1 State of Arkansas

2 94th General Assembly   **A Bill**

3 Regular Session, 2023   SENATE BILL 141

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5 By: Senator Irvin

6 By: Representative L. Johnson

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8   **For An Act To Be Entitled**

9   AN ACT TO AMEND THE PRIOR AUTHORIZATION TRANSPARENCY

10   ACT; TO CLARIFY THAT A HEALTHCARE INSURER FROM OUT OF

11   STATE IS SUBJECT TO THE PRIOR AUTHORIZATION

12   TRANSPARENCY ACT IF THAT HEALTHCARE INSURER HAS

13   SUBSCRIBERS IN THIS STATE; AND FOR OTHER PURPOSES.

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16   **Subtitle**

17   TO AMEND THE PRIOR AUTHORIZATION

18   TRANSPARENCY ACT; AND TO CLARIFY THAT A

19   HEALTHCARE INSURER FROM OUT OF STATE IS

20   SUBJECT TO THE PRIOR AUTHORIZATION

21   TRANSPARENCY ACT IF THAT HEALTHCARE

22   INSURER HAS SUBSCRIBERS IN THIS STATE.

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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 § 23-99-1103(8)(A)(i), concerning the

28 definition of "healthcare insurer" under the Prior Authorization Transparency

29 Act, is amended to read as follows:

30   (8)(A)(i) "Healthcare insurer" means an entity that:

31   (a) ~~is~~ Is subject to state insurance

32 regulation, including an insurance company, a health maintenance

33 organization, a hospital and medical service corporation, a risk-based

34 provider organization, and a sponsor of a nonfederal self-funded governmental

35 plan; or

36   (b) Has any subscribers in this state.

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3   SECTION 2. Arkansas Code § 23-99-1112 is amended to read as follows:
4   23-99-1112. Application of subchapter.
5   This subchapter applies to a healthcare insurer, whether or not the
6   healthcare insurer is:
7   (1) ~~acting~~ Acting directly or indirectly through a private
8   utilization review entity; or
9   (2) Located in this state.
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12   **APPROVED: 2/17/23**
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