For An Act To Be Entitled

AN ACT TO REQUIRE A PHYSICIAN TO UTILIZE TREATMENT ALTERNATIVES BEFORE PRESCRIBING AN OPIOID; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE A PHYSICIAN TO UTILIZE TREATMENT ALTERNATIVES BEFORE PRESCRIBING AN OPIOID.

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

SECTION 1. Arkansas Code Title 17, Chapter 95, Subchapter 1, is amended to add an additional section to read as follows:


(a) If a patient that seeks treatment for a condition that causes pain, then a physician shall refer or prescribe to the patient any of the following treatment alternatives, based on the physician’s clinical judgment and the availability of the treatment, before the physician prescribes an opioid for the treatment of pain:

(1) Acupuncture;
(2) Chiropractic services;
(3) A chronic pain management program;
(4) Massage therapy;
(5) Occupational therapy;
(6) Osteopathic manipulation; or
(7) Physical therapy.

(b) This section does not require a physician to refer or prescribe all of the treatment alternatives listed under subsection (a) of this section before prescribing an opioid for a patient.

(c) This section does not prohibit a physician from simultaneously prescribing an opioid and prescribing or recommending any of the treatment alternatives listed in subsection (a) of this section.

SECTION 2. Arkansas Code Title 23, Chapter 99, Subchapter 11, is amended to add an additional section to read as follows:


(a) If a subscriber’s treatment alternatives require prior authorization and are ordered by a healthcare provider, then a healthcare insurer shall not deny prior authorization for coverage of, at a minimum, twenty (20) visits per event of:

(1) Chiropractic services;

(2) Chronic pain management provided by a chronic pain management program;

(3) Occupational therapy;

(4) Osteopathic manipulation; and

(5) Physical therapy.

(b)(1) A patient may seek treatment for chiropractic services, chronic pain management provided by a chronic pain management program, occupational therapy, osteopathic manipulation, or physical therapy before seeking treatment from a healthcare provider, and the treatment shall not require a healthcare provider referral as a condition of coverage under a health benefit plan.

(2) A deductible, coinsurance, or copay required for any of the healthcare services listed in subsection (a) of this section shall not be greater than the deductible, coinsurance, or copay required for a primary care visit.