

ARKANSAS REGISTER

Proposed Rule Cover Sheet



Secretary of State

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Name of Department Department of Finance and Administration

Agency or Division Name Office of Intergovernmental Services

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

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Name of Rule Pregnancy Help Organizations Grant Program

Newspaper Name Arkansas Democrat-Gazette

Date of Publishing October 12 - 14, 2025

Final Date for Public Comment November 13, 2025

Location and Time of Public Meeting 1509 West 7th Street - 1st Floor Conference Room, Little Rock, AR 72201

Proposed Amendment of Rule – Pregnancy Help Organizations Grant Program

In compliance with Act 434 of 1967, the Arkansas Administrative Procedure Act, as amended, notice is hereby given that the Department of Finance and Administration – Office of Intergovernmental Services, intends to amend rules 20 CAR § 790-101 and -102 of the Pregnancy Help Organizations Grant Program. The purpose of the amendments to the existing rule is to extend additional time for the program and update defined terms. A copy of the proposed amended rule may be accessed at the following website: www.dfa.arkansas.gov/office/intergovernmental-services/.

The public hearing will be held November 13, 2025, at 2:00 p.m. in the first floor conference room of the DFA Building, 1509 West 7th Street, Little Rock, Arkansas 72201. All interested parties may attend and present their views on the proposed amendments to the rule. Written comments may be mailed to the Department of Finance and Administration – Office of Intergovernmental Services, P.O. Box 8031, Little Rock, Arkansas 72203 or emailed to igsclearinghouse@dfa.arkansas.gov.

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Legal Notice

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Executive Summary of Amendment to Pregnancy Help Organizations Grant Program Rule Amendment

Amendment to the Rule Regarding Method of Administering the Pregnancy Help Organizations Grant Program

May 27, 2025,

PURPOSE

The Arkansas Department of Finance and Administration is seeking Governor Sarah Sanders review of the amendment of the rule to administer the Pregnancy Help Organizations 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 1006 of the 2025 Regular Session, 95th General Assembly, the Secretary of the Department of Finance and Administration, with the approval of the Governor, will administer the Pregnancy Help Organizations 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 amendment to the rule:

- Provides \$2 Million in additional funding and extends the time for the implementation of the Pregnancy Help Organization Grant Program
- Updates defined terms.

DISCUSSION

Pregnancy Help Organizations preserve public peace, health, and safety by providing a range of services to individuals facing unintended pregnancies. These pregnancy help organizations have been underfunded. This amendment will extend the time for the grant program to indefinitely allow centers in need to apply for grant funding to assist with serving pregnant women provided that the General Assembly continues to authorize funding.

RECOMMENDATION

DFA recommends that the proposed amendment to the rule be approved as proposed by DFA.

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Arkansas Department of Finance and Administration
DIVISION Office of Intergovernmental Services
PERSON COMPLETING THIS STATEMENT Doris Smith, Administrator, DFA Intergovernmental Services
TELEPHONE NO. (501) 682-5242 **FAX NO.** (501) 683-2598 **EMAIL:** Doris.Smith@dfa.arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE Pregnancy Help Organization Grant Program

1. Does this proposed, amended, or repealed rule have a financial impact? Yes ☐ No ☒
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule? Yes ☒ No ☐
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes ☒ No ☐

If an agency is proposing a more costly rule, please state the following:

- (a) How the additional benefits of the more costly rule justify its additional cost;

- (b) The reason for adoption of the more costly rule;

- (c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and;

- (d) Whether the reason is within the scope of the agency's statutory authority; and if so, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:

- (a) What is the cost to implement the federal rule or regulation?

Current Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

Total _____

(b) What is the additional cost of the state rule?

Current Fiscal Year

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

Total _____

5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

Current Fiscal Year

\$ 0

Next Fiscal Year

\$ 0

6. What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year

\$ 0

Next Fiscal Year

\$ _____

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes ☐ No ☒

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
 - (a) justifies the agency's need for the proposed rule; and

- (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
 - (a) the rule is achieving the statutory objectives;
 - (b) the benefits of the rule continue to justify its costs; and
 - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

Proposed Rulemaking

Title

Promulgated by:
Department of Finance and Administration

Title 20. Public Health and Welfare

Chapter XIX. Department of Finance and Administration, Generally

Subchapter A. Generally

Part 790. Method of Administering the Pregnancy Help Organizations Grant Program

Subpart 1. Generally

20 CAR § 790-101. Definitions.

As used in this part:

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

(2) "Department" means the Department of Finance and Administration; and

(3)(A) "Pregnancy help organization" means a nonprofit organization or an organization exempt from federal income tax, existing as of January 1, 2024, that:

(i) 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;

(ii) Promotes infant and maternal wellness and/or reduces infant mortality by providing:

(a) Nutritional information and/or nutritional counseling;

(b) Prenatal vitamins;

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(c) A list of prenatal medical care options;
(d) Social, emotional, and/or material support; or
(e) Referrals for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and community-based nutritional services, including, but not limited to:

- (1) Food banks;
- (2) Food pantries; and
- (3) Food distribution centers; and

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

(B) "Pregnancy help organizations" includes without limitation:

- (i) Organizations traditionally known as "crisis pregnancy organizations";
- (ii) Maternity homes;
- (iii) Adoption agencies; and
- (iv) 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.

20 CAR § 790-102. Pregnancy Help Organizations Grant Program.

(a)(1) The Department of Finance and Administration created the Pregnancy Help Organizations Grant Program (the "program") in order to comply with Acts 2024, No. 125 and Acts 2025, No. 1006.

(2) The program will provide grant funding to pregnancy help organizations.

(b) Any entity seeking grant funding under the program shall make application to the department on the form or forms provided by the department for that purpose.

(c)(1) Any entity seeking grant funding under the program shall provide a grant plan to the department on the form or forms provided by the department for that purpose.

(2) Grant plans shall include the following:

(A) A narrative describing the current activities of the entity;

(B) A narrative that details the range of services the entity proposes to provide with grant funds and the experience that it has in providing the proposed services;

(C) A narrative describing the entity's management and key staff with information concerning their experience in working with individuals facing an unintended pregnancy; and

(D) 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 subsection (c) of this section.

(e)(1) Any entity receiving funding under the program shall report to the department on a quarterly basis on the form or forms provided by the department for that purpose.

(2) Failure to provide the quarterly report or reports 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 or forms and all documents submitted with the form or forms are true, accurate, and complete under penalty of perjury.

(g) In accordance with ~~Acts 2024, No. 125~~ Act 2025, No. 1006, the program shall only be in effect from July 1, ~~2024~~2025, through June 30, ~~2025~~2026, unless the program is extended by the General Assembly.