

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

A Bill

SENATE BILL 722

4
5 By: Senator Webb
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For An Act To Be Entitled

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9 "AN ACT TO REPEAL ARKANSAS CODE 23-85-137 AND 23-86-
10 118; TO REPEAL THE REQUIREMENT THAT DISABILITY
11 INSURANCE COMPANIES PROVIDE COVERAGE FOR IN VITRO
12 FERTILIZATION; AND FOR OTHER PURPOSES. "

Subtitle

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15 "AN ACT TO REPEAL ARKANSAS CODE 23-85-137
16 AND 23-86-118; TO REPEAL THE REQUIREMENT
17 THAT DISABILITY INSURANCE COMPANIES
18 PROVIDE COVERAGE FOR IN VITRO
19 FERTILIZATION. "

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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code 23-85-137 is repealed.

25 ~~23-85-137. In vitro fertilization coverage required.~~

26 ~~(a) All disability insurance companies doing business in this state
27 shall include, as a covered expense, in vitro fertilization.~~

28 ~~(b) The Insurance Commissioner, pursuant to the applicable provisions
29 of the Arkansas Insurance Code, § 23-60-101 et seq., may suspend or revoke the
30 certificate of authority of any insurance company failing to comply with the
31 provisions of this section.~~

32 ~~(c) After conducting appropriate studies and public hearings, the
33 Insurance Commissioner shall establish minimum and maximum levels of coverage
34 to be provided by the disability insurance companies.~~

35 ~~(d) Coverage required under this section shall include services
36 performed at a medical facility, licensed or certified by the Arkansas~~

1 ~~Department of Health, those performed at a facility certified by the Arkansas~~
 2 ~~Department of Health which conforms to the American College of Obstetricians~~
 3 ~~and Gynecologists' guidelines for in vitro fertilization clinics, or those~~
 4 ~~performed at a facility certified by the Arkansas Department of Health which~~
 5 ~~meets the American Fertility Society minimal standards for programs of in~~
 6 ~~vitro fertilization.~~

7 ~~(e) Continued certification shall require that the facility is~~
 8 ~~achieving a reasonable success rate with both fertilization and births.~~

9 ~~(f) Appropriate laboratory facilities must be provided by the entity~~
 10 ~~requesting certification.~~

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 12 SECTION 1. Arkansas Code 23-86-118 is repealed.

13 ~~23-86-118. In vitro fertilization coverage required.~~

14 ~~(a) All disability insurance companies doing business in this state~~
 15 ~~shall include, as a covered expense, in vitro fertilization.~~

16 ~~(b) The Insurance Commissioner, pursuant to the applicable provisions~~
 17 ~~of the Arkansas Insurance Code, § 23-60-101 et seq., may suspend or revoke the~~
 18 ~~certificate of authority of any insurance company failing to comply with the~~
 19 ~~provisions of this section.~~

20 ~~(c) After conducting appropriate studies and public hearings, the~~
 21 ~~Insurance Commissioner shall establish minimum and maximum levels of coverage~~
 22 ~~to be provided by the disability insurance companies.~~

23 ~~(d) Coverage required under this section shall include services~~
 24 ~~performed at a medical facility, licensed or certified by the Arkansas~~
 25 ~~Department of Health, those performed at a facility certified by the Arkansas~~
 26 ~~Department of Health which conforms to the American College of Obstetricians~~
 27 ~~and Gynecologists' guidelines for in vitro fertilization clinics, or those~~
 28 ~~performed at a facility certified by the Arkansas Department of Health which~~
 29 ~~meets the American Fertility Society minimal standards for programs of in~~
 30 ~~vitro fertilization.~~

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

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 36 SECTION 3. If any provision of this act or the application thereof to

1 any person or circumstance is held invalid, such invalidity shall not affect
2 other provisions or applications of the act which can be given effect without
3 the invalid provision or application, and to this end the provisions of this
4 act are declared to be severable.

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

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