

34 (6)(A) The Arkansas ~~office~~ manager shall have the authority to
35 intervene with servicing carriers to secure an adequate level of service and
36 prevent servicing carriers from imposing unreasonable demands or actions.

1 (B) The ~~office~~ manager shall keep a record of all employer
2 or agent problems and complaints by a servicing carrier, including a
3 description of the problem. This record shall be provided to the commissioner
4 within sixty (60) days of each calendar year or upon the request of the
5 commissioner.

6 (C) The manager shall promptly notify the commissioner of
7 any problems upon a request by an employer.

8
9 SECTION 2. Arkansas Code § 23-70-110(a)(1), concerning the attorney's
10 bond required of a domestic reciprocal insurer, is amended to read as
11 follows:

12 (a)(1)~~(A)~~ Concurrently with the filing of the declaration provided for
13 in § 23-70-106, the attorney of a domestic or foreign reciprocal insurer
14 shall file with the Insurance Commissioner a bond in favor of this state for
15 the benefit of all persons damaged as a result of breach by the attorney of
16 the conditions of his or her bond as ~~set forth~~ stated in subdivision (a)(2)
17 of this section.

18 (B) The bond under subdivision (a)(1)(A) of this section
19 shall be:

20 (i) ~~executed~~ Executed by the attorney and by an
21 authorized corporate surety; and

22 (ii) ~~shall be subject~~ Subject to the commissioner's
23 approval.

24
25 SECTION 3. Arkansas Code § 23-75-114(b)(2), concerning an examination
26 of a hospital and medical service corporation, is amended to read as follows:

27 (2) An examination shall be conducted at least every ~~three (3)~~
28 five (5) years.

29
30 SECTION 4. Arkansas Code § 23-79-205(a), concerning service of process
31 against an insurer, is amended to read as follows:

32 (a) In any suit brought in this state against an insurer, process may
33 be served upon the insurer as follows:

34 (1) As to domestic insurers, service of process may be had only
35 in the manner as provided by ~~§ 16-58-124~~ the Arkansas Rules of Civil
36 Procedure;