

Proposed Rule: Pregnancy Help Organizations Grant

The Department of Finance and Administration, Office of Intergovernmental Services (DFA/IGS), follows the Administrative Procedure Act (APA) to adopt, amend, or repeal a rule. DFA/IGS values public comments on proposed rules. Comments may be submitted to igsclearinghouse@dfa.arkansas.gov. The public comment period for the proposed rule is from September 15, 2024, through October 15, 2024.

If DFA/IGS receives comments on this proposed rule, a Public Comment Summary with all comments and responses will be published on the DFA/IGS web page after the comment period ends.

The DFA/IGS is repealing the Method of Administering the Pregnancy Help Organizations Grant Program Rule and is proposing the promulgation of a rule to effectively allow for distribution of funds to Pregnancy Help Organizations in accordance with Act 125 of the 2024 Fiscal Session, 94th General Assembly. A full copy of the proposed rule may be accessed at the following website: [Intergovernmental Services – Arkansas Department of Finance and Administration](#). The proposed effective date of the rule is November 15, 2024.

Proposed Rule DFA.IGS.004. METHOD OF ADMINISTERING THE PREGNANCY HELP ORGANIZATIONS GRANT PROGRAM

Pursuant to the authority vested in the Secretary of the Department of Finance and Administration, by Ark. Code Ann. §§ 25-8-102(a), §§ 25-15-204(c), and Act 125 of the 2024 Fiscal Session, 94th 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 Help Organization" means a nonprofit organization or an organization exempt from federal income tax, existing as of January 1, 2024, 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; promotes infant and maternal wellness and/or reduces infant mortality, by: providing nutritional information and/or nutritional counseling, providing prenatal vitamins, providing a list of prenatal medical care options, providing social, emotional, and/or material support, or providing referrals for WIC and community-based nutritional services, including but not limited to food banks, food pantries, and food distribution centers, and does not perform, prescribe, provide referrals for, or encourage abortion.

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

(D) "Pregnancy Help Organizations" 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 HELP ORGANIZATIONS GRANT PROGRAM

(A) The Department created the Pregnancy Help Organizations Grant Program (the "Program") in order to comply with Act 125 of the 2024 Fiscal Session, 94th General Assembly. 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(s) provided by the Department for that purpose.

(C) Any entity 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).

(F) Any entity receiving funding under the Program shall report 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.

(G) 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.

(H) In accordance with Act 125 of the 2024 Fiscal Session, 94th General Assembly, the Program shall only be in effect from July 1, 2024 through June 30, 2025.

Source: Act 125 of the 2024 Fiscal Session, 94th General Assembly.