

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 87th General Assembly  
3 Regular Session, 2009

As Engrossed: S3/19/09

# A Bill

SENATE BILL 940

4  
5 By: Senator Elliott  
6  
7

## For An Act To Be Entitled

8 AN ACT TO REQUIRE HEALTH INSURANCE COVERAGE FOR  
9 CRANIOFACIAL RECONSTRUCTION UNDER CERTAIN  
10 CONDITIONS; AND FOR OTHER PURPOSES.  
11

### Subtitle

12 AN ACT TO REQUIRE HEALTH INSURANCE  
13 COVERAGE FOR CRANIOFACIAL RECONSTRUCTION  
14 UNDER CERTAIN CONDITIONS.  
15  
16

17  
18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 *SECTION 1. Arkansas Code Title 23, Chapter 86 is amended to add an*  
22 *additional subchapter to read as follows:*

23 *23-86-601. Title.*

24 *This subchapter shall be known and may be cited as the "Reconstructive*  
25 *Surgery Act of 2009".*

26  
27 *23-86-602. Definitions.*

28 *As used in this subchapter:*

29 *(1) "Cosmetic surgery" means surgery that is performed to alter*  
30 *or reshape normal structures of the body in order to improve appearance; and*

31 *(2)(A) "Reconstructive surgery" means any medically necessary*  
32 *and appropriate surgery performed to correct or repair abnormal structures of*  
33 *the body caused by congenital defects, developmental abnormalities, trauma,*  
34 *infection, tumors, or disease to:*

35 *(i) Improve functions; or*

36 *(ii) Give the patient a normal appearance, to the*



1 extent possible, in the judgment of the physician performing the surgery.

2 (B) "Reconstructive surgery" does not include dental  
3 surgery.

4  
5 23-86-603. Coverage for reconstructive surgery.

6 A group health plan and a health insurance issuer offering group health  
7 insurance coverage in connection with a group health plan that provides  
8 coverage for surgery shall provide coverage for reconstructive surgery,  
9 including medically necessary treatment for preoperative and postoperative  
10 care as determined by the treating physician or team of physicians.

11  
12 23-86-604. Construction.

13 This subchapter does not require a group health plan or health  
14 insurance issuer in connection with a group health plan to provide coverage  
15 for cosmetic surgery.

16  
17 23-86-605. Applicability.

18 (a) This subchapter applies to health insurance coverage offered,  
19 sold, issued, renewed, or in effect on and after the effective date of this  
20 act.

21 (b)(1) For a group health plan maintained under one (1) or more  
22 collective bargaining agreements between employee representatives and one (1)  
23 or more employers ratified before the effective date of this act, this  
24 subchapter does not apply to plan years beginning before the later of:

25 (A) The date on which the last collective bargaining  
26 agreement relating to the plan terminates; or

27 (B) January 1, 2010.

28 (2) A plan amendment made under a collective bargaining  
29 agreement relating to the plan that amends the plan solely to conform to any  
30 requirement under § 23-86-603 is not a termination of the collective  
31 bargaining agreement under subdivision (b)(1)(A) of this section.

32  
33 /s/ Elliott  
34  
35  
36