

# ARKANSAS REGISTER

## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency Department of Finance and Administration

Department Office of Intergovernmental Services

Contact Doris Smith E-mail doris.smith@dfa.arkansas.gov Phone 501-682-5242

Statutory Authority for Promulgating Rules Act 187 of the 2022 Fiscal Session, 93rd General Assembly

Rule Title: Pregnancy Resources Centers Grant

Intended Effective Date

(Check One)



Emergency (ACA 25-15-204)



10 Days After Filing (ACA 25-15-204)



Other \_\_\_\_\_

(Must be more than 10 days after filing date.)

Legal Notice Published \_\_\_\_\_

Final Date for Public Comment \_\_\_\_\_

Reviewed by Legislative Council \_\_\_\_\_

Adopted by State Agency \_\_\_\_\_

Date

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

**Susan Richards**

[susan.richards@dfa.arkansas.gov](mailto:susan.richards@dfa.arkansas.gov)

**7/14/2022**

Contact Person

E-mail Address

Date

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

501-682-7752

Phone Number

[david.rector@dfa.arkansas.gov](mailto:david.rector@dfa.arkansas.gov)

E-mail Address

Problems Resolution Officer

Title

7/14/2022

Date



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**Department of Finance  
and Administration**

**OFFICE OF THE SECRETARY**

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Proposed Rule Regarding Method of Administering the Pregnancy Resources Center Grant Sub-Fund

July 7, 2022

**PURPOSE**

The Arkansas Department of Finance and Administration is seeking Governor Hutchinson's review of the proposed rule to administer the Pregnancy Resources Center Grant program.

**BACKGROUND**

Pursuant to the authority vested in the Secretary of the Department of Finance and Administration, (DFA) by Ark. Code Ann. §§ 25-8-102(a) and Act 187 of the 2022 Fiscal Session, 93<sup>rd</sup> General Assembly, the Secretary of the Department of Finance and Administration, with the approval of the Governor, will administer the Pregnancy Resources Center Grant program by making sub-grants to organizations that provide services to pregnant women with the purpose of encouraging them to give birth to their unborn.

**KEY POINTS**

The proposed rule:

- Define the meaning of Pregnancy Resource Center in reference to organizations eligible to receive grant funds.
- Establishes requirement for applicants to submit a grant plan to DFA for approval prior to receiving a sub-grant.
- The approved grant plan will govern the organization's use of its sub-grant.

**DISCUSSION**

Pregnancy resource centers preserve public peace, health, and safety by providing a range of services to individuals facing unintended pregnancies. These pregnancy resource centers have been underfunded. This grant program will allow centers in need to apply for grant funding to assist with serving pregnant women.

**RECOMMENDATION**

We recommend that the proposed rule be approved as proposed by DFA.

Sincerely,

Larry Walther



Proposed Emergency Rule DFA.IGS.002. METHOD OF ADMINISTERING THE  
PREGNANCY RESOURCE CENTER GRANT PROGRAM  
Mark-Up Version of Proposed Rule

Pursuant to the authority vested in the Secretary of the Department of Finance and Administration, by Ark. Code Ann. §§ 25-8-102(a) and Act 187 of the 2022 Fiscal Session, 93<sup>rd</sup> General Assembly, the Secretary of the Department of Finance and Administration, with the approval of the Governor, does hereby promulgate the following Rule.

1. Definitions.

(A) "Certify" means to attest affirmatively, based on information and belief formed after reasonable inquiry, to the truth, accuracy, and completeness, under penalty of perjury.

(B) "Pregnancy Resource Center" means an organization existing as of January 1, 2022, that: seeks to provide a range of services to individuals facing an unintended pregnancy with the intention of encouraging pregnant women to give birth to their unborn children; and does not perform, prescribe, provide referrals for, or encourage abortion or affiliate with any organization that performs, prescribes, provides referral for, or encourages abortion.

(C) "Department" means the Department of Finance and Administration.

(D) "Pregnancy Resource Center" include services organizations in existence on or before January 1, 2022 that:

(a) Seeks to provide a range of services to individuals facing an unintended pregnancy with the intention of encouraging pregnant women to give birth to their unborn children; and

(b) Does not perform, prescribe, provide referrals for, or encourage abortion or affiliate with any organization that performs, prescribes, provides referrals for, or encourages abortion.

(E) "Pregnancy Resource Center" includes without limitation

(a) Organizations traditionally known as "crisis pregnancy organizations"

(b) Maternity homes

(c) Adoption agencies and

- (d) Social services agencies that provide material support and other assistance to individuals facing an unintended pregnancy to help those individuals give birth to their unborn children.

## 2. PREGANCY RESOURCE CENTER GRANT PROGRAM

(A) The Department created the Pregnancy Resource Center Grant Program (the "Program") in order to comply with Act 187 of the 2022 Fiscal Session, 93<sup>rd</sup> General Assembly. The Program will provide grant funding to "pregnancy resource centers."

(B) A pregnancy resource center seeking grant funding under the Program shall make application to the Department on the form(s) provided by the Department for that purpose.

(C) A pregnancy resource center seeking grant funding under the Program shall provide a grant plan to the Department on the form(s) provided by the Department for that purpose.

(i) Grant plans shall include the following: a narrative describing the current activities of the entity; a narrative which details the range of services the entity proposes to provide with grant funds and the experience that it has in providing the proposed services; a narrative describing the entity's management and key staff with information concerning their experience in working with individuals facing an unintended pregnancy; and an annual budget with line items specifically detailing the proposed expenditures.

(D) Funding under the Program shall not be disbursed all at once, but in increments in accordance with the plan described in Section (2) (C).

(E) A pregnancy resource center receiving funding under the Program shall report actual expenditures to the Department on a quarterly basis on the form(s) provided by the Department for that purpose. Failure to provide the quarterly report(s) may result in a delay or refund of funding.

(F) By signing the Program application, grant plan, and reporting forms, the chief executive officer of the entity seeking or receiving grant funds shall certify that the information provided on the form(s) and all documents submitted with the form(s) are true, accurate, and complete under penalty of perjury.

(G) In accordance with Act 187 of the 2022 Fiscal Session,  
93<sup>rd</sup> General Assembly, the Program shall only be in effect from  
July 1, 2022 through June 30, 2023.

Source: Act 187 of the 2022 Fiscal Session, 93<sup>rd</sup> General Assembly.



Larry W. Walther, Secretary

Arkansas Department of Finance and Administration

Date: July 7, 2022



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Larry W. Walther, Secretary

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