

1 State of Arkansas As Engrossed: S2/18/13 S2/27/13

2 89th General Assembly

# A Bill

3 Regular Session, 2013

SENATE BILL 277

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5 By: Senators *J. Dismang, Elliott, Burnett, Files, Holland, Irvin, B. King, Rapert, B. Sample, G.*

6 *Stubblefield, J. Woods, D. Wyatt*

7 By: Representatives *Farrer, D. Altes, E. Armstrong, Baine, Copenhaver, Gillam, Hutchison, Leding,*

8 *McLean, Ratliff, Vines, Wardlaw, Wren, Wright*

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## 10 For An Act To Be Entitled

11 AN ACT TO REQUIRE INSURANCE COMPANIES TO PAY  
12 COMPARABLE REIMBURSEMENT TO PHYSICAL THERAPISTS,  
13 OCCUPATIONAL THERAPISTS, SPEECH-LANGUAGE  
14 PATHOLOGISTS, AND PHYSICIANS; AND FOR OTHER PURPOSES.

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### Subtitle

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TO REQUIRE INSURANCE COMPANIES TO PAY  
19 COMPARABLE REIMBURSEMENT TO PHYSICAL  
20 THERAPISTS, OCCUPATIONAL THERAPISTS,  
21 SPEECH-LANGUAGE PATHOLOGISTS, AND  
22 PHYSICIANS.

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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 Title 23, Chapter 79, Subchapter 1, is  
28 amended to add an additional section to read as follows:

29 23-79-156. Payment for services rendered by physical therapists,  
30 occupational therapists and speech-language pathologists.

31 (a) As used in this section:

32 (1)(A) "Health benefit plan" means any group or blanket plan,  
33 policy, or contract for health care services issued or delivered in this  
34 state by health care insurers, including indemnity and managed care plans and  
35 the plans providing health benefits to state and public school employees  
36 under § 21-5-401 et seq., but excluding individual major medical plans and



1 plans providing health care services under Arkansas Constitution, Article 5,  
2 § 32, the Workers' Compensation Law, § 11-9-101 et seq., and the Public  
3 Employee Workers' Compensation Act, § 21-5-601 et seq.

4 (B) "Health benefit plan" does not include an accident-  
5 only, specified disease, hospital indemnity, Medicare supplement, long-term  
6 care, disability income, or other limited benefit health insurance policy;

7 (2) "Health care insurer" means any insurance company, hospital  
8 and medical service corporation, or health maintenance organization issuing  
9 or delivering health benefit plans in this state and subject to any of the  
10 following laws:

11 (A) The insurance laws of this state;

12 (B) Section 23-75-101 et seq., pertaining to hospital and  
13 medical service corporations; and

14 (C) Section 23-76-101 et seq., pertaining to health  
15 maintenance organizations;

16 (3) "Licensed physical therapist, occupational therapist, or  
17 speech-language pathologist" means:

18 (A) A physical therapist licensed under §§ 17-93-101 – 17-  
19 93-312;

20 (B) An occupational therapist licensed under the Arkansas  
21 Occupational Therapy Practice Act, § 17-88-101 et seq.; and

22 (C) A speech-language pathologist licensed under §§ 17-  
23 100-102 – 17-100-308; and

24 (4) "Licensed primary care physician or osteopath" means a  
25 primary care physician and an osteopath licensed under §§ 17-80-101 – 17-95-  
26 505.

27 (b) An insurer shall not impose a copayment, coinsurance, or an office  
28 visit deductible amount or a combination of a copayment, coinsurance, or an  
29 office visit deductible amount charged to the insured for services rendered  
30 for a date of service by a licensed physical therapist, occupational  
31 therapist, or speech-language pathologist that is greater than the copayment,  
32 coinsurance, or office visit deductible amount charged to the insured for an  
33 office visit for the service of a licensed primary care physician or  
34 osteopath.

35 (c) An insurer shall state in its health benefit plan:

36 (1) The availability of physical therapy, occupational therapy,

1 or speech-language pathologist coverage under its plan; and

2 (2) All related limitations, conditions, and exclusions.

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4 */s/J. Dismang*

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7 **APPROVED: 03/14/2013**  
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