

INTERIM STUDY PROPOSAL 2021-076

1
2 State of Arkansas
3 93rd General Assembly
4 Regular Session, 2021

A Bill

SENATE BILL 507

5
6 By: Senator T. Garner

7 Filed with: Arkansas Legislative Council
8 pursuant to A.C.A. §10-3-217.

9 **For An Act To Be Entitled**

10 AN ACT TO AMEND CERTAIN PROVISIONS OF INITIATED ACT 4
11 OF 1948; TO CLARIFY THE TREATMENT OF DURABLE MEDICAL
12 EQUIPMENT UNDER THE WORKERS' COMPENSATION LAW; AND
13 FOR OTHER PURPOSES.

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16 **Subtitle**

17 TO AMEND CERTAIN PROVISIONS OF INITIATED
18 ACT 4 OF 1948; AND TO CLARIFY THE
19 TREATMENT OF DURABLE MEDICAL EQUIPMENT
20 UNDER THE WORKERS' COMPENSATION LAW.

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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 § 11-9-517 is amended to read as follows:
26 11-9-517. Medical services and supplies – Rules.

27 (a) The Workers' Compensation Commission is authorized to establish
28 rules, including schedules of maximum allowable fees for specified medical
29 services rendered with respect to compensable injuries, for the purpose of
30 controlling the cost of medical and hospital services and supplies provided
31 pursuant to §§ 11-9-508 – 11-9-516.

32 (b) Notwithstanding the provisions of § 11-9-513, durable medical
33 equipment and medical supplies, including home durable medical equipment and
34 infusion and oxygen services other than implantables, shall be reimbursed at
35 the lesser of the billed charges or one hundred percent (100%) of the

1 applicable Medicare allowable amount when the durable medical equipment and
2 medical supplies are not included in the carrier's negotiated fee schedule.

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Referred requested by the Arkansas Senate

Prepared by: MBM/KFW