

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4  
5 By: Senator Everett

# A Bill

SENATE BILL 725

## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 23-79-114(a) TO  
10 PROHIBIT INSURANCE COMPANIES FROM EXCLUDING A PERSON  
11 PERFORMING SERVICES OR PERSONS ENTITLED TO BENEFITS UNDER  
12 ARKANSAS CODE ANNOTATED § 17-80-101; AND FOR OTHER  
13 PURPOSES."

## Subtitle

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16 "TO PROHIBIT INSURANCE COMPANIES FROM  
17 EXCLUDING BENEFITS AND PROVIDERS  
18 LICENSED UNDER A.C.A. § 17-80-101."

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

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22 SECTION 1. Arkansas Code Annotated § 23-79-114(a) is amended to read as  
23 follows:

24 "(a)(1) Notwithstanding any provision of any individual or group policy  
25 of accident and health insurance or any provision of a policy, contract, plan,  
26 or agreement for hospital or medical service or indemnity, in cases where the  
27 policy, contract, plan, or agreement provides for payment or reimbursement for  
28 any service provided by persons licensed under the Arkansas Medical Practices  
29 Act, § 17-95-201 et seq., the person entitled to benefits or person performing  
30 services under the policy, contract, plan, or agreement is entitled to payment  
31 or reimbursement on an equal basis for the service when the service is  
32 performed by any person licensed under any of the examining boards found in  
33 § 17-80-101, as amended by §§ 17-95-301 - 17-95-304. However, no group or  
34 individual policy of insurance may indirectly exclude a person entitled to  
35 benefits or a person performing services covered by this section by excluding  
36 procedures predominantly performed by those providers licensed pursuant to

1 § 17-80-101 as amended by §§ 17-95-301 through 17-95-304.

2 (2) Nothing in this subsection shall be construed to amend,  
3 alter, or repeal any laws relating to the licensing or use of hospitals.

4 (3) The provisions of this subsection shall not apply to any  
5 policy, contract, plan, or agreement in effect prior to February 3, 1971."

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

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11 SECTION 3. If any provision of this act or the application thereof to  
12 any person or circumstance is held invalid, such invalidity shall not affect  
13 other provisions or applications of the act which can be given effect without  
14 the invalid provision or application, and to this end the provisions of this  
15 act are declared to be severable.

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

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