

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1677

By: Representatives Wilson, Landers, Willems, Rice,
Mahony, Blair, Newman, Townsend

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 23-86-113 AND 23-79-114 TO REQUIRE INDIVIDUAL AND GROUP DISABILITY POLICIES AND GROUP CONTRACTS OF HOSPITAL AND MEDICAL SERVICE CORPORATIONS PROVIDING HOSPITALIZATION OR MEDICAL BENEFITS TO ARKANSANS TO REQUIRE THAT THOSE BENEFITS SHALL BE PAYABLE TO LICENSED, CERTIFIED SOCIAL WORKERS, THAT ARKANSANS SHALL HAVE A FREEDOM OF CHOICE TO SELECT ANY PRACTITIONER; AND FOR OTHER PURPOSES."

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

SECTION 1. Subsection (a) of Arkansas Code 23-86-113 is hereby amended by adding thereto an additional subsection to read as follows:

"(4) In the case of benefits based upon partial hospitalization, in-patient hospitalization, and out-patient benefits as defined by Arkansas Code 23-86-113, the benefits shall cover services furnished by a 'licensed certified social worker' licensed under Arkansas Code 17-39-301, et seq."

SECTION 2. Arkansas Code 23-79-114 is hereby amended by adding thereto an additional subsection to read as follows:

"(f) Notwithstanding any provision of any individual or group policy of accident and health insurance, or any provision of a policy, contract, plan, or agreement for hospital or medical service or indemnity, in cases where the policy, contract, plan, or agreement provides for payment or reimbursement for any services consisting of diagnosis, evaluation, and treatment of mental and emotional disorders, including counseling, psychotherapy, or related mental health services, provided by persons licensed under the Arkansas Medical Practices Act, Section 17-93-201 et seq., the person entitled to benefits or

persons providing services under the policy, contract, plan, or agreement are entitled to payment or reimbursement on an equal basis for the service when the service is provided by any person licensed as a certified social worker under Arkansas Code Section 17-39-301 et seq., and operating within his area of competence.

No person entitled to benefits under this subsection shall be denied freedom of choice to select any practitioner licensed under Arkansas Code Section 17-39-301, etc. by any insurer or agency or employee of the insurer or by any department, agency, or employee of this state."

SECTION 3. This act shall become effective July 1, 1989, and shall apply to all policies as defined above issued after that date upon the date of issuance.

SECTION 4. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

