

"AN ACT TO PROVIDE THAT ALL SELF INSURED HEALTH PLANS, HOSPITAL AND MEDICAL SERVICE CONTRACTS, INSURANCE POLICIES, PREPAID HEALTH CARE PLANS AND CERTIFICATES OF INSURANCE HEREINAFTER SOLD, DELIVERED OR OFFERED FOR SALE OR DELIVERY IN THIS STATE, WHETHER INDIVIDUAL OR GROUP POLICIES OR PLANS, WHICH IN ADDITION TO COVERING THE INSURED ALSO COVER MEMBERS OF THE INSURED'S FAMILY, SHALL ALSO INCLUDE COVERAGE FOR ALL MINORS UNDER THE CHARGE, CARE AND CONTROL OF THE INSURED FOR WHICH THE INSURED HAS FILED A PETITION FOR ADOPTION; AND FOR OTHER PURPOSES."

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

SECTION 1. (a) Every disability insurance policy, self insured health plan, hospital and medical service contract, contract, certificate or health care plan, sold, delivered, issued or offered for sale, issue or delivery in this state, whether an individual or group policy, contract or plan, which covers the insured and members of the insured's family, shall include coverage for any minor under the charge, care and control of the insured that the insured has filed a petition to adopt. The coverage of the minor shall be the same as provided for other members of the insured's family.

(b) The coverage required by this section shall begin on the date of the filing of a petition for adoption if the insured applies for coverage within sixty (60) days after the filing of the petition for adoption. Provided that the coverage required by this section shall begin from the moment of birth if the petition for adoption and application for coverage is filed within sixty (60) days after the birth of the minor.

(c) The coverage required by this section shall terminate upon the dismissal or denial of a petition for adoption.

SECTION 2. The provisions of this Act shall apply to all policies, contracts or plans sold, delivered, issued or offered for sale, delivery or issue on or after July 1, 1987. All policies or contracts issued prior to July 1, 1987 shall be subject to the provisions of this Act and shall automatically include the coverage required by this Act beginning with the first renewal or premium anniversary date occurring on or after July 1, 1987.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. EMERGENCY. It is hereby found and determined by the General Assembly that many policies of disability insurance hospital service and medical service contracts or plans offered for sale in this state do not cover minors being adopted by an insured until an adoption decree has been issued; that many adoptive parents risk having to pay potentially high costs of medical services rendered to the children they are adopting; and that this Act will promote the policy of encouraging the citizens of this state to adopt children. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

APPROVED: February 27, 1987

---