

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1945

By: Representative Stephens

For An Act To Be Entitled

"AN ACT TO REGULATE THE EMPLOYMENT OF CHIROPRACTIC CONSULTANTS AND THE EVALUATION OF INSURANCE CLAIMS FOR ILLNESSES OR INJURIES OF THE HUMAN BODY TREATED BY A CHIROPRACTIC PHYSICIAN; AND FOR OTHER PURPOSES."

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

SECTION 1. (a) Any consultant who is employed by any insurance firm or company, to evaluate the insurance claims of patients treated in Arkansas relative to any illness or injury, of the human body or parts thereof, which were treated by a chiropractic physician licensed in this state, shall be a resident physician of the State of Arkansas, who holds a valid license, for active practice, issued by any of the Arkansas State Medical Examining Boards as listed in Arkansas Code Section 17-80-101 as amended by Sections 17-93-301 to 17-93-304 or in Chapter 81 of Title 17 of the Arkansas Code and who, either, derives at least 70% of earned income from the practice of Chiropractic in the State of Arkansas or has practiced chiropractic in the state for a minimum of ten (10) years.

(b) Before any insurance firm or company may alter or reduce an insurance claim of patients treated in Arkansas for illnesses or injuries, which was treated by a chiropractic physician licensed in this state, the physician acting as consultant shall review all existing examination x-rays and other procedures performed on the patient and shall physically examine the patient in the presence of and in the office of the treating chiropractor. The treating chiropractor shall be compensated for the time by the insurance company seeking to alter or reduce the claim of the patient treated in Arkansas.

(c) If no consultants are available or if the insurance firm or company does not employ a consultant or if the consultant continues to disagree with

quality, quantity, or cost of the professional health care service provided by the treating chiropractic physician, the peer review committee shall examine the health care services and procedures performed by the treating chiropractic physician to determine whether it was reasonably within the standard of care of professional chiropractic health care.

SECTION 2. This Act shall not be construed to prevent out of state consultations relative to any illness, injury, defect, deformity, or abnormality of the human body for therapeutic or diagnostic purposes.

SECTION 3. It shall be unlawful for any firm, commission, company, or whosoever, to employ an out-of-state consultant to evaluate any claims relative to any illness, injury, defect, deformity, or abnormality of the human body or parts thereof, of patients treated in Arkansas. Upon conviction the firm, commission, company, or whosoever, shall be fined not less than two thousand five hundred dollars (\$2,500.00) nor more than five thousand dollars (\$5,000.00).

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 the Act are hereby repealed.