

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

# A Bill

HOUSE BILL 1452

5 By: Representative Roebuck  
6  
7

## For An Act To Be Entitled

9 AN ACT TO ENSURE THAT HEALTH BENEFIT PLANS  
10 PROVIDE COVERAGE FOR ANESTHESIA AND HOSPITAL  
11 CHARGES IN CASES INVOLVING YOUNG CHILDREN AND  
12 PERSONS WITH SERIOUS MENTAL OR PHYSICAL  
13 CONDITIONS WHERE THE AGE OR CONDITION REQUIRES  
14 HOSPITALIZATION OR GENERAL ANESTHESIA IN ORDER TO  
15 SAFELY AND EFFECTIVELY PERFORM DENTAL PROCEDURES  
16 ON THE PATIENT; AND FOR OTHER PURPOSES.  
17

## Subtitle

18 AN ACT TO ENSURE THAT HEALTH BENEFIT  
19 PLANS PROVIDE COVERAGE FOR ANESTHESIA  
20 AND HOSPITAL CHARGES FOR DENTAL  
21 PROCEDURES.  
22  
23  
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
26

27 SECTION 1. Arkansas Code Title 23, Chapter 86, Subchapter 1 is amended  
28 to add an additional section to read as follows:

29 23-86-121. Coverage for anesthesia and hospitalization for dental  
30 procedures.

31 (a) "Health benefit plan" means any policy, contract, or agreement  
32 offered by an insurance company, health maintenance organization, or hospital  
33 and medical service corporation to provide, reimburse, or pay for health care  
34 services, but does not include the following:

35 (1) Workers' compensation coverage; or

36 (2) Self-funded or self-insured health plans, unless the plan is



1 established or maintained for employees of a governmental or church entity.

2 (b) Health benefit plans shall provide coverage for payment of  
 3 anesthesia and hospital or ambulatory surgical facility charges for services  
 4 performed in connection with dental procedures in a hospital or ambulatory  
 5 surgical facility, if the provider treating the patient certifies that,  
 6 because of the patient's age or condition or problem, hospitalization or  
 7 general anesthesia is required in order to safely and effectively perform the  
 8 procedures and the patient is:

9 (1) A child under seven (7) years of age who is determined by  
 10 two (2) dentists licensed under the Arkansas Dental Practice Act, § 17-82-101  
 11 et seq., to require, without delay, necessary dental treatment in a hospital  
 12 or ambulatory surgical center for a significantly complex dental condition;

13 (2) A person with a diagnosed serious mental or physical  
 14 condition; or

15 (3) A person with a significant behavioral problem as determined  
 16 by the covered person's physician as licensed under the Arkansas Medical  
 17 Practices Act, §§ 17-95-201 - 17-95-207, 17-95-301 - 17-95-305, and 17-95-401  
 18 - 17-95-411.

19 (c) The health benefit plan may apply deductibles, coinsurance,  
 20 network requirements, medical necessity determinations, and other limitations  
 21 as are applied to other covered services.

22 (d) The health benefit plan may require prior authorization for  
 23 hospitalization for dental care procedures in the same manner that prior  
 24 authorization is required for hospitalization for other covered medical  
 25 conditions.

26 (e) This section shall not apply to treatment rendered for  
 27 temporomandibular joint disorders.

28 (f)(1) This section applies to health benefit plans that are issued,  
 29 renewed, extended, or modified on and after January 1, 2006.

30 (2) "Renewed, extended or modified" shall include a change in  
 31 premium or other financial term.

32  
 33  
 34  
 35  
 36