

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Representative Argue

# A Bill

HOUSE BILL 1647

## For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE ANNOTATED §§ 23-79-141 AND  
23-79-145 TO MANDATE THE COVERAGE OF CHILDREN'S PREVENTIVE  
HEALTH CARE IN HEALTH INSURANCE CONTRACTS; AND FOR OTHER  
PURPOSES."

## Subtitle

"TO MANDATE THE COVERAGE OF CHILDREN'S  
PREVENTIVE HEALTH CARE IN HEALTH  
INSURANCE CONTRACTS."

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

*SECTION 1. Arkansas Code Annotated 23-79-141 is amended to read  
as follows:*

*"23-79-141. Children's Preventive Health Care Act.*

*(a) Title. This section shall be known and may be cited as the  
\_Children's Preventive Health Care Act\_.*

*(b) Declaration of Purposes. The purpose of this section is to assure  
that all children eighteen (18) years of age and younger are provided with  
insurance coverage for preventive health care services during their formative  
years in order to facilitate early detection and prevention of physical and  
mental illness; thereby avoiding the risks of the extreme costs associated  
with many preventable childhood diseases. In addition to improving the  
health of children, providing insurance coverage for children's preventive  
health care services enhances the care giving skills of parents and helps  
strengthen the family unit. Providing insurance coverage for children's  
preventive health care will also reduce the disruption to the emotional and  
financial well-being of families that often accompanies physical and mental*

1 *illness among children.*

2 *(c) Definitions. As used in this section:*

3 *(1) \_Children's Preventive Health Care Services\_ means*  
4 *physician-delivered or physician-supervised services for eligible dependents*  
5 *from birth through age eighteen (18), with periodic preventive care visits,*  
6 *including medical history, physical examination, developmental assessment,*  
7 *anticipatory guidance and appropriate immunizations and laboratory tests, in*  
8 *keeping with prevailing medical standards for the purposes of this section;*

9 *(2) \_Periodic Preventive Care Visits\_ means the routine tests*  
10 *and procedures for the purpose of detection of abnormalities or malfunctions*  
11 *of bodily systems and parts according to accepted medical practice.*

12 *(d)(1) Applicability. Every disability insurer, hospital or medical*  
13 *service corporation, health maintenance organization, fraternal benefit*  
14 *society, and self-insured plan transacting disability insurance or providing*  
15 *disability coverage in this state which delivers, issues for delivery in this*  
16 *state, or renews, extends, or modifies disability policies, contracts,*  
17 *certificates, and plans providing hospital and medical coverage on an expense*  
18 *incurred, service, or prepaid basis, which contracts provide coverage for a*  
19 *family member of the insured person, shall provide to the contract holder*  
20 *coverage for periodic preventive care visits for covered persons from the*  
21 *moment of birth through the age of eighteen (18).*

22 *(2) This section does not apply to disability income, specified*  
23 *disease, medicare supplement, hospital indemnity, or accident only policies.*

24 *(e) Coverage. (1) Each disability insurance policy, contract,*  
25 *certificate, or plan providing benefits for children's preventive health care*  
26 *services on a periodic basis shall include twenty (20) visits at*  
27 *approximately the following age intervals: birth, two (2) weeks, two (2)*  
28 *months, four (4) months, six (6) months, nine (9) months, twelve (12) months,*  
29 *fifteen (15) months, eighteen (18) months, two (2) years, three (3) years,*  
30 *four (4) years, five (5) years, six (6) years, eight (8) years, ten (10)*  
31 *years, twelve (12) years, fourteen (14) years, sixteen (16) years, and*  
32 *eighteen (18) years.*

33 *(2) A disability insurance policy, contract, certificate, or*  
34 *plan may provide that children's preventive health care services which are*  
35 *rendered during a periodic review shall only be covered to the extent that*

1 these services are provided by or under the supervision of a single physician  
2 during the course of one (1) visit.

3 (f) Reimbursement, Co-Insurance and Deductibles. The benefits which  
4 are mandated by this section shall be reimbursed at levels established by the  
5 Insurance Commissioner which shall not exceed those established for the same  
6 services under the Medicaid program in the State of Arkansas. Benefits for  
7 recommended immunization services shall be exempt from any co-payment,  
8 coinsurance, deductible or dollar limit provisions in the health insurance  
9 policy. This exemption shall be explicitly stated in the policy that all  
10 other children\_s preventive health care services will be subject to co-  
11 payment, coinsurance, deductible, or dollar limit provisions in the health  
12 insurance policy."

13 SECTION 2. Arkansas Code Annotated 23-79-145, pertaining to basic  
14 health care insurance for children, is repealed.

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16 SECTION 3. All provisions of this act of a general and permanent  
17 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
18 Code Revision Commission shall incorporate the same in the Code.

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20 SECTION 4. If any provision of this act or the application thereof to  
21 any person or circumstance is held invalid, such invalidity shall not affect  
22 other provisions or applications of the act which can be given effect without  
23 the invalid provision or application, and to this end the provisions of this  
24 act are declared to be severable.

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

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*/s/Rep. Argue*

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