

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/19/01

A Bill

HOUSE BILL 2363

5 By: Representative Roebuck
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For An Act To Be Entitled

9 AN ACT TO PROVIDE *OPTIONAL* COVERAGE FOR TREATMENT
10 OF THE BONES AND JOINTS OF THE FACE, HEAD AND
11 NECK IN THE SAME MANNER AS COVERAGE FOR TREATMENT
12 OF OTHER BONES AND JOINTS OF THE HUMAN BODY; AND
13 FOR OTHER PURPOSES.
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Subtitle

15 TO PROVIDE *OPTIONAL* COVERAGE FOR TREATMENT
16 OF THE BONES AND JOINTS OF THE FACE, HEAD
17 AND NECK IN THE SAME MANNER AS COVERAGE FOR
18 TREATMENT OF OTHER BONES AND JOINTS OF
19 THE HUMAN BODY.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. (a) (1) Every health carrier shall offer optional coverage
26 in its health care plans for the medical treatment of musculoskeletal
27 disorders affecting any bone or joint in the face, neck or head, including
28 temporomandibular joint disorder and craniomandibular disorder. Treatment
29 shall include both surgical and nonsurgical procedures.

30 (2) This coverage shall be provided for medically necessary
31 diagnosis and treatment of these conditions whether they are the result of
32 accident, trauma, congenital defect, developmental defect, or pathology.

33 (3) This coverage shall be the same as that provided for any
34 other musculoskeletal disorder in the body and shall be provided whether
35 prescribed or administered by a physician or dentist.

36 (b) The policyholder shall accept or reject the optional coverage in

1 writing on the application. The application shall specifically and
 2 conspicuously inform the policyholder that rejection of the option means that
 3 covered benefits provided to insureds or enrollees will not include
 4 "temporomandibular joint disorder (TMJ) or craniomandibular disorder."

5 (c) Nothing herein shall prevent an insurer from including such
 6 coverage for any or all musculoskeletal disorders affecting any bone or joint
 7 in the face, neck or head as part of a policy's basic coverage, in lieu of
 8 offering optional coverage.

9 (d) This act shall apply to those health care plans issued, delivered,
 10 renewed, extended, amended, or modified on or after the effective date of
 11 this act.

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 13 SECTION 2. Definitions.

14 (1)(A) "Health care plan" means any individual, blanket, or group plan,
 15 policy, or contract for health care services issued or delivered by a carrier
 16 in this state, including indemnity and managed care plans.

17 (B) "Health care plan" does not mean a plan that provides
 18 coverage only for:

19 (i) A specified accident or accident-only coverage or
 20 long-term care insurance as defined in the Long-Term Care Insurance Act.

21 (ii) A Medicare supplement policy of insurance, as defined
 22 by the Insurance Commissioner by regulation;

23 (iii) Coverage under a plan through Medicare, Medicaid, or
 24 the Federal Employees Health Benefit Program;

25 (iv) Any coverage issued under Chapter 55 of Title 10 of
 26 the U.S. Code, existing on January 1, 2001, and any coverage issued as
 27 supplemental to that coverage; and

28 (v) Any coverage issued as supplemental to liability
 29 insurance, workers' compensation or similar insurance;

30 (2) "Health carrier" means any accident and health insurance company,
 31 referred to in law as "disability" insurance company, hospital or medical
 32 services corporation, or health maintenance organization (including a so-
 33 called dental maintenance organization), issuing or delivering health care
 34 plans in this state.

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 36 SECTION 3. If any provision of this act or the application thereof to any

1 person or circumstance is held invalid, the invalidity shall not affect other
2 provisions or applications of the act which can be given effect without the
3 invalid provision or application, and to this end the provisions of this act
4 are declared to be severable.

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/s/ Roebuck