

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

HOUSE BILL 2150

4  
5 By: Representative Wilson

## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 11-9-508 PERTAINING TO THE  
10 EMPLOYEES CHOICE OF PHYSICIAN; AND FOR OTHER PURPOSES."

## Subtitle

13 "AN ACT TO AMEND ARKANSAS CODE 11-9-508  
14 PERTAINING TO THE EMPLOYEES CHOICE OF  
15 PHYSICIAN; AND FOR OTHER PURPOSES."

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

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19 SECTION 1. Arkansas Code 11-9-508(d) pertaining to Workers  
20 Compensation is amended to read as follows:

21 "(d)(1) For the purpose of establishing and implementing a system of  
22 managed health care, the commission is authorized to:

23 ~~(1)~~(A) Develop rules and regulations for the certification of  
24 managed care entities to provide managed care to injured workers;

25 ~~(2)~~(B) Develop regulations for peer review, service  
26 utilization, and resolution of medical disputes;

27 ~~(3)~~(C) Prohibit balanced billing from the employee, employer,  
28 or carrier; and

29 ~~(4)~~(D) Establish fees for medical services as provided for in  
30 Rule 30 and its amendments. The commission shall make no distinction in  
31 approving fees from different classes of medical service providers or health  
32 care providers for provision of the same or essentially similar medical  
33 services or health care services as defined herein; ~~and.~~

34 ~~(5)(A) Give the employer the right to choose the initial treating~~  
35 ~~physician, with the injured employee having the right to petition the~~  
36 ~~commission for a one-time only change of physician to one who is associated~~

1 ~~with a managed care entity certified by the commission or is the regular~~  
 2 ~~treating physician of the employee who maintains the employee's medical~~  
 3 ~~records and with whom the employee has a bona fide doctor-patient relationship~~  
 4 ~~demonstrated by a history of regular treatment prior to the onset of the~~  
 5 ~~compensable injury, but only if the primary care physician agrees to refer the~~  
 6 ~~employee to a certified managed care entity for any specialized treatment,~~  
 7 ~~including physical therapy, and only if such primary care physician agrees to~~  
 8 ~~comply with all the rules, terms, and conditions regarding services performed~~  
 9 ~~by the managed care entity initially chosen by the employer.~~

10 ~~\_\_\_\_\_ (B) A petition for change of physician shall be expedited by~~  
 11 ~~the commission.~~

12 (2) The employee shall have the right to choose the treating  
 13 physician."

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15 SECTION 2. All provisions of this act of a general and permanent nature  
 16 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
 17 Revision Commission shall incorporate the same in the Code.

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19 SECTION 3. If any provision of this act or the application thereof to  
 20 any person or circumstance is held invalid, such invalidity shall not affect  
 21 other provisions or applications of the act which can be given effect without  
 22 the invalid provision or application, and to this end the provisions of this  
 23 act are declared to be severable.

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25 SECTION 4. All laws and parts of laws in conflict with this act are  
 26 hereby repealed.

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