1   State of Arkansas   *As Engrossed: H1/23/19*
2   92nd General Assembly   A Bill
3   Regular Session, 2019   HOUSE BILL 1074
4
5   By: Representative J. Mayberry
6   By: Senator Hester
7
8   **For An Act To Be Entitled**
9   AN ACT TO REQUIRE NEWBORN SCREENING FOR SPINAL
10   MUSCULAR ATROPHY; TO MANDATE THAT INSURANCE POLICIES
11   COVER NEWBORN SCREENING FOR SPINAL MUSCULAR ATROPHY;
12   AND FOR OTHER PURPOSES.
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15   **Subtitle**
16   TO REQUIRE NEWBORN SCREENING FOR SPINAL
17   MUSCULAR ATROPHY; AND TO MANDATE THAT
18   INSURANCE POLICIES COVER NEWBORN
19   SCREENING FOR SPINAL MUSCULAR ATROPHY.
20
21
22   BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23
24   *SECTION 1. Arkansas Code § 20-15-302(a)(1)(A), concerning testing of*
25   *newborn infants, is amended to read as follows:*
26   *(a)(1)(A) All newborn infants shall be tested for phenylketonuria,*
27   *hypothyroidism, galactosemia, cystic fibrosis, ~~and~~ sickle-cell anemia, and*
28   *spinal muscular atrophy.*
29
30   SECTION 2. Arkansas Code Title 23, Chapter 79, is amended to add an
31   additional subchapter to read as follows:
32   Subchapter 18 — Coverage for Newborn Screening for Spinal Muscular Atrophy
33
34   23-79-1801. Definitions.
35   As used in this subchapter:
36   (1)(A) "Health benefit plan" means:

1   (i) An individual, blanket, or group plan, policy,

2 or contract for healthcare services issued or delivered by an insurer, health

3 maintenance organization, hospital medical service corporation, or self-

4 insured governmental or church plan in this state; and

5   (ii) Any health benefit program receiving state or

6 federal appropriations from the State of Arkansas, including the Arkansas

7 Medicaid Program, the Health Care Independence Program, commonly referred to

8 as the "Private Option", and the Arkansas Works Program, or any successor

9 program.

10   (B) "Health benefit plan" includes:

11   (i) An indemnity and managed care plan; and

12   (ii) A nonfederal governmental plan as defined in 29

13 U.S.C. § 1002(32), as it existed on January 1, 2019.

14   (C) "Health benefit plan" does not include:

15   (i) A disability income plan;

16   (ii) A credit insurance plan;

17   (iii) Insurance coverage issued as a supplement to

18 liability insurance;

19   (iv) Medical payments under an automobile or

20 homeowner's insurance plan;

21   (v) A health benefit plan provided under Arkansas

22 Constitution, Article 5, § 32, the Workers' Compensation Law, § 11-9-101 et

23 seq., or the Public Employee Workers' Compensation Act, § 21-5-601 et seq.;

24   (vi) A plan that provides only indemnity for

25 hospital confinement;

26   (vii) An accident-only plan;

27   (viii) A specified disease plan; or

28   (ix) A long-term care only plan;

29   (2) "Healthcare professional" means a person who is licensed,

30 certified, or otherwise authorized by the laws of this state to administer

31 health care in the ordinary course of the practice of his or her profession;

32   (3) "Newborn" means a child who is twenty-nine (29) days of age

33 or younger; and

34   (4) "Spinal muscular atrophy" means a genetic disease that

35 affects the part of the nervous system that controls voluntary muscle

36 movement.

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2   23-79-1802. Coverage for newborn screening for spinal muscular

3   atrophy.

4   (a) A health benefit plan that is offered, issued, or renewed in this

5   state *shall provide coverage* for newborn screening for spinal muscular

6   atrophy by a healthcare professional on or after January 1, 2020.

7   (b) The coverage for newborn screening for spinal muscular atrophy

8   under this section:

9   (1) Is not subject to policy deductibles or copayment

10   requirements; and

11   (2) Does not diminish or limit benefits otherwise allowable

12   under a health benefit plan.

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14   */s/J. Mayberry*

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