

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: S4/3/03 H4/11/03

A Bill

Act 1455 of 2003
SENATE BILL 907

5 By: Senators B. Johnson, Broadway, Faris
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For An Act To Be Entitled

9 AN ACT TO ASSURE FREEDOM OF CHOICE FOR
10 INDIVIDUALS RECEIVING SERVICES FROM LICENSED
11 AUDIOLOGISTS; TO ASSURE EQUAL PAYMENT OR
12 REIMBURSEMENT TO LICENSED AUDIOLOGISTS; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15 AN ACT TO ASSURE FREEDOM OF CHOICE FOR
16 INDIVIDUALS RECEIVING SERVICES FROM
17 LICENSED AUDIOLOGISTS AND TO ASSURE
18 EQUAL PAYMENT OR REIMBURSEMENT TO
19 LICENSED AUDIOLOGISTS.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 20-77-506 is amended to read as follows:
26 20-77-506. Right of freedom of choice.

27 (a) Every person eligible for an eye examination the payment for which
28 shall or may be made out of public money is guaranteed his or her freedom of
29 choice between persons licensed under the Arkansas Optometry Practices Act, §
30 17-90-101 et seq., ~~and~~ persons licensed under the Arkansas Medical Practices
31 Act, § 17-95-201 et seq., and persons licensed under the Arkansas Medical
32 Practices Act, § 17-95-201 et seq., or either of the persons.

33 (b) Every person eligible for an ear examination the payment for which
34 shall or may be made out of public money is guaranteed his or her freedom of
35 choice between persons licensed under the Licensure Act of Speech-Language
36 Pathologists and Audiologists, § 17-100-100 et seq., or persons licensed



1 under the Arkansas Medical Practices Act, § 17-95-201 et seq., or either of
2 the persons.

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4 SECTION 2. Arkansas Code § 23-79-114 is amended to add a new
5 subsection to read as follows:

6 (g)(1) Notwithstanding any provision of any individual or group policy
7 of accident and health insurance or any provision of a policy, contract,
8 plan, or agreement for hospital or medical service or indemnity, wherever the
9 policy, contract, plan, or agreement provides for payment or reimbursement
10 for any service in the audiology field provided by persons licensed as
11 audiologists under the Licensure Act of Speech-Language Pathologists and
12 Audiologists, § 17-100-101 et seq., the person entitled to benefits or the
13 person performing services under the policy, contract, plan, or agreement is
14 entitled to payment or reimbursement on an equal basis for the service when
15 the service is performed by any person licensed as an audiologist under § 17-
16 100-101 et seq.

17 (2) No person entitled to benefits under this subsection shall
18 be denied his or her freedom of choice of any practitioner licensed under §
19 17-95-201 et seq. or § 17-100-101 et seq., by any insurer or agent or employee
20 of the insurer or by any department, agency, or employee of this state.

21 (3)(A) Nothing in this subsection (f) shall be construed to
22 enlarge or diminish the practice of audiology as defined under § 17-100-103.

23 (B) Under state law, sole and complete authority regarding
24 determination of those acts, services, procedures, and practices which may be
25 reimbursed on an equal basis shall be vested in the Board of Examiners in
26 Speech-Language Pathology and Audiology.

27 (C) This section shall specifically include, but not be
28 limited to, authority of the Board of Examiners in Speech-Language Pathology
29 and Audiology to define the parameters of management and co-management of
30 persons licensed under § 17-100-101 et seq. in the treatment and management
31 of hearing and disorders of hearing.

32 (4) The purpose of this subsection is to ensure that persons
33 licensed under the Arkansas Medical Practices Act, § 17-95-201 et seq., or
34 Licensure Act of Speech-Language Pathologists and Audiologists, § 17-100-101
35 et seq., shall be entitled to payment or reimbursement on an equal basis for
36 service in audiology field.

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/s/ B. Johnson, et al

APPROVED: 4/16/2003