

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: S2/6/19 S2/13/19

A Bill

HOUSE BILL 1125

5 By: Representative Evans
6 By: Senator Irvin
7

For An Act To Be Entitled

9 AN ACT TO PROHIBIT AN INSURER FROM REQUIRING PAYMENT
10 FOR HEALTHCARE SERVICES THROUGH GIFT CARDS, CREDIT
11 CARDS, OR VIRTUAL CREDIT CARDS; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

15 TO PROHIBIT AN INSURER FROM REQUIRING
16 PAYMENT FOR HEALTHCARE SERVICES THROUGH
17 GIFT CARDS, CREDIT CARDS, OR VIRTUAL
18 CREDIT CARDS.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 23-76-119, concerning prohibited practices
25 of health maintenance organizations, is amended to add an additional
26 subsection to read as follows:

27 (d)(1) A health maintenance organization or its contractor or
28 subcontractor may pay a claim for healthcare services by any lawful method,
29 including the alternative payment method by gift card, credit card, or other
30 type of electronic payment or virtual credit card as payment if the
31 healthcare provider is given clear instructions about how to select the
32 alternative payment method.

33 (2) However, a health maintenance organization or its contractor
34 or subcontractor is prohibited from requiring a participating provider to
35 accept a gift card, credit card, or other type of electronic payment or
36 virtual credit card as payment of a claim for healthcare services if the



1 method of payment charges the participating provider a service fee to
2 process.

3
4 SECTION 2. Arkansas Code § 23-99-204, concerning the terms of a health
5 benefit plan, is amended to add an additional subsection to read as follows:

6 (c)(1) A healthcare insurer may pay a claim for healthcare services by
7 any lawful method, including the alternative payment method by gift card,
8 credit card, or other type of electronic payment or virtual credit card as
9 payment if the healthcare provider is given clear instructions about how to
10 select the alternative payment method.

11 (2) However, a healthcare insurer is prohibited from requiring a
12 healthcare provider to accept a gift card, credit card, or other type of
13 electronic payment or virtual credit card as payment of a claim for
14 healthcare services if the method of payment charges the healthcare provider
15 a service fee to process.

16
17 SECTION 3. Arkansas Code § 23-99-902(4), concerning the definition of
18 "risk-sharing payment" as used in alternative payment systems, is amended to
19 add an additional subdivision to read as follows:

20 (4)(A) "Risk-sharing payment" means a reduction in a payment to
21 or refund of a payment already made to a physician as a result of patient
22 care costs that exceed cost thresholds of any form.

23 (B) "Risk-sharing payment" includes the alternative
24 payment method by gift card, credit card, or other type of electronic payment
25 or virtual credit card as payment if the physician is given clear
26 instructions about how to select an alternative payment method that does not
27 result in the physician's being charged a service fee to process.

28
29
30 /s/Evans
31
32
33
34
35
36