

**Hall of the House of Representatives**  
91st General Assembly - Regular Session, 2017  
**Amendment Form**

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**Subtitle of House Bill No. 2014**

TO REQUIRE HEALTH INSURANCE COVERAGE FOR REGENERATIVE INJECTION THERAPY USED AS  
A NONSURGICAL TREATMENT OF MUSCULOSKELETAL PAIN AND CONNECTIVE TISSUE INJURIES.

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**Amendment No. 1 to House Bill No. 2014**

Amend House Bill No. 2014 as originally introduced:

Delete the title in its entirety and substitute the following:

"AN ACT TO REQUIRE HEALTH INSURANCE COVERAGE FOR REGENERATIVE INJECTION THERAPY USED AS A NONSURGICAL TREATMENT OF MUSCULOSKELETAL PAIN AND CONNECTIVE TISSUE INJURIES; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute the following:

"TO REQUIRE HEALTH INSURANCE COVERAGE FOR REGENERATIVE INJECTION THERAPY USED AS A NONSURGICAL TREATMENT OF MUSCULOSKELETAL PAIN AND CONNECTIVE TISSUE INJURIES; AND TO DECLARE AN EMERGENCY."

AND

Delete everything after the enacting clause and substitute the following:

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

Subchapter 17 – Regenerative Injection Therapy Health Insurance Coverage Act  
of 2017

23-79-1701. Title.

This subchapter shall be known and may be cited as the "Regenerative Injection Therapy Health Insurance Coverage Act of 2017".

23-79-1702. Definitions.

As used in this subchapter:

(1)(A) "Health benefit plan" means:

(i) An individual, blanket, or group plan, policy, contract, or agreement for healthcare services offered, issued, or delivered by an insurer, health maintenance organization, hospital medical service



corporation, or self-insured governmental or church plan in this state to provide, reimburse, or pay for healthcare services; and

(ii) Any health benefit program receiving state or federal appropriations from the State of Arkansas, including the Arkansas Medicaid Program and the Health Care Independence Program, commonly referred to as the "Arkansas Works Program", or any successor program.

(B) "Health benefit plan" includes:

(i) Indemnity and managed care plans; and

(ii) Nonfederal governmental plans as defined in 29 U.S.C. § 1002(32), as it existed on January 1, 2017, except governmental self-financed insurance organizations.

(C) "Health benefit plan" does not include:

(i) Accident-only plans;

(ii) Credit insurance plans;

(iii) Disability income plans;

(iv) Health benefit plans provided under Arkansas Constitution, Article 5, § 32; the Workers' Compensation Law, § 11-9-101 et seq.; or the Public Employee Workers' Compensation Act, § 21-5-601 et seq.;

(v) Insurance coverage issued as a supplement to liability insurance;

(vi) Long-term care only plans;

(vii) Medical payments under automobile or homeowners insurance plans;

(viii) Plans that provide only indemnity for hospital confinement; or

(ix) Specified disease plans; and

(2)(A) "Regenerative injection therapy" means a nonsurgical orthopedic treatment performed by injecting into a joint or soft tissue a substance that stimulates the growth of normal cells and tissues for the purpose of strengthening or repairing a painful or injured joint or connective tissue.

(B) "Regenerative injection therapy" includes the injection of:

(i) Amniotic cellular and noncellular solutions;

(ii) Autologous stem cell solutions;

(iii) Buffered five percent (5%) dextrose, twelve and five-tenths percent (12.5%) dextrose, and twenty-five percent (25%) dextrose, including hypotonic and hypertonic dextrose solutions; and

(iv) Platelet-rich plasma.

23-79-1703. Coverage for regenerative injection therapy.

(a)(1) This subchapter applies to all health benefit plans delivered, issued for delivery, reissued, or extended in Arkansas on or after January 1, 2018, or at any time when any term of the health benefit plan is changed or any premium adjustment is made thereafter.

(2) Notwithstanding subdivision (a)(1) of this section, this subchapter applies to the Arkansas Medicaid Program on and after July 1, 2017.

(b) A health benefit plan shall include coverage for physical therapy before regenerative injection therapy for a covered person if the physical therapy is:

(1) Medically necessary to relieve pain or overcome functional

impairment;

(2) Determined by a physician to be appropriate to the person's diagnosis and health condition;

(3) Performed in a nonphysician-owned clinic or an office of a physical therapist; and

(4) Provided for a minimum of twelve (12) visits or treatments.

(c) A health benefit plan shall include coverage for regenerative injection therapy for a covered person if the injection therapy is determined by a physician to be appropriate to the person's diagnosis and health condition after completion of the physical therapy treatments required in subsection (b) of this section.

23-79-1704. Rules.

(a) The State Insurance Department shall promulgate rules for the implementation and administration of this subchapter.

(b) The State and Public School Life and Health Insurance Board may promulgate rules for the administration of this subchapter for the plans providing health benefits to state and public school employees under § 21-5-401 et seq.

(c) The Department of Arkansas State Police may promulgate rules for the administration of this subchapter for the plans providing health benefits to uniformed employees of the Department of Arkansas State Police under § 12-8-210.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that some healthcare insurers have refused to extend coverage for regenerative injection therapy; that regenerative injection therapy will provide a nonsurgical treatment of musculoskeletal pain and connective tissue injuries; and that this act is immediately necessary because the citizens of Arkansas and healthcare professionals need direction about the law regarding healthcare services provided through regenerative injection therapy. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

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

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

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

The Amendment was read \_\_\_\_\_

By: Representative Baltz

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Chief Clerk