

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Representative Argue**

# **A Bill**

**ACT 685 OF 1995**  
**HOUSE BILL 1647**

## **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §§ 23-79-141 AND  
9 23-79-145 TO MANDATE THE COVERAGE OF CHILDREN'S PREVENTIVE  
10 HEALTH CARE IN HEALTH INSURANCE CONTRACTS; AND FOR OTHER  
11 PURPOSES."

### **Subtitle**

14 "TO MANDATE THE COVERAGE OF CHILDREN'S  
15 PREVENTIVE HEALTH CARE IN HEALTH  
16 INSURANCE CONTRACTS."

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

20 *SECTION 1. Arkansas Code Annotated 23-79-141 is amended to read*  
21 *as follows:*

22 *"23-79-141. Children's Preventive Health Care Act.*

23 *(a) Title. This section shall be known and may be cited as the*  
24 *\_Children's Preventive Health Care Act\_.*

25 *(b) Declaration of Purposes. The purpose of this section is to assure*  
26 *that all children eighteen (18) years of age and younger are provided with*  
27 *insurance coverage for preventive health care services during their formative*  
28 *years in order to facilitate early detection and prevention of physical and*  
29 *mental illness; thereby avoiding the risks of the extreme costs associated*  
30 *with many preventable childhood diseases. In addition to improving the health*  
31 *of children, providing insurance coverage for children's preventive health*  
32 *care services enhances the care giving skills of parents and helps strengthen*  
33 *the family unit. Providing insurance coverage for children's preventive*  
34 *health care will also reduce the disruption to the emotional and financial*  
35 *well-being of families that often accompanies physical and mental illness*  
36 *among children.*

1 (c) Definitions. As used in this section:

2 (1) Children's Preventive Health Care Services means  
3 physician-delivered or physician-supervised services for eligible dependents  
4 from birth through age eighteen (18), with periodic preventive care visits,  
5 including medical history, physical examination, developmental assessment,  
6 anticipatory guidance and appropriate immunizations and laboratory tests, in  
7 keeping with prevailing medical standards for the purposes of this section;

8 (2) Periodic Preventive Care Visits means the routine tests and  
9 procedures for the purpose of detection of abnormalities or malfunctions of  
10 bodily systems and parts according to accepted medical practice.

11 (d) (1) Applicability. Every disability insurer, hospital or medical  
12 service corporation, health maintenance organization, fraternal benefit  
13 society, and self-insured plan transacting disability insurance or providing  
14 disability coverage in this state which delivers, issues for delivery in this  
15 state, or renews, extends, or modifies disability policies, contracts,  
16 certificates, and plans providing hospital and medical coverage on an expense  
17 incurred, service, or prepaid basis, which contracts provide coverage for a  
18 family member of the insured person, shall provide to the contract holder  
19 coverage for periodic preventive care visits for covered persons from the  
20 moment of birth through the age of eighteen (18).

21 (2) This section does not apply to disability income, specified  
22 disease, medicare supplement, hospital indemnity, or accident only policies.

23 (e) Coverage. (1) Each disability insurance policy, contract,  
24 certificate, or plan providing benefits for children's preventive health care  
25 services on a periodic basis shall include twenty (20) visits at approximately  
26 the following age intervals: birth, two (2) weeks, two (2) months, four (4)  
27 months, six (6) months, nine (9) months, twelve (12) months, fifteen (15)  
28 months, eighteen (18) months, two (2) years, three (3) years, four (4) years,  
29 five (5) years, six (6) years, eight (8) years, ten (10) years, twelve (12)  
30 years, fourteen (14) years, sixteen (16) years, and eighteen (18) years.

31 (2) A disability insurance policy, contract, certificate, or plan  
32 may provide that children's preventive health care services which are rendered  
33 during a periodic review shall only be covered to the extent that these  
34 services are provided by or under the supervision of a single physician during  
35 the course of one (1) visit.

1           (f) Reimbursement, Co-Insurance and Deductibles. The benefits which are  
2 mandated by this section shall be reimbursed at levels established by the  
3 Insurance Commissioner which shall not exceed those established for the same  
4 services under the Medicaid program in the State of Arkansas. Benefits for  
5 recommended immunization services shall be exempt from any co-payment,  
6 coinsurance, deductible or dollar limit provisions in the health insurance  
7 policy. This exemption shall be explicitly stated in the policy that all other  
8 children\_s preventive health care services will be subject to co-payment,  
9 coinsurance, deductible, or dollar limit provisions in the health insurance  
10 policy."

11           SECTION 2. Arkansas Code Annotated 23-79-145, pertaining to basic  
12 health care insurance for children, is repealed.

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14           SECTION 3. All provisions of this act of a general and permanent nature  
15 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
16 Revision Commission shall incorporate the same in the Code.

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18           SECTION 4. If any provision of this act or the application thereof to  
19 any person or circumstance is held invalid, such invalidity shall not affect  
20 other provisions or applications of the act which can be given effect without  
21 the invalid provision or application, and to this end the provisions of this  
22 act are declared to be severable.

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24           SECTION 5. All laws and parts of laws in conflict with this act are  
25 hereby repealed.

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/s/Rep. Argue

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APPROVED: 3-21-95

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