

# Emergency Rulemaking

Promulgated by: Department of Shared Administrative Services, Office of Property Risk

## **Title 25. State Government**

### **Chapter XIII. Office of Property Risk, Department of Shared Administrative Services**

#### **Subchapter A. Generally**

#### **Part 57. Submission of Claims under the State Captive Insurance Program and the Purchase of Mitigation Services for Covered Losses**

##### **Subpart 1. Generally**

##### **25 CAR § 57-101. Contracting for mitigation services for covered losses.**

(a) State agencies shall purchase mitigation services following a property loss covered by the State Captive Insurance Program Act, Arkansas Code § 25-45-101 et seq., from the qualified vendor list maintained by the Office of State Procurement.

(b) Mitigation services purchased from the qualified vendor list do not require prior review by Legislative Council but shall be promptly reported to Legislative Council.

##### **25 CAR § 57-102. Submission of property claims incurred after July 1, 2025, under the State Captive Insurance Program Act.**

**(a) Notice of claim.** Upon receiving notification of a claim under the State Captive Insurance Program Act, Arkansas Code § 25-45-101 et seq., the Office of Property Risk shall:

- (1) Promptly acknowledge the receipt of the notice; and
- (2) Furnish the claimant with forms for proof of loss.

**(b) Investigation of Claims.**

- (1) The office will ensure investigations of a reported claim are completed and advise the claimant in writing of the acceptance or denial of a claim within a reasonable period of time.
- (2) If any delays in the investigation occur, the office shall promptly notify claimants.

**(c) Appeal.**

- (1) A claimant may appeal the denial of a claim to the Director of the Office of Property Risk.
- (2) The decision of the director:
  - (A) Shall be final and conclusive; and
  - (B) Is not an order as defined in the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq.

**(d) Time periods for submission of claims.**

- (1) A claimant shall give prompt notice of a loss to covered property to the office.
- (2) To be timely, a notice of claim must be submitted in writing to the office within one (1) year from the date of the occurrence of loss.

**25 CAR § 57-103. Submission of property claims incurred but not reported before July 1, 2025, under the Public Elementary and Secondary School Insurance Act or the Arkansas Multi-Agency Insurance Trust Fund Act.**

**(a) Notice of claim.** Upon receiving written notification of a claim under the Public Elementary and Secondary School Insurance Act, Arkansas Code § 6-20-1501 et seq., or the Arkansas Multi-Agency Insurance Trust Fund Act, Arkansas Code § 6-20-1501 et seq., the Office of Property Risk shall:

- (1) Promptly acknowledge the receipt of the notice; and
- (2) Furnish the claimant with forms for proof of loss.

**(b) Investigation of claims.**

- (1) The office will ensure investigations of a reported claim are completed and advise the claimant in writing of the acceptance or denial of a claim within a reasonable period of time.

(2) If any delays in the investigation occur, the office shall promptly notify claimants.

**(c) Appeal.**

(1) A claimant may appeal the denial of a claim to the Director of the Office of Property Risk.

(2) The decision of the director:

(A) Shall be final and conclusive; and

(B) Is not an order as defined in the Arkansas Administrative Procedures Act, Arkansas Code § 25-15-201 et seq.

**(d) Time Periods for submission of claims.**

(1) A claimant shall give prompt notice of a loss to covered property to the office.

(2) To be timely, a notice of claim must be submitted in writing to the office by September 30, 2025, or one (1) year from the date of the occurrence of loss, whichever is later.