

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019

A Bill

SENATE BILL 472

4
5 By: Senator Maloch
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For An Act To Be Entitled

8 AN ACT TO REQUIRE A HEALTH INSURER TO CONTRACT WITH A
9 LICENSED HEALTHCARE PROVIDER IF THE HEALTHCARE
10 PROVIDER IS PERMITTED TO PARTICIPATE IN MEDICARE,
11 MEDICAID, OR ANY OTHER FEDERAL HEALTH BENEFIT PLAN;
12 TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.
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Subtitle

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16 TO REQUIRE A HEALTH INSURER TO CONTRACT
17 WITH A LICENSED HEALTHCARE PROVIDER IF
18 THE HEALTHCARE PROVIDER IS PERMITTED TO
19 PARTICIPATE IN MEDICARE, MEDICAID, OR ANY
20 OTHER FEDERAL HEALTH BENEFIT PLAN; AND TO
21 DECLARE AN EMERGENCY.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code Title 23, Chapter 99, Subchapter 8, is
27 amended to add an additional section to read as follows:

28 23-99-804. Health insurer - Healthcare provider contracts.

29 A healthcare provider, including without limitation a physician,
30 nurse, pharmacist, dentist, physical therapist, physician assistant, or any
31 other healthcare provider licensed and in good standing with the state
32 licensing board responsible for the licensing of the healthcare provider,
33 shall not be excluded from contracting with a health insurer, third-party
34 administrator, pharmacy benefits manager, or other entity that is subject to
35 § 23-99-802, if the healthcare provider is permitted to participate in
36 Medicare, Medicaid, or any other federal health benefit plan.



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2 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
3 General Assembly of the State of Arkansas that healthcare providers in
4 Arkansas, often practicing in rural areas where there is limited access to
5 healthcare providers, are not being approved by healthcare insurers, even if
6 the healthcare provider is licensed and has been approved by Medicare and
7 Medicaid; that this act is needed to allow an individual who has insurance
8 coverage to use a healthcare provider of his or her choice in communities
9 that are often underserved; and that this act is immediately necessary
10 because failure by health insurers to recognize some healthcare providers
11 creates a burden on individuals with insurance coverage and limits the
12 healthcare providers available to an individual who has coverage. Therefore,
13 an emergency is declared to exist, and this act being immediately necessary
14 for the preservation of the public peace, health, and safety shall become
15 effective on:

16 (1) The date of its approval by the Governor;

17 (2) If the bill is neither approved nor vetoed by the Governor,
18 the expiration of the period of time during which the Governor may veto the
19 bill; or

20 (3) If the bill is vetoed by the Governor and the veto is
21 overridden, the date the last house overrides the veto.

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