

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H3/1/99
A Bill

HOUSE BILL 1648

5 By: Representatives Hausam, P. Malone, Horn
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8 **For An Act To Be Entitled**

9 "AN ACT TO PROHIBIT THE USE OF PHYSICIANS' DRUG
10 ENFORCEMENT ADMINISTRATION REGISTRATION NUMBERS BY
11 INSURANCE COMPANIES AND HEALTH MAINTENANCE
12 ORGANIZATIONS; AND FOR OTHER PURPOSES."
13

14 **Subtitle**

15 "TO PROHIBIT THE USE OF DRUG ENFORCEMENT
16 ADMINISTRATION NUMBERS BY INSURANCE
17 COMPANIES AND HMOS."
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Legislative findings and intent.

23 The General Assembly hereby finds that registry numbers issued to
24 physicians by the Drug Enforcement Administration are protected numbers not
25 intended for use by insurance companies and health maintenance organizations.
26 Pharmacists are prohibited by law from selling or dispensing controlled
27 substances without a physician's DEA registry number and disclosure of the
28 number to insurers is unwarranted and inappropriate. The intent of this bill
29 is to prohibit insurance companies and HMOs from requiring physicians,
30 pharmacists or others to disclose a physician's DEA number.
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32 SECTION 2. DEA registry numbers.

33 (a) Health carriers shall not require physicians, pharmacists or other
34 persons or entities to disclose a physician's Drug Enforcement Administration
35 registry number for the purposes of identification, payment to a pharmacist,
36 reimbursement of a patient, or any other reason.

1 (b) "Health carrier" means any insurance company or health maintenance
2 organization subject to the following laws:

3 (1) The Arkansas Insurance Code, Arkansas Code § 23-60-101, et
4 seq.;

5 (2) Arkansas Code § 23-76-101 et seq., pertaining to health
6 maintenance organizations; and

7 (3) Any successor laws of the foregoing.

8 (c) Nothing herein shall be construed to prohibit a health carrier, as
9 part of the credentialing process, from requesting evidence that the physician
10 has a valid Drug Enforcement Administration certificate.

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12 SECTION 3. All provisions of this act of a general and permanent nature
13 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
14 Revision Commission shall incorporate the same in the Code.

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16 SECTION 4. If any provision of this act or the application thereof to
17 any person or circumstance is held invalid, such invalidity shall not affect
18 other provisions or applications of the act which can be given effect without
19 the invalid provision or application, and to this end the provisions of this
20 act are declared to be severable.

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22 SECTION 5. All laws and parts of laws in conflict with this act are
23 hereby repealed.

24 */s/ Hausam, et al*