

1 State of Arkansas *As Engrossed: S2/6/19 S2/13/19*

2 92nd General Assembly

# A Bill

3 Regular Session, 2019

HOUSE BILL 1125

4

5 By: Representative Evans

6 *By: Senator Irvin*

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## For An Act To Be Entitled

9 AN ACT TO PROHIBIT AN INSURER FROM REQUIRING PAYMENT  
10 FOR HEALTHCARE SERVICES THROUGH GIFT CARDS, CREDIT  
11 CARDS, OR VIRTUAL CREDIT CARDS; AND FOR OTHER  
12 PURPOSES.

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## Subtitle

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

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24 SECTION 1. Arkansas Code § 23-76-119, concerning prohibited practices  
25 of health maintenance organizations, is amended to add an additional  
26 subsection to read as follows:

27 (d)(1) A health maintenance organization or its contractor or  
28 subcontractor may pay a claim for healthcare services by any lawful method,  
29 including the alternative payment method by gift card, credit card, or other  
30 type of electronic payment or virtual credit card as payment if the  
31 healthcare provider is given clear instructions about how to select the  
32 alternative payment method.

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1 method of payment charges the participating provider a service fee to  
2 process.

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4 SECTION 2. Arkansas Code § 23-99-204, concerning the terms of a health  
5 benefit plan, is amended to add an additional subsection to read as follows:

6 (c)(1) A healthcare insurer may pay a claim for healthcare services by  
7 any lawful method, including the alternative payment method by gift card,  
8 credit card, or other type of electronic payment or virtual credit card as  
9 payment if the healthcare provider is given clear instructions about how to  
10 select the alternative payment method.

11 (2) However, a healthcare insurer is prohibited from requiring a  
12 healthcare provider to accept a gift card, credit card, or other type of  
13 electronic payment or virtual credit card as payment of a claim for  
14 healthcare services if the method of payment charges the healthcare provider  
15 a service fee to process.

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17 SECTION 3. Arkansas Code § 23-99-902(4), concerning the definition of  
18 "risk-sharing payment" as used in alternative payment systems, is amended to  
19 add an additional subdivision to read as follows:

20 (4)(A) "Risk-sharing payment" means a reduction in a payment to  
21 or refund of a payment already made to a physician as a result of patient  
22 care costs that exceed cost thresholds of any form.

23 (B) "Risk-sharing payment" includes the alternative  
24 payment method by gift card, credit card, or other type of electronic payment  
25 or virtual credit card as payment if the physician is given clear  
26 instructions about how to select an alternative payment method that does not  
27 result in the physician's being charged a service fee to process.

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30 /s/Evans

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33 APPROVED: 3/5/19