

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 141

5 By: Senator Irvin
6 By: Representative L. Johnson
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE PRIOR AUTHORIZATION TRANSPARENCY
10 ACT; TO CLARIFY THAT A HEALTHCARE INSURER FROM OUT OF
11 STATE IS SUBJECT TO THE PRIOR AUTHORIZATION
12 TRANSPARENCY ACT IF THAT HEALTHCARE INSURER HAS
13 SUBSCRIBERS IN THIS STATE; AND FOR OTHER PURPOSES.
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Subtitle

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16 TO AMEND THE PRIOR AUTHORIZATION
17 TRANSPARENCY ACT; AND TO CLARIFY THAT A
18 HEALTHCARE INSURER FROM OUT OF STATE IS
19 SUBJECT TO THE PRIOR AUTHORIZATION
20 TRANSPARENCY ACT IF THAT HEALTHCARE
21 INSURER HAS SUBSCRIBERS IN THIS STATE.
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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 § 23-99-1103(8)(A)(i), concerning the
28 definition of "healthcare insurer" under the Prior Authorization Transparency
29 Act, is amended to read as follows:

30 (8)(A)(i) "Healthcare insurer" means an entity that:

31 (a) is ~~is~~ Is subject to state insurance
32 regulation, including an insurance company, a health maintenance
33 organization, a hospital and medical service corporation, a risk-based
34 provider organization, and a sponsor of a nonfederal self-funded governmental
35 plan; or

36 (b) Has any subscribers in this state.



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SECTION 2. Arkansas Code § 23-99-1112 is amended to read as follows:
23-99-1112. Application of subchapter.

This subchapter applies to a healthcare insurer, whether or not the
healthcare insurer is:

(1) ~~acting~~ Acting directly or indirectly through a private
utilization review entity; or

(2) Located in this state.