

**Brief Timeline of Emerging Therapies ACT 1089 of 2017**

- ACT 1089 signed into law April 2017
- EBD Board to explore options related to ACT by end of plan year 2017
- Board did not make decision by end of 2017
- New board appointed by Governor due to term limits of board members
- Provided orientation for new board and started review again of ACT 1089
- Pilot options approved by Board May 2018
- EBD worked to operationalize Board decision and worked to
  - Create network
  - Credential providers
  - Create fee structure
- First patients were seen in March 2019
- At the present time data is immature to provide any findings.

Stricken language would be deleted from and underlined language would be added to present law.  
Act 1089 of the Regular Session

1 State of Arkansas As Engrossed: H3/9/17 S3/30/17  
2 91st General Assembly  
3 Regular Session, 2017

# A Bill

HOUSE BILL 2014

4  
5 By: Representatives Baltz, Farrer  
6 By: Senator D. Sanders

## For An Act To Be Entitled

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9 AN ACT TO REQUIRE THE STATE AND PUBLIC SCHOOL LIFE  
10 AND HEALTH INSURANCE BOARD TO EXPLORE EMERGING  
11 THERAPIES AND COST-EFFECTIVENESS OF TREATMENTS; AND  
12 FOR OTHER PURPOSES.

### Subtitle

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16 TO REQUIRE THE STATE AND PUBLIC SCHOOL  
17 LIFE AND HEALTH INSURANCE BOARD TO  
18 EXPLORE EMERGING THERAPIES AND COST-  
19 EFFECTIVENESS OF TREATMENT.

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

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24 SECTION 1. DO NOT CODIFY. Legislative findings.

25 The General Assembly finds that:

26 (1) The State and Public School Life and Health Insurance Board  
27 has a fiduciary obligation to explore cost-effective treatments for its  
28 members;

29 (2) There are emerging technologies that could serve as cost-  
30 effective alternatives to surgical procedures; and

31 (3) Clinical organizations are increasingly providing public  
32 guidance on quality treatment practices.

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34 SECTION 2. Arkansas Code Title 23, Chapter 79, is amended to add an  
35 additional subchapter to read as follows:

36 Subchapter 17 – Emerging Therapy Act of 2017



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23-79-1701. Title.

This subchapter shall be known and may be cited as the "Emerging Therapy Act of 2017".

23-79-1702. Definitions.

As used in this subchapter:

(1) "Board" means the State and Public School Life and Health Insurance Board;

(2) "Choosing Wisely Initiative" means the initiative established by the American Board of Internal Medicine Foundation that seeks to advance a national dialogue on avoiding wasteful or unnecessary medical tests, treatments, and procedures;

(3) "Emerging therapies" means therapeutic services that have not historically been covered but for which new evidence may demonstrate therapeutic enhancements, opportunities for cost-avoidance, or both;

(4) "Evidence" means peer-reviewed objective studies of emerging therapies; and

(5) "Regenerative injection therapy" means a nonsurgical orthopedic treatment performed by injecting into a joint or soft tissue a substance that stimulates the growth of normal cells and tissues for the purpose of strengthening or repairing a painful or injured joint or connective tissue.

23-79-1703. State and Public School Life and Health Insurance Board – Requirements.

(a) By the end of plan year 2017, the State and Public School Life and Health Insurance Board shall explore the evidence supporting opportunities for benefit modification informed by:

(1) The Choosing Wisely Initiative;

(2) Emerging therapies; and

(3) Therapeutic alternatives to invasive surgical procedures, such as regenerative injection therapy.

(b) By July of 2018, the State and Public School Life and Health Insurance Board shall:

(1) Identify and consider implementation of pilot programs that include stepped therapy or center of excellence approaches, or both, for

1 which evidence demonstrates cost savings to the plan; and  
2 (2) Identify opportunities to stimulate conversations between  
3 patients and providers about appropriate and necessary treatment, including  
4 treatment recommendations identified by the Choosing Wisely Initiative.

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6 /s/Baltz  
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9 **APPROVED: 04/07/2017**  
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