

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1995 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S3/22/05

A Bill

SENATE BILL 998

5 By: Senator B. Johnson
6
7

8 **For An Act To Be Entitled**

9 AN ACT CONCERNING COVERAGE AND REIMBURSEMENT FOR
10 AUDIOLOGY SERVICES; AND FOR OTHER PURPOSES.
11

12 **Subtitle**

13 AN ACT CONCERNING COVERAGE AND
14 REIMBURSEMENT FOR AUDIOLOGY SERVICES.
15
16

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

19 *SECTION 1. Arkansas Code § 23-79-114(g), concerning speech language*
20 *pathologists and audiologists, is amended to add an additional subdivision to*
21 *read as follows:*

22 *(5) The failure to comply with any provision in this subsection*
23 *(g) shall be deemed an unfair trade practice under the Trade Practices Act, §*
24 *23-66-201 et seq., and may be punished by fines and penalties established*
25 *under §§ 23-60-108, 23-66-210, and 23-66-215.*
26

27 *SECTION 2. Arkansas Code § 23-79-130 is amended to read as follows:*

28 *23-79-130. ~~Group policies—Offer of coverage for impairment~~*
29 *Impairment of speech or hearing.*

30 *(a) Every accident and health insurer, hospital or medical service*
31 *corporation, or health maintenance organization* ~~*which offers for sale, issue,*~~
32 ~~*or delivery in this state, any group insurance policy, contract, plan, or*~~
33 ~~*agreement for health and accident or medical service or indemnity which*~~
34 ~~*covers the insured and members of the insured's family, transacting accident*~~
35 *and health insurance or providing health coverage in the State of Arkansas*



1 that delivers or issues for delivery or renews, extends, or modifies accident
2 and medical coverage on an expense-incurred service or prepaid basis shall
3 ~~offer~~ provide coverage for the necessary care and treatment of loss or
4 impairment of speech or hearing, subject to the same durational limits,
5 dollar limits, deductibles, and coinsurance factors as other covered services
6 in the policies or contracts.

7 ~~(b) The offer of benefits under subsection (a) of this section shall~~
8 ~~be in writing by offering a rider to the group administrator. This section~~
9 does not apply to disability income, specified disease, hospital indemnity,
10 or accident-only policies.

11 ~~(c) Nothing in this section shall prohibit the insurance company or~~
12 ~~not for profit health service corporation from including any coverage for~~
13 ~~loss or impairment of speech, language, or hearing as standard coverage in~~
14 ~~their policies or contracts.~~

15 ~~(d)~~(c) The phrase "loss or impairment of speech or hearing" shall
16 include those communicative disorders generally treated by a speech
17 pathologist or audiologist licensed by the Board of Examiners in Speech-
18 Language Pathology and Audiology and which fall within the scope of his or
19 her area of certification.

20 ~~(e)~~(d) The additional coverage provided for in this section shall not
21 apply to hearing instruments or devices.

22
23 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
24 General Assembly of the State of Arkansas that Act 1455 of 2003 was adopted
25 by the General Assembly to assure freedom of choice for individuals receiving
26 services from licensed audiologists and to assure equal payment or
27 reimbursement to licensed audiologists; that despite Act 1455 of 2003
28 licensed audiologist have had difficulty obtaining payment or reimbursement;
29 and that to protect the health of the public this act is immediately
30 necessary. Therefore, an emergency is declared to exist and this act being
31 immediately necessary for the preservation of the public peace, health, and
32 safety shall become effective on:

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

34 (2) If the bill is neither approved nor vetoed by the Governor,
35 the expiration of the period of time during which the Governor may veto the
36 bill; or

1