

State of Arkansas  
83rd General Assembly  
Regular Session, 2001

# A Bill

SENATE BILL 952

By: Senator DeLay

## For An Act To Be Entitled

AN ACT TO STAY COLLECTION ACTIONS INVOLVING  
DISPUTED MEDICAL BILLS IN WORKERS' COMPENSATION  
CLAIMS, AND FOR OTHER PURPOSES.

## Subtitle

AN ACT TO STAY COLLECTION ACTIONS  
INVOLVING DISPUTED MEDICAL BILLS IN  
WORKER'S COMPENSATION CLAIMS.

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

SECTION 1. (a)(1) No hospital, physician, or other health care provider shall bill or attempt to collect any fee or any portion of a fee for services rendered to an employee due to a work-related injury or report to any credit reporting agency any failure of the employee to make the payment, when a claim for compensation has been filed under this act and the hospital, physician, or health care provider has received actual notice given in writing by the employee or his representative.

(2) Actual notice shall be received by the hospital, physician, or health care provider five (5) days after mailing by certified mail by the employee or his representative to the hospital, physician, or health care provider.

(3) The notice shall include:

(A) The name of the employer;

(B) The name of the insurer, if known;

(C) The name of the employee receiving the services;

(D) The general nature of the injury, if known; and

1                   (E) Where a claim has been filed, the claim number, if  
2 known.

3           (b)(1) When an injury or bill is found to be noncompensable under this  
4 act, the hospital, physician, or other health care provider shall be entitled  
5 to pursue the employee for any unpaid portion of the fee or other charges for  
6 authorized services provided to the employee.

7           (2) Any applicable statute of limitations for an action for the  
8 fees or other charges shall be tolled from the time notice is given to the  
9 hospital, physician, or other health care provider until a determination of  
10 noncompensability in regard to the injury which is the basis of such services  
11 is made, or in the event there is an appeal to the Workers Compensation  
12 Commission, the Arkansas Court of Appeals, or the Arkansas Supreme Court,  
13 until a final determination of noncompensability is rendered and all appeal  
14 deadlines have passed.

15           (c) This section shall not avoid modify or amend any other section or  
16 subsection of this Arkansas Code Title 11, Chapter 9, Subchapter 1, including  
17 but not limited to the prohibition against "balanced billing" contained in §  
18 11-9-508(d)(3) and any rules and regulations adopted there under.

19           (d) An order by the Commission, pursuant to this act, shall stay all  
20 proceedings for collection.