

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 87th General Assembly  
3 Regular Session, 2009  
4

As Engrossed: H3/25/09 H3/30/09

# A Bill

HOUSE BILL 1930

5 By: Representative Adcock  
6  
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## For An Act To Be Entitled

9 AN ACT TO REQUIRE A HEALTH BENEFIT PLAN TO OFFER  
10 COVERAGE FOR HEARING AIDS IN AN AMOUNT OF NOT  
11 LESS THAN ONE THOUSAND FOUR HUNDRED DOLLARS  
12 (\$1,400) PER EAR EVERY THREE (3) YEARS; AND FOR  
13 OTHER PURPOSES.  
14

## Subtitle

15 TO REQUIRE A HEALTH BENEFIT PLAN TO  
16 OFFER COVERAGE FOR HEARING AIDS IN AN  
17 AMOUNT OF NOT LESS THAN ONE THOUSAND  
18 FOUR HUNDRED DOLLARS (\$1,400) PER EAR  
19 EVERY THREE (3) YEARS.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code Title 23, Chapter 79 is amended to add an  
26 additional subchapter to read as follows:

27 23-79-1301. Definitions.

28 As used in this subchapter:

29 (1)(A) "Health benefit plan" means an individual, blanket, or  
30 group plan, policy, or contract for health care services issued or delivered  
31 by a health care insurer in this state.

32 (B) "Health benefit plan" includes:

33 (i) Indemnity and managed care plans; and

34 (ii) Governmental plans as defined in 29 U.S.C. §  
35 1002(32), as it existed on January 1, 2009.

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



- 1 (i) Accidental injury insurance plans;
- 2 (ii) Dental insurance plans;
- 3 (iii) Vision insurance plans;
- 4 (iv) Specified disease insurance plans;
- 5 (v) Disability income plans;
- 6 (vi) Credit insurance plans;
- 7 (vii) Insurance coverage issued as a supplement to
- 8 liability insurance;
- 9 (viii) Medical payments under automobile or
- 10 homeowners' insurance plans;
- 11 (ix) Health benefit plans provided under Arkansas
- 12 Constitution, Article 5, Section 32, the Workers' Compensation Law, § 11-9-
- 13 101 et seq., and the Public Employee Workers' Compensation Act, § 21-5-601 et
- 14 seq.;

15 (x) Insurance under which benefits are payable with  
 16 or without regard to fault and the benefits that are statutorily required to  
 17 be contained in any liability policy or equivalent self-insurance; and

18 (xi) Plans that provide only indemnity for hospital  
 19 confinement; and

20 (2) "Hearing aid" means an instrument or device, including  
 21 repair and replacement parts, that:

22 (A) Is designed and offered for the purpose of aiding  
 23 persons with or compensating for impaired hearing;

24 (B) Is worn in or on the body; and

25 (C) Is generally not useful to a person in the absence of a  
 26 hearing impairment.

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 28 23-79-1302. Coverage for hearing aids required.

29 (a) A health benefit plan that is offered, issued, or renewed in this  
 30 state shall offer coverage for a hearing aid or hearing instrument sold on or  
 31 after January 1, 2010, by a professional licensed by the state to dispense a  
 32 hearing aid or hearing instrument.

33 (b) The coverage offered for hearing aids under this section:

34 (1) Shall not be for less than one thousand four hundred dollars  
 35 (\$1,400) per ear for each three-year period;

36 (2) Shall provide coverage of not less than one thousand four

1 hundred dollars (\$1,400) per ear beginning on the first day of coverage; and  
2 (3) Is not subject to policy deductibles or copayment  
3 requirements.

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5 23-79-1303. Rules.

6 The State Insurance Department shall develop and promulgate rules for  
7 the implementation and administration of this subchapter.

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9 /s/ Adcock  
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