

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Senator Miles**

# A Bill

**SENATE BILL**

## For An Act To Be Entitled

8 "AN ACT TO REQUIRE CERTAIN PHYSICIANS AND SUPPLIERS OF  
9 HEALTH SERVICES TO POST SIGNS IN A CONSPICUOUS PLACE WHICH  
10 EXPLAIN THEIR POLICIES REGARDING ACCEPTANCE OF MEDICARE  
11 ASSIGNMENT; AND FOR OTHER PURPOSES."

## Subtitle

14 "TO REQUIRE PHYSICIANS AND SUPPLIERS OF HEALTH SERVICES TO  
15 POST SIGNS INDICATING WHETHER OR NOT THEY ACCEPT MEDICARE  
16 ASSIGNMENT."

17  
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. Definitions. As used in this act, unless the context  
21 otherwise requires:

22 (1) "Physicians" means those individuals and businesses licensed to  
23 practice the provider specialties described in the Medicare Participating  
24 Physicians/Suppliers Directory (MEDPARD) which include allergy,  
25 anesthesiology, cardiovascular disease, chiropractor, clinic or group  
26 practice, dermatology, family practice, gastroenterology, general practice,  
27 general surgery, infectious disease, internal medicine, manipulative therapy,  
28 nephrology, neurological surgery, neurology, obstetrics-gynecology,  
29 ophthalmology, optometrist, oral surgery, orthopedic surgery, otology-  
30 laryngology-rhinology, pathology, pediatrics, physical medicine and  
31 rehabilitation, plastic surgery, podiatry-surgical chiropody, proctology,  
32 psychiatry, pulmonary disease, radiology, thoracic surgery and urology.

33 (2) "Suppliers" means those individuals and businesses licensed to  
34 provide the services described in the Medicare Participating  
35 Physicians/Suppliers Directory (MEDPARD) which include ambulance service,

1 ambulatory surgery center, audiologists, DME and prosthesis suppliers,  
2 laboratory, physical therapist, portable x-ray supplier and psychologist.

3 (3) "Accepts Medicare assignment" means the provider of services agrees  
4 to accept the allowable charge determined by Medicare as full payment, except  
5 that the beneficiary is still liable to the provider for the twenty percent  
6 (20%) coinsurance, the annual Medicare Part B deductible and any non-covered  
7 services.

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9 SECTION 2. Physicians and suppliers, as described in Section 1 of this  
10 act and licensed to do business in the state of Arkansas, shall post signs in  
11 a conspicuous place in the reception area of their offices indicating their  
12 policies regarding the acceptance of Medicare assignment. Physicians and  
13 suppliers who accept Medicare assignment shall post a sign in a conspicuous  
14 place in their reception area stating "This Office Accepts Medicare  
15 Assignment." Physicians and suppliers who do not accept Medicare assignment  
16 shall post a sign in a conspicuous place in the reception area of their office  
17 stating "This Office Does Not Accept Medicare Assignment."

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19 SECTION 3. In reception areas shared by more than one provider of  
20 medical services where the physicians or suppliers have differing policies  
21 regarding the acceptance of Medicare assignment, the policy of each physician  
22 or supplier shall be clearly indicated. Hospitals shall maintain a list of  
23 all medical staff physicians and whether they accept Medicare assignment.

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25 SECTION 4. The signs referred to in this act shall measure no less than  
26 eight and one-half (8.5) inches by eleven (11) inches, and all letters shall  
27 measure no less than one (1) inch in height. These signs will be posted in  
28 such a manner as to inform patients or customers about policies regarding the  
29 acceptance of Medicare assignment prior to services being rendered.

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31 SECTION 5. The Arkansas State Medical board shall be responsible for  
32 the enforcement of this act. The Board shall review complaints concerning  
33 violations of this act and impose penalties as described in Section 6 of this  
34 act.

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1 SECTION 6. Penalties for violating this act shall be as follows:

2 (1) For the first violation: a written warning;

3 (2) For the second violation: appearance before the Arkansas State  
4 Medical Board and an oral and written reprimand;

5 (3) For the third violation: a penalty of five hundred dollars  
6 (\$500.00);

7 (4) For the fourth and subsequent violations: a penalty of one  
8 thousand dollars (\$1,000.00).

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10 SECTION 7. All provisions of this act of a general and permanent nature  
11 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
12 Revision Commission shall incorporate the same in the Code.

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14 SECTION 8. If any provision of this act or the application thereof to  
15 any person or circumstance is held invalid, such invalidity shall not affect  
16 other provisions or applications of the act which can be given effect without  
17 the invalid provision or application, and to this end the provisions of this  
18 act are declared to be severable.

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20 SECTION 9. All laws and parts of laws in conflict with this act are  
21 hereby repealed.

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