

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

As Engrossed: H3/21/05

A Bill

HOUSE BILL 2794

5 By: Representatives D. Evans, Thyer, Bright, Childers, Matayo, Rosenbaum, Wyatt, Berry, *Adcock*,
6 *Goss, J. Hutchinson, J. Johnson*
7
8

For An Act To Be Entitled

10 AN ACT CONCERNING PAYMENT OR REIMBURSEMENT TO
11 LICENSED ATHLETIC TRAINERS; AND FOR OTHER
12 PURPOSES.
13

Subtitle

15 AN ACT CONCERNING PAYMENT OR
16 REIMBURSEMENT TO LICENSED ATHLETIC
17 TRAINERS.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 *SECTION 1. Arkansas Code Title 23, Chapter 79, Subchapter 1 is amended*
23 *to add an additional section to read as follows:*

24 *23-79-152. Payment for services of athletic trainers.*

25 *(a) Notwithstanding any provision of any individual or group policy of*
26 *accident and health insurance, or any provision of a policy, contract, plan,*
27 *or agreement for hospital or medical service or indemnity, if the policy,*
28 *contract, plan, or agreement provides coverage for services that are within*
29 *the lawful scope of practice of an athletic trainer licensed under the*
30 *Arkansas Athletic Trainers Act, § 17-93-401 et seq., then the person entitled*
31 *to benefits or the athletic trainer providing services under the policy,*
32 *contract, plan, or agreement is entitled to:*

33 *(1) The same method of payment as for services provided by*
34 *persons licensed under the Arkansas Medical Practices Act, §§ 17-95-201 et*
35 *seq., 17-95-301 et seq., and 17-95-401 et seq.; and*

36 *(2) Payment for covered services, even if the services are*



1 performed for high school, college, or university athlete on a high school,
2 college, or university campus.

3 (b) No person entitled to benefits under this section shall be denied
4 freedom of choice to select any practitioner licensed under the Arkansas
5 Athletic Trainers Act, § 17-93-401 et seq. by any insurer or agency or
6 employee of the insurer or by any department, agency, or employee of this
7 state.

8 (c) Nothing in this section shall be construed to enlarge or diminish
9 the practice of a licensed athletic trainer under the Arkansas Athletic
10 Trainers Act, § 17-93-401 et seq.

11
12 SECTION 2. Arkansas Code § 23-99-203(d), concerning definitions under
13 the Patient Protection Act of 1995, is amended to read as follows:

14 (d) "Health care provider" means those individuals or entities
15 licensed by the State of Arkansas to provide health care services, limited to
16 the following:

- 17 (1) Physicians and surgeons (M.D. and D.O.);
- 18 (2) Podiatrists;
- 19 (3) Chiropractors;
- 20 (4) Physical therapists;
- 21 (5) Speech pathologists;
- 22 (6) Audiologists;
- 23 (7) Dentists;
- 24 (8) Optometrists;
- 25 (9) Hospitals;
- 26 (10) Hospital-based services;
- 27 (11) Psychologists;
- 28 (12) Licensed professional counselors;
- 29 (13) Respiratory therapists;
- 30 (14) Pharmacists;
- 31 (15) Occupational therapists;
- 32 (16) Long-term care facilities;
- 33 (17) Home health care;
- 34 (18) Hospice care;
- 35 (19) Licensed ambulatory surgery centers;
- 36 (20) Rural health clinics;

- 1 (21) Licensed certified social workers;
- 2 (22) Licensed psychological examiners;
- 3 (23) Advanced practice nurses;
- 4 (24) Licensed dietitians;
- 5 (25) Community mental health centers or clinics;
- 6 (26) Certified orthotists; ~~and~~
- 7 (27) Prosthetists; and
- 8 (28) Athletic trainers.

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10 SECTION 3. Arkansas Code § 23-99-803(4), as added to the Arkansas Code
11 by Act 490 of 2005, and concerning definitions under the Patient Protection
12 Act of 2005, is amended to read as follows:

13 (4) "Health care provider" or "provider" means an individual or
14 entity licensed by the State of Arkansas to provide health care services,
15 limited to the following types of providers:

- 16 (A) Physicians and surgeons (M.D. and D.O.);
- 17 (B) Podiatrists;
- 18 (C) Chiropractors;
- 19 (D) Physical therapists;
- 20 (E) Speech pathologists;
- 21 (F) Audiologists;
- 22 (G) Dentists;
- 23 (H) Optometrists;
- 24 (I) Hospitals;
- 25 (J) Hospital-based services;
- 26 (K) Psychologists;
- 27 (L) Licensed professional counselors;
- 28 (M) Respiratory therapists;
- 29 (N) Pharmacists;
- 30 (O) Occupational therapists;
- 31 (P) Long-term care facilities;
- 32 (Q) Home health care providers;
- 33 (R) Hospice care providers;
- 34 (S) Licensed ambulatory surgery centers;
- 35 (T) Rural health clinics;
- 36 (U) Licensed certified social workers;

- 1 (V) Licensed psychological examiners;
- 2 (W) Advanced practice nurses;
- 3 (X) Licensed dieticians;
- 4 (Y) Community mental health centers or clinics;
- 5 (Z) Certified orthotists;
- 6 (AA) Prosthetists;
- 7 (BB) Athletic trainers;
- 8 ~~(BB)~~(CC) Licensed durable medical equipment providers; and
- 9 ~~(CC)~~(DD) Other health care practitioners as determined by
- 10 the department in rules promulgated under the Arkansas Administrative
- 11 Procedure Act, § 25-15-201 et seq.; and
- 12

13 SECTION 4. Subdivision (4) of Section 5 of Act 491 of 2005, concerning
 14 definitions for enforcement of the Patient Protection Act of 2005, is amended
 15 to read as follows:

16 (4) "Health care provider" or "provider" means those individuals
 17 or entities licensed by the State of Arkansas to provide health care
 18 services, limited to the following:

- 19 (A) Physicians and surgeons (M.D. and D.O.);
- 20 (B) Podiatrists;
- 21 (C) Chiropractors;
- 22 (D) Physical therapists;
- 23 (E) Speech pathologists;
- 24 (F) Audiologists;
- 25 (G) Dentists;
- 26 (H) Optometrists;
- 27 (I) Hospitals;
- 28 (J) Hospital-based services;
- 29 (K) Psychologists;
- 30 (L) Licensed professional counselors;
- 31 (M) Respiratory therapists;
- 32 (N) Pharmacists;
- 33 (O) Occupational therapists;
- 34 (P) Long-term care facilities;
- 35 (Q) Home health care;
- 36 (R) Hospice care;

- 1 (S) Licensed ambulatory surgery centers;
- 2 (T) Rural health clinics;
- 3 (U) Licensed certified social workers;
- 4 (V) Licensed psychological examiners;
- 5 (W) Advanced practice nurses;
- 6 (X) Licensed dietitians;
- 7 (Y) Community mental health centers or clinics;
- 8 (Z) Certified orthotists;
- 9 (AA) Prosthetists;
- 10 (BB) Athletic trainers;
- 11 ~~(BB)~~(CC) Licensed durable medical equipment providers; and
- 12 ~~(CC)~~(DD) Other health care practitioners as determined by
- 13 the department in regulations promulgated under §§ 25-15-201, et seq.

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15 /s/ D. Evans, et al
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