

Title 21. Public Officers and Employees
Chapter VI. Employee Benefits Division, Department of Transformation and Shared Services
Part 50. Rules Governing Voluntary Products

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules of 2024 provided as follows:

“Effective: _June 21, 2024”

“1.0 AUTHORITY

1.02 These rules are promulgated pursuant to Ark. Code Ann. § 21-5-905 and Ark. Code Ann. § 25-15-201 et seq.”

21 CAR § 50-101. Title.

This part shall be known as the Department of Transformation and Shared Services Employee Benefits “Division Rules Governing Voluntary Products”.

Authority. Arkansas Code § 21-5-905.

21 CAR § 50-102. Purpose.

The purpose of this part is to implement Arkansas Code § 21-5-904 regarding the administration of voluntary products.

Authority. Arkansas Code § 21-5-905.

21 CAR § 50-103. Definitions.

As used in this part:

(1) “EBD” means the Employee Benefits Division of the Department of Transformation and Shared Services; and

(2) “Voluntary products” means any individual or group policy and other employee benefits that are wholly paid for by the employee, including without limitation those policies and benefits provided by the Arkansas State Employees Association, Inc., or a designee of the Arkansas State Employees Association, Inc., that develops and administers a cafeteria plan under Arkansas Code § 21-5-405(d).

Authority. Arkansas Code § 21-5-905.

21 CAR § 50-104. Voluntary products offerings.

(a) All state employees shall be offered the opportunity to participate in a cafeteria plan for voluntary products during their new hire eligibility period and during the annual open enrollment.

(b) The Arkansas State Employees Association, Inc., shall offer education and information to each employee regarding the available voluntary products annually during open enrollment and to new hires throughout the year.

Authority. Arkansas Code § 21-5-905.

21 CAR § 50-105. Voluntary products contracts.

(a) The Arkansas State Employees Association, Inc., shall develop and administer a cafeteria plan for voluntary products on behalf of eligible state employees.

(b)(1) All voluntary products shall be contracted through a competitive sealed bidding process.

(2) The Arkansas State Employees Association, Inc., shall ensure the selection of voluntary products offers the best combination of benefits and pricing available.

(3) The Arkansas State Employees Association, Inc., shall provide the Employee Benefits Division a report of all competitive bids including the procedures followed and selection process.

(4) No voluntary product contract, including amendments and extensions, shall exceed seven (7) years without being competitively rebid.

(c) The Arkansas State Employees Association, Inc., shall present all new contracts and amendments to existing contracts for voluntary products to the State Board of Finance and the Employee Benefits Division Oversight Subcommittee.

(d) Any material changes to voluntary products contracts shall be reported to the board and the Employee Benefits Division Oversight Subcommittee.

Authority. Arkansas Code § 21-5-905.

21 CAR § 50-106. Coordination with the division.

(a) To ensure continuity of service to state employees, the Arkansas State Employees Association, Inc., shall coordinate with the Employee Benefits Division on issues regarding, but not limited to:

- (1) Billing;
- (2) Employee management;
- (3) Recordkeeping; and
- (4) Information sharing.

(b) The Arkansas State Employees Association, Inc., shall meet with the division quarterly.

(c)(1) The State Board of Finance shall resolve any disputes between the Arkansas State Employees Association, Inc., and the division regarding voluntary products.

(2) These disputes shall be exempt from the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq.

Authority. Arkansas Code § 21-5-905.

21 CAR § 50-107. Semiannual reporting.

The Arkansas State Employees Association, Inc., shall submit to the Employee Benefits Division Oversight Subcommittee a semiannual report that includes:

- (1) A summary of the voluntary products offerings, including the contract,

pricing, and number of participants for each offering; and

(2) A financial analysis report for each offering, including premiums paid by state employees and additional fees and expenses, if any.

Authority. Arkansas Code § 21-5-905.