## Stricken language would be deleted from and underlined language would be added to present law. Act 373 of the Regular Session

,		State of Arkansas	A D:11		
By: Representatives Womack, Lampkin, Wardlaw By: Senator Rapert  For An Act To Be Entitled  AN ACT TO MODIFY COVERAGE FOR CRANIOFACIAL ANOMALY RECONSTRUCTIVE SURGERY; AND FOR OTHER PURPOSES.  Subtitle  TO MODIFY COVERAGE FOR CRANIOFACIAL ANOMALY RECONSTRUCTIVE SURGERY.  BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  SECTION 1. Arkansas Code Title 23, Chapter 79, Subchapter 15, is amended to read as follows: Subchapter 15 — Coverage for Craniofacial Anomaly Corrective Reconstructive Surgery  23 Surgery  (1) "Corrective surgery" means the use of surgery to alter the form and function of the cranial facial tissues due to a congenital or acquired musculoskeletal disorder; (2) "Craniofacial anomaly" means a congenital or acquired musculoskeletal disorder that primarily affects the cranial facial tissue; and  (3)(A)(2)(A) "Health benefit plan" means an individual, blanks		90th General Assembly	A Bill		
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	32	and			
34 or <u>any</u> group plan, policy, or contract for healthcare services issued or	33	<del>(3)(A)</del> (2)(A)	"Health benefit plan" means an i	individual, blanket,	
	34	or any group plan, policy	, or contract for healthcare serv	vices issued or	
35 delivered <u>in this state</u> by a healthcare insurer, health maintenance	35	delivered <u>in this state</u> b	oy a healthcare insurer, health ma	intenance	
36 organization, hospital medical service corporation, or self-insured	36	organization, hospital me	edical service corporation, or sel	f-insured	

1	governmental or church plan in this state.
2	(B) "Health benefit plan" includes:
3	(i) Indemnity and managed care plans; and
4	(ii) Governmental plans as defined in 29 U.S.C. §
5	1002(32), as it existed on January 1, 2013, except governmental self-financed
6	insurance organizations Plans providing health benefits to state and public
7	school employees under § 21-5-401 et seq.
8	(C) "Health benefit plan" does not include:
9	(i) Disability income plans A disability income
10	plan;
11	(ii) Gredit insurance plans A credit insurance plan;
12	(iii) Insurance coverage issued as a supplement to
13	liability insurance;
14	(iv) Medical payments under <u>an</u> automobile or
15	homeowners' insurance plans plan;
16	(v) Health benefit plans A health benefit plan
17	provided under Arkansas Constitution, Article 5, § 32, the Workers'
18	Compensation Law, § 11-9-101 et seq., and the Public Employee Workers'
19	Compensation Act, § 21-5-601 et seq.;
20	(vi) Plans that provide A plan that provides only
21	indemnity for hospital confinement;
22	(vii) Accident only plans An accident-only plan; or
23	(viii) Specified disease plans A specified disease
24	plan; and
25	(3) "Reconstructive surgery" means the use of surgery to alter
26	the form and function of the cranial facial tissues due to a congenital or
27	acquired musculoskeletal disorder.
28	
29	23-79-1502. Craniofacial anomaly — Coverage for <del>corrective</del>
30	reconstructive surgery required.
31	(a)(l) A health benefit plan that is offered, issued, provided, or
32	renewed in this state shall include coverage <u>and benefits</u> for <del>corrective</del>
33	reconstructive surgery and related medical care for a person of any age who
34	is diagnosed as having a craniofacial anomaly if the surgery and treatment
35	are medically necessary to improve a functional impairment that results from
36	the craniofacial anomaly as determined by a nationally accredited approved

2	Association in Chapel Hill, North Carolina.
3	(2) A nationally accredited approved cleft-craniofacial team for
4	cleft-craniofacial conditions shall:
5	(A) Evaluate $\frac{1}{1}$ person with $\frac{1}{1}$ craniofacial
6	anomalies anomaly; and
7	(B) Coordinate a treatment plan for each person.
8	(3) After one (1) denial or any limitation of coverage that is
9	based on the lack of medical necessity to improve a functional impairment,
10	the case shall be referred for an external review under State Insurance
11	Department Rule 76, the Arkansas External Review Regulation, if applicable,
12	or under a similar procedure for external review established by a third-party
13	administrator of a health benefit plan.
14	(b) Medical care coverage required under this section includes
15	coverage for eorrective reconstructive surgery, dental care, vision care, and
16	the use of at least one (1) hearing aid.
17	
18	23-79-1503. Rules.
19	(a) The State Insurance Department shall develop and promulgate rules
20	for the implementation and administration of this subchapter.
21	(b) The State and Public School Life and Health Insurance Board may
22	develop and promulgate rules for the administration of this subchapter for
23	the plans providing health benefits to state and public school employees
24	under § 21-5-401 et seq.
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27	APPROVED: 03/10/2015
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cleft-craniofacial team, approved by the American Cleft Palate-Craniofacial

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