

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas *As Engrossed: H3/25/13 H3/26/13 H4/4/13*

2 89th General Assembly

A Bill

3 Regular Session, 2013

HOUSE BILL 2121

4

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

6

7

For An Act To Be Entitled

8

AN ACT TO REQUIRE HEALTH BENEFITS PLANS TO PROVIDE

9

FOR CORRECTIVE SURGERY AND TREATMENT FOR CRANIOFACIAL

10

ANOMALY; AND FOR OTHER PURPOSES.

11

12

13

Subtitle

14

TO REQUIRE HEALTH BENEFIT PLANS TO

15

PROVIDE FOR CORRECTIVE SURGERY AND

16

TREATMENT FOR CRANIOFACIAL ANOMALY.

17

18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20

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, except governmental self-financed
 5 insurance organizations.

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

7 (i) Disability income plans;

8 (ii) Credit insurance plans;

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

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

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

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

18 (vii) Accident only plans; or

19 (viii) Specified disease plans.

20
 21 23-79-1502. Craniofacial anomaly – Coverage for corrective surgery
 22 required.

23 (a)(1) A health benefit plan that is offered, issued, or renewed in
 24 this state shall include coverage for corrective surgery and related medical
 25 care for a person of any age who is diagnosed as having a craniofacial
 26 anomaly if the surgery and treatment are medically necessary to improve a
 27 functional impairment that results from the craniofacial anomaly as
 28 determined by a nationally accredited cleft-craniofacial team.

29 (2) A nationally accredited cleft-craniofacial team for cleft-
 30 craniofacial conditions shall:

31 (A) Evaluate persons with craniofacial anomalies; and

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

33 (3) After one (1) denial or any limitation of coverage that is based
 34 on the lack of medical necessity to improve a functional impairment, the case
 35 shall be referred for an external review under State Insurance Department
 36 Rule 76, the Arkansas External Review Regulation.

1 (b) Medical care coverage required under this section includes
2 corrective surgery, dental care, vision care, and the use of at least one (1)
3 hearing aid.

4
5 23-79-1503. Rules.

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

8
9 /s/Hawthorne
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36