

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 1971

4 By: Representatives Flanagin and M. Wilson

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 23-61-503 TO CLARIFY THE
9 JURISDICTION OF THE STATE INSURANCE DEPARTMENT AND THE
10 APPLICATION OF THE INSURANCE CODE AND TO DEFINE HEALTH
11 BENEFIT PROVIDERS; AND FOR OTHER PURPOSES."

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Subtitle

13 "TO CLARIFY THE JURISDICTION OF THE
14 STATE INSURANCE DEPARTMENT AND TO MORE
15 CLEARLY DEFINE HEALTH BENEFIT
16 PROVIDERS."
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code § 23-61-503 is amended to read as follows:

22 "§ 23-61-503. Jurisdiction of State Insurance Department - Application
23 of Insurance Code.

24 Notwithstanding any other provision of law, and except as provided in
25 this subchapter, any person, entity, multiple employer trust, or self-insured
26 plan which is reinsured or administered by a third party administrator which
27 undertakes to provide, arrange for, pay for, or reimburse any part of the
28 cost of any medical, surgical, chiropractic, physical therapy, speech
29 pathology, audiology, professional mental health, dental, hospital, or
30 optometric services in this state, and at least part of the arrangement
31 consists of arranging for, or the provision of medical, surgical,
32 chiropractic, physical therapy, speech pathology, audiology, professional
33 mental health, dental, hospital, or optometric services shall be presumed to
34 be subject to the jurisdiction of the State Insurance Department and shall
35 also be subject to all other applicable provisions of this code, unless the

1 person or other entity enumerated in this section shows that while providing
2 the services it is subject to the jurisdiction of another agency of this
3 state, any subdivisions thereof, or the federal government."
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5 SECTION 2. All provisions of this act of a general and permanent
6 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
7 Code Revision Commission shall incorporate the same in the Code.
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9 SECTION 3. If any provision of this act or the application thereof to
10 any person or circumstance is held invalid, such invalidity shall not affect
11 other provisions or applications of the act which can be given effect without
12 the invalid provision or application, and to this end the provisions of this
13 act are declared to be severable.
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15 SECTION 4. All laws and parts of laws in conflict with this act are
16 hereby repealed.
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