

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

As Engrossed: S2/25/19

# A Bill

SENATE BILL 380

5 By: Senator G. Leding  
6 By: Representative D. Ferguson  
7

## For An Act To Be Entitled

9 AN ACT TO MODIFY COVERAGE FOR SCREENING MAMMOGRAPHY  
10 AND BREAST ULTRASOUND FOR THE DIAGNOSIS OF BREAST  
11 DISEASE SUCH AS CANCER AND FOR THE EVALUATION OF  
12 DENSE BREAST TISSUE AS AN ESSENTIAL HEALTH BENEFIT;  
13 AND FOR OTHER PURPOSES.  
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## Subtitle

16 TO MODIFY COVERAGE FOR SCREENING  
17 MAMMOGRAPHY AND BREAST ULTRASOUND FOR THE  
18 DIAGNOSIS OF BREAST DISEASE SUCH AS  
19 CANCER AND FOR THE EVALUATION OF DENSE  
20 BREAST TISSUE AS AN ESSENTIAL HEALTH  
21 BENEFIT.  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Code § 23-79-140(b), concerning coverage of  
28 mammograms and breast ultrasounds as an essential health benefit, is amended  
29 to read as follows:

30 (b)(1) Every accident and health insurance company, hospital service  
31 corporation, health maintenance organization, or other accident and health  
32 insurance provider in the State of Arkansas shall offer, ~~after January 1,~~  
33 ~~1990,~~ as an essential health benefit, coverage for screening mammography and  
34 breast ultrasound for the diagnosis of breast disease such as cancer and the  
35 evaluation of dense breast including tissue:

36 ~~(1)(A)~~ A baseline mammogram for a woman covered by such a



1 ~~policy~~ an insured woman who is thirty-five to forty (35-40) years of age;

2 ~~(2)(B) A mammogram for a woman covered by such a policy~~  
 3 ~~who is forty (40) years of age or older, every year~~ An annual mammogram for  
 4 an insured woman who is forty (40) years of age or older;

5 ~~(3)(C)~~ Upon recommendation of a woman's physician, without  
 6 regard to age, when the woman has had a prior history of breast cancer, when  
 7 the woman's mother or sister has had a history of breast cancer, positive  
 8 genetic testing, or other risk factors; and

9 ~~(4)(D)~~ A comprehensive ultrasound screening of an entire  
 10 breast or breasts if a mammogram screening demonstrates heterogeneously dense  
 11 or extremely dense breast tissue ~~when~~ and the woman's primary healthcare  
 12 provider or radiologist determines a comprehensive ultrasound screening is  
 13 medically necessary; ~~and.~~

14 ~~(5)(2)~~ Insurance coverage for screening mammograms, including  
 15 digital breast tomosynthesis, and breast ultrasounds shall not prejudice  
 16 coverage for diagnostic mammograms or breast ultrasounds, as recommended by  
 17 the woman's physician.

18 (3) A fully insured large group insurer that issues, renews, or  
 19 extends a health benefit plan in this state shall also provide coverage for  
 20 an optional screening mammography and breast ultrasound benefit as described  
 21 under subdivision (b)(1) of this section.

22 (4) As used in subsection (b) of this section, an accident and  
 23 health insurance company, hospital service corporation, health maintenance  
 24 organization, or other accident and health insurance provider does not  
 25 include benefits under one (1) or more, or any combination thereof, of the  
 26 following:

27 (A) Coverage only for accident or disability income  
 28 insurance, or any combination thereof;

29 (B) Coverage issued as a supplement to liability  
 30 insurance;

31 (C) Liability insurance, including general liability  
 32 insurance and automobile liability insurance;

33 (D) Workers' compensation or similar insurance;

34 (E) Automobile medical payment insurance;

35 (F) Credit-only insurance;

36 (G) Limited-scope dental or vision benefits;

1 (H) Benefits for long-term care, nursing home care, home  
2 health care, community-based care, or any combination thereof;

3 (I) Coverage only for a specified disease or illness;

4 (J) Hospital indemnity or other fixed indemnity insurance;

5 or

6 (K) Other similar insurance coverage, specified in rules,  
7 under which benefits for medical care are secondary or incidental to other  
8 insurance benefits.

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11 /s/G. Leding  
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14 **APPROVED: 3/15/19**  
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