

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 930

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

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9 "AN ACT TO REQUIRE THAT PHYSICIANS AND NURSES BE
10 LICENSED IN ARKANSAS IN ORDER TO REVIEW MEDICAL CLAIMS
11 OF PATIENTS IN ARKANSAS; AND FOR OTHER PURPOSES."

Subtitle

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14 "AN ACT TO REQUIRE MEDICAL REVIEWERS TO
15 BE LICENSED IN ARKANSAS."
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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SECTION 1. Legislative findings and intent.

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21 The General Assembly finds that physicians and nurses reviewing health
22 care claims, making pre-certification decisions and otherwise making health
23 care coverage or treatment decisions are providing services that fall within
24 the scope of the Arkansas Medical Practices Act and the Arkansas Nurse
25 Practices Act. Therefore, when it comes to health care services initiated in
26 Arkansas, these physicians and nurses, regardless of whether they are
27 physically located in or outside the state, should be subject to regulation by
28 the state in order to ensure that Arkansas patients receive the proper quality
29 of care.

SECTION 2. Definitions. As used in this act:

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32 (1) "Medical reviewer" means a physician or nurse who provides health
33 care review services for an entity that provides, reimburses, pays or arranges
34 for health care services. Medical reviewers include independent contractors
35 as well as employees.

36 (2) "Medical review services" means the services provided in reviewing

1 health care claims, making pre-certification decisions, providing advice or
2 recommendations on where or when to seek medical care, making health care
3 decisions concerning medical necessity, medical case management,
4 appropriateness of treatment and any other decisions which affect the coverage
5 or treatment provided or recommended to a patient.

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7 SECTION 3. License required.

8 Any medical reviewer providing medical review services with regard to
9 health care services initiated in Arkansas must be licensed by the Arkansas
10 State Medical Board or the Arkansas State Board of Nursing.

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12 SECTION 4. Regulations.

13 The Arkansas State Medical Board and the Arkansas State Board of Nursing
14 shall promulgate regulations to carry out this act.

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16 SECTION 5. All provisions of this act of a general and permanent nature
17 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
18 Revision Commission shall incorporate the same in the Code.

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