

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021

# A Bill

HOUSE BILL 1357

4  
5 By: Representatives Vaught, Bentley, Breaux, Cavanaugh, Furman, M. Gray, Haak, L. Johnson, B. Smith  
6 By: Senators D. Wallace, G. Leding

## For An Act To Be Entitled

9 AN ACT TO CONTINUE CARE FOR THE PROTECTION OF CANCER  
10 SURVIVORS; CONCERNING COVERAGE FOR POSITRON EMISSION  
11 TOMOGRAPHY UNDER A HEALTH BENEFIT PLAN TO SCREEN FOR  
12 OR DIAGNOSE CANCER IN CERTAIN PATIENTS; AND FOR OTHER  
13 PURPOSES.

## Subtitle

16 TO CONTINUE CARE FOR THE PROTECTION OF  
17 CANCER SURVIVORS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code Title 23, Chapter 79, Subchapter 1, is  
24 amended to add an additional section to read as follows:

25 23-79-164. Coverage for positron emission tomography – Definitions.

26 (a) As used in this section:

27 (1)(A) “Health benefit plan” means an individual, blanket, or  
28 any group plan, policy, or contract for healthcare services issued, renewed,  
29 or extended in this state by a healthcare insurer, health maintenance  
30 organization, hospital medical service corporation, or self-insured  
31 governmental or church plan in this state.

32 (B) “Health benefit plan” includes:

33 (i) Indemnity and managed care plans; and

34 (ii) Plans providing health benefits to state and  
35 public school employees under § 21-5-401 et seq.

36 (C) “Health benefit plan” does not include:



1 (i) A plan that provides only dental benefits or eye  
 2 and vision care benefits;

3 (ii) A disability income plan;

4 (iii) A credit insurance plan;

5 (iv) Insurance coverage issued as a supplement to  
 6 liability insurance;

7 (v) Medical payments under an automobile or  
 8 homeowners' insurance plan;

9 (vi) A health benefit plan provided under Arkansas  
 10 Constitution, Article 5, § 32, the Workers' Compensation Law, § 11-9-101 et  
 11 seq., and the Public Employee Workers' Compensation Act, § 21-5-601 et seq.;

12 (vii) A plan that provides only indemnity for  
 13 hospital confinement;

14 (viii) An accident-only plan; or

15 (ix) A specified disease plan;

16 (2)(A) "Healthcare insurer" means any insurance company,  
 17 hospital and medical service corporation, or health maintenance organization  
 18 that issues or delivers health benefit plans in this state and is subject to  
 19 any of the following laws:

20 (i) The insurance laws of this state;

21 (ii) Section 23-75-101 et seq., pertaining to  
 22 hospital and medical service corporations; or

23 (iii) Section 23-76-101 et seq., pertaining to  
 24 health maintenance organizations.

25 (B) "Healthcare insurer" does not include an entity that  
 26 provides only dental benefits or eye and vision care benefits; and

27 (3) "Positron emission tomography" means an imaging test that  
 28 uses radioactive substances to visualize and measure metabolic processes in  
 29 the body to help reveal how tissue and organs are functioning.

30 (b) A healthcare insurer that offers a health benefit plan in this  
 31 state shall provide coverage for positron emission tomography to screen for  
 32 or to diagnose cancer in a patient upon the recommendation of the patient's  
 33 physician when the patient has a prior history of cancer.

34 (c) Benefits under subsection (b) of this section are subject to any  
 35 health benefit plan provisions that apply to other services covered by the  
 36 health benefit plan.