

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

HOUSE BILL 2121

5 By: Representatives Hawthorne, E. Armstrong, Baltz, Ferguson, Kizzia, Scott  
6

## For An Act To Be Entitled

8 AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO PROVIDE FOR  
9 CORRECTIVE SURGERY FOR CRANIOFACIAL ANOMALY; AND FOR  
10 OTHER PURPOSES.  
11

## Subtitle

12 TO REQUIRE HEALTH BENEFIT PLANS TO  
13 PROVIDE FOR CORRECTIVE SURGERY FOR  
14 CRANIOFACIAL ANOMALY.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code Title 23, Chapter 79, is amended to add an  
22 additional subchapter to read as follows:

23 Subchapter 15 – Coverage for Craniofacial Anomaly Corrective Surgery  
24 23-79-1501. Definitions.

25 As used in this subchapter:

26 (1) "Corrective surgery" means the use of surgery to alter the  
27 form and function of the cranial facial tissues due to a congenital or  
28 acquired musculoskeletal disorder;

29 (2) "Craniofacial anomaly" means a congenital or acquired  
30 musculoskeletal disorder that primarily affects the cranial facial tissue;  
31 and

32 (3)(A) "Health benefit plan" means an individual, blanket, or  
33 group plan, policy, or contract for health care services issued or delivered  
34 by a health care insurer, health maintenance organization, hospital medical  
35 service corporation, or self-insured governmental or church plan in this  
36 state.



1                   (B) "Health benefit plan" includes:

2                   (i) Indemnity and managed care plans; and

3                   (ii) Governmental plans as defined in 29 U.S.C. §  
 4 1002(32), as it existed on January 1, 2013.

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

6                   (i) Disability income plans;

7                   (ii) Credit insurance plans;

8                   (iii) Insurance coverage issued as a supplement to  
 9 liability insurance;

10                   (vi) Medical payments under automobile or  
 11 homeowners' insurance plans;

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

16                   (vi) Plans that provide only indemnity for hospital  
 17 confinement.

18  
 19                   23-79-1502. Craniofacial anomaly – Coverage for corrective surgery  
 20 required.

21                   (a)(1) A health benefit plan that is offered, issued, or renewed in  
 22 this state shall offer coverage for corrective surgery and related medical  
 23 care for persons of any age who have been diagnosed as having a craniofacial  
 24 anomaly if the surgery and treatment are medically necessary as determined by  
 25 a nationally accredited cleft-craniofacial team.

26                   (2) A nationally accredited cleft-craniofacial team shall:

27                   (A) Evaluate persons with craniofacial anomalies; and

28                   (B) Coordinate a treatment plan for each person.

29                   (b) Medical care covered under this section includes corrective  
 30 surgery, dental care, vision care, and the use of one (1) or more hearing  
 31 aids.

32  
 33                   23-79-1503. Rules.

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

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