

INTERIM STUDY PROPOSAL 2021-004

1
2 State of Arkansas
3 93rd General Assembly
4 Regular Session, 2021
5

A Bill

ANS/ANS
SENATE BILL

6 By: Senator TeagueBy: Representative Maddox

7 Filed with: Senate Committee on Insurance and Commerce
8 pursuant to A.C.A. §10-3-217.

9 **For An Act To Be Entitled**

10 AN ACT TO REQUIRE A FISCAL IMPACT STATEMENT FOR ANY
11 PROPOSED LEGISLATION IMPOSING A NEW OR INCREASED COST
12 OBLIGATION FOR HEALTH BENEFIT PLANS, INCLUDING
13 PHARMACY BENEFITS, ON AN ENTITY OF THE STATE; AND FOR
14 OTHER PURPOSES.

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17 **Subtitle**

18 TO REQUIRE A FISCAL IMPACT STATEMENT FOR
19 ANY PROPOSED LEGISLATION IMPOSING A NEW
20 OR INCREASED COST OBLIGATION FOR HEALTH
21 BENEFIT PLANS, INCLUDING PHARMACY
22 BENEFITS, ON AN ENTITY OF THE STATE.

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

26
27 SECTION 1. Arkansas Code Title 10, Chapter 2, Subchapter 1, is amended
28 to add an additional section to read as follows:

29 10-2-133. Increased cost obligations for health benefit plans – Fiscal
30 impact statement required – Definitions.

31 (a) As used in this section:

32 (1) "Entity of the state" means any agency, board, bureau,
33 commission, committee, council, department, division, institution of higher
34 education, office, public school, quasi-public organization, or other
35 political subdivision of the state;

1 (2) "Fiscal impact statement" means a realistic written
2 statement of the purpose of a proposed law and the estimated financial cost
3 to an entity of the state of implementing or complying with the proposed law;
4 and

5 (3) "Health benefit plan" means a policy, contract, certificate,
6 or agreement offered or issued by an entity to provide, deliver, arrange for,
7 pay for, or reimburse any of the costs of healthcare services, including
8 pharmacy benefits, to an entity of the state.

9 (b) A bill filed in the House of Representatives or the Senate that
10 will impose a new or increased cost obligation for health benefit plans,
11 including pharmacy benefits, on an entity of the state shall:

12 (1) Have a fiscal impact statement attached to it prepared and
13 filed with the chair of the committee to which the bill is referred; and

14 (2) Not be taken up by the committee to which the bill is
15 referred until a fiscal impact statement is provided to the chair of the
16 committee.

17 (c)(1)(A) If any House or Senate bill is called up for final passage
18 in the House of Representatives or the Senate and a fiscal impact statement
19 has not been provided by the author of the bill or by the committee to which
20 the bill was referred, a member of the House of Representatives or the Senate
21 may object to the bill's being called up for final passage until a fiscal
22 impact statement is prepared and made available on the desk of each member of
23 the House of Representatives or the Senate at least one (1) day before the
24 bill's being called up for final passage.

25 (B) An affirmative vote of two-thirds (2/3) of a quorum
26 present and voting shall override the objection.

27 (2) If an objection is made without override, the presiding
28 officer of the House of Representatives or the Senate shall cause the bill to
29 be referred to the office for the preparation of a fiscal impact statement,
30 which shall be filed with the presiding officer not later than five (5) days
31 from the date of the request.

32 (d) A fiscal impact statement required by this section shall be
33 developed by the Department of Finance and Administration with the assistance
34 of the State Insurance Department within the guidelines adopted by the House
35 Committee on Insurance and Commerce and the Senate Committee on Insurance and
36 Commerce, as applicable.

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3 Referred by Senator Teague
4 Prepared by: ANS/ANS
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1 Prepared by: ANS/ANS

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