

**ARKANSAS SENATE**  
83rd General Assembly - Regular Session, 2001  
**Amendment Form**

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**Subtitle of House Bill No. 1324**

"AN ACT TO CLARIFY THAT THE PROHIBITION AGAINST BALANCE BILLING  
APPLIES REGARDLESS OF THE FINANCIAL CONDITION OF A HEALTH  
MAINTENANCE ORGANIZATION."

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**Amendment No. 3 to House Bill No. 1324.**

Amend House Bill No. 1324 as engrossed, S3/27/01:

Page 1, line 35, delete "~~(3)~~(1)" and substitute "~~(3)~~(1)(A)"

AND

Page 2, delete lines 5 through 7 and substitute:  
"organization.

(B)(i) If a participating provider has a pattern or practice of violating this subsection, and continues to violate this subsection after the Insurance Commissioner has issued a written warning to the participating provider, the Insurance Commissioner may levy a penalty in an amount not less than one hundred and fifty dollars (\$150), nor more than one thousand five hundred dollars (\$1,500).

(ii) Before imposing the penalty, the Insurance Commissioner shall send a written notice to the participating provider informing the provider of the right to a hearing pursuant to §§ 23-61-303 through 23-61-307."

AND

Page 2, line 8, delete "~~a provider~~ any person" and substitute "a provider"

AND

Page 2, line 9, delete "23-76-102" and substitute "23-76-102(10)"

AND

Page 2, line 28, delete "(3)" and substitute "(3)(A)"

AND

Page 2, delete lines 34 through 36 and substitute:

"maintenance organization.

(B)(i) If a participating provider has a pattern or practice of violating this subsection, and continues to violate this subsection after the Insurance Commissioner has issued a written warning to the participating provider, the Insurance Commissioner may levy a penalty in an amount not less than one hundred and fifty dollars (\$150), nor more than one thousand five hundred dollars (\$1,500).

(ii) Before imposing the penalty, the Insurance Commissioner shall send a written notice to the participating provider informing the provider of the right to a hearing pursuant to § 23-61-303 through 23-61-307."

AND

Page 3, line 1, delete "any person" and substitute "a provider"

**The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_**

**By: Senator T. Smith  
LH/RRS - 040420010833  
RRS850**

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**Secretary**