

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

A Bill

SENATE BILL 527

5 By: Senator Bledsoe
6 By: Representative D. Ferguson
7

For An Act To Be Entitled

9 AN ACT TO REQUIRE A HEALTHCARE PAYOR TO DISCLOSE ON A
10 MEMBER IDENTIFICATION CARD WHETHER A HEALTH BENEFIT
11 PLAN IS INSURED OR SELF-FUNDED; TO DECLARE AN
12 EMERGENCY; AND FOR OTHER PURPOSES.
13

Subtitle

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16 TO REQUIRE A HEALTHCARE PAYOR TO DISCLOSE
17 ON A MEMBER IDENTIFICATION CARD WHETHER A
18 HEALTH BENEFIT PLAN IS INSURED OR SELF-
19 FUNDED; AND TO DECLARE AN EMERGENCY.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code Title 23, Chapter 79, is amended to add an
25 additional subchapter to read as follows:
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Subchapter 18 – Healthcare Payor Identification Card Act

23-79-1801. Title.

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30 This subchapter shall be known and may be cited as the "Healthcare
31 Payor Identification Card Act".
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23-79-1802. Definitions.

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34 As used in this subchapter:

35 (1)(A) "Health benefit plan" means an individual, blanket, or
36 group plan, policy, or contract for healthcare services issued or delivered



1 by a healthcare payor in this state.

2 (B) "Health benefit plan" does not include workers'
 3 compensation plans, Medicaid, or a plan that provides only dental benefits or
 4 eye and vision care benefits;

5 (2)(A) "Healthcare payor" means an entity or individual that
 6 contracts, pays, or arranges for payment, in whole or in part, for the
 7 delivery of healthcare services or products that are covered by a health
 8 benefit plan administered, issued, or delivered by the entity or individual.

9 (B) "Healthcare payor" includes a health insurance
 10 company, a health maintenance organization, a hospital and medical services
 11 corporation, and an entity that provides or administers a self-funded health
 12 benefit plan, including a governmental plan;

13 (3) "Identification card" means a card or other technology that
 14 functions like a card issued by a healthcare payor to a subscriber or member
 15 and containing information related to the member's identity and health
 16 benefit plan; and

17 (4) "Member" means an individual enrolled or subscribed for
 18 healthcare services or products that are covered by a health benefit plan.

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 20 23-79-1803. Identification cards.

21 A healthcare payor shall issue an identification card to a member that
 22 provides an indication of whether the health benefit plan is insured or self-
 23 funded.

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 25 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
 26 General Assembly of the State of Arkansas that there is confusion in the
 27 marketplace among consumers and providers as to whether members are in an
 28 insured or self-funded plan; that simply identifying the type of plan on a
 29 member's identification card will significantly address this problem without
 30 causing an administrative burden; and that this act is immediately necessary
 31 because the confusion makes proper regulation and enforcement of laws under
 32 the Arkansas Insurance Code difficult. Therefore, an emergency is declared
 33 to exist, and this act being immediately necessary for the preservation of
 34 the public peace, health, and safety shall become effective on:

35 (1) The date of its approval by the Governor;

36 (2) If the bill is neither approved nor vetoed by the Governor,

1 the expiration of the period of time during which the Governor may veto the
2 bill; or

3 (3) If the bill is vetoed by the Governor and the veto is
4 overridden, the date the last house overrides the veto.

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7 **APPROVED: 4/4/19**
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