

Hall of the House of Representatives
94th General Assembly - Regular Session, 2023
Amendment Form

Subtitle of House Bill No. 1272

TO AMEND THE HEALTHCARE CONTRACTING SIMPLIFICATION ACT; AND TO PROHIBIT A
HEALTHCARE INSURER FROM LEASING A HEALTHCARE CONTRACT OR PROVIDER NETWORK.

Amendment No. 1 to House Bill 1272

Amend House Bill No. 1272 as originally introduced:

Page 1, delete line 24, and substitute the following:

"SECTION 1. Arkansas Code § 23-99-1202(4), concerning the definition of "health benefit plan" used under the Healthcare Contracting Simplification Act, is amended to read as follows:

(4)(A) "Health benefit plan" means a plan, policy, contract, certificate, agreement, or other evidence of coverage for healthcare services offered or issued by a healthcare insurer in this state.

(B) "Health benefit plan" includes:

(i) A nonfederal governmental ~~plans~~ plan as defined in 29 U.S.C. § 1002(32), as it existed on ~~January 1, 2019~~ January 1, 2023;
and

(ii) A contract for providing benefits for dental care whether or not the contract is pursuant to:

(a) A healthcare insurance policy or certificate;

(b) A dental-only plan;

(c) A health maintenance organization provider contract; or

(d) A managed healthcare plan.

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

(i) A disability income plan;

(ii) A credit insurance plan;

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

(iv) A medical payment under automobile or homeowners insurance plans;

(v) A health benefit plan provided under Arkansas Constitution, Article 5, § 32, the Workers' Compensation Law, § 11-9-101 et seq., or the Public Employee Workers' Compensation Act, § 21-5-601 et seq.;

(vi) A plan that provides only indemnity for hospital confinement;



- (vii) An accident-only plan;
- (viii) A specified disease plan;
- (ix) A long-term care only plan; or
- (x) ~~A dental-only plan; or~~
- ~~(xi) A vision-only plan;~~

SECTION 2. Arkansas Code § 23-99-1202(6)(B), concerning the definition of "healthcare insurer" used under the Healthcare Contracting Simplification Act, is amended to read as follows:

- (B) "Healthcare insurer" includes:
 - (i) An insurance company;
 - (ii) A health maintenance organization;
 - (iii) A hospital and medical service corporation;
 - (iv) A risk-based provider organization; ~~and~~
 - (v) A sponsor of a nonfederal self-funded governmental plan; and
 - (vi) A dental-only plan;

SECTION 3. Arkansas Code § 23-99-1202(8), concerning the definition of "healthcare services used under the Healthcare Contracting Simplification Act, is amended to read as follows:

(8)(A) "Healthcare services" means services or goods provided for the purpose of or incidental to the purpose of preventing, diagnosing, treating, alleviating, relieving, curing, or healing human illness, disease, condition, disability, or injury.

(B) "Healthcare services" includes services for the diagnosis, prevention, treatment, or cure of a dental condition, illness, injury, or disease;

SECTION 4. Arkansas Code Title 23, Chapter 99, Subchapter 12, is"

AND

Page 2, delete lines 10 through 14, and substitute the following:

"opportunity to opt out of participating in the:

(A) Proposed lease, rental, or sale of a healthcare contract or provider network of a health benefit plan entirely upon the execution or renewal of the healthcare contract; and

(B) Lease, rental, or sale of a healthcare contract with respect to an individual healthcare insurer or third party administrator upon notice that the individual healthcare insurer or third party administrator has violated the terms of the healthcare contract; and"

The Amendment was read _____
By: Representative L. Johnson
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Chief Clerk