

1 State of Arkansas *As Engrossed: H4/4/13 S4/10/13*

2 89th General Assembly

# A Bill

3 Regular Session, 2013

HOUSE BILL 1419

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5 By: Representative J. Burris

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## For An Act To Be Entitled

8 AN ACT TO REGULATE THE PRACTICES OF HEALTH INSURANCE  
9 COMPANIES; TO PROHIBIT THE ACCUMULATION OF EXCESS  
10 INCOME, RESERVES, CAPITAL, CAPITAL SURPLUS, OR  
11 INVESTMENT SAVINGS IN THE COURSE OF PROVIDING HEALTH  
12 INSURANCE; AND FOR OTHER PURPOSES.

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## Subtitle

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

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*SECTION 1. Arkansas Code § 23-79-109(a)(1)(A), concerning the filing  
27 and approval of forms filed with the Insurance Commissioner, is amended to  
28 read as follows:*

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*(a)(1)(A)(i) No basic insurance policy, or annuity contract form, or  
application form when written application is required and is to be made a  
part of the policy or contract, or printed rider or endorsement form or form  
of renewal certificate, shall be issued, delivered, or used as to a subject  
of insurance resident, located, or to be performed in this state unless the  
form has been filed with and approved by the Insurance Commissioner and, in  
the case of individual accident and health contracts, the rates have been  
filed with and approved by the commissioner.*



1 (ii)(a) The commissioner may consider a nonprofit  
2 insurer's surplus levels in determining whether a proposed rate is excessive.

3 (b) Subdivision (a)(1)(A)(ii)(a) of this  
4 section does not apply to a nonprofit insurer that offers only limited scope  
5 dental benefits.

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7 /s/J. Burris

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10 **APPROVED: 04/18/2013**  
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