

ARKANSAS SENATE
93rd General Assembly - Regular Session, 2021
Amendment Form

Subtitle of House Bill No. 1907

TO ENABLE HEALTHCARE PROVIDERS TO MAKE APPROPRIATE BILLING DECISIONS THAT ARE IN
THE BEST INTEREST OF PATIENTS; AND TO ESTABLISH THE BILLING IN THE BEST INTEREST OF
PATIENTS ACT.

Amendment No. 1 to House Bill 1907

Amend House Bill No. 1907 as originally introduced:

Page 2, line 25, delete "(3)" and substitute "(3)(A)"

AND

Page 2, delete line 30, and substitute the following:
"health benefit plan, including a governmental plan.

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

AND

Page 4, delete lines 20 through 28, and substitute the following:

"(d)(1) If a determination is made by a healthcare provider that it is
in the enrollee's best interest for the healthcare provider to administer any
prescription medication that is ordinarily covered by the healthcare payor
regardless of the benefit category determination by the health benefit plan,
then a healthcare payor shall reimburse for the cost and administration of
the prescription medication through the medical benefit or pharmacy benefit
based on the decision of the healthcare provider in consultation with the
enrollee.

(2) The healthcare payor shall not impose financial penalties,
copayments, coinsurance, or deductibles beyond the ordinary terms required
through the enrollee's medical benefit or pharmacy benefit.

(3) This subsection does not apply to:

(A) A risk-based provider organization as established
under the Medicaid Provider-Led Organized Care Act, § 20-77-2701 et seq.; or

(B) An individual qualified health insurance plan under
the Arkansas Health and Opportunity for Me Act of 2021, § 23-61-1001 et seq.

(e) This section applies to an enrollee who is being evaluated or
treated for:



(1) A hematology diagnosis;
(2) An oncology diagnosis; or
(3) Additional disease states or diagnoses that the Insurance Commissioner may include through the promulgation of rules.

(f) This section shall not:

(1) Interfere with the ability of a healthcare payor to create, modify, or maintain a prescription medication formulary; or

(2) Apply to a solid oral dosages form of a prescription medication unless the medication:

(A) Is an oral anticancer prescription medication;

(B) An oral antiemetic prescription medication that is given with chemotherapy treatment; or

(C) Possesses a safety label from the United States Food and Drug Administration that indicates the relevant drug interactions, warnings and precautions, or adverse reactions of the prescription medication that are clinically applicable to the enrollee and determined by a healthcare provider to require supervision during administration of the prescription medication."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator K. Hammer

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Secretary