

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

SENATE BILL 642

5 By: Senator B. Davis  
6 By: Representative Cloud  
7

## For An Act To Be Entitled

9 AN ACT TO MODIFY THE TIME FOR RECOUPMENT OF AUDITS OF  
10 MEDICAL PROVIDERS; AND FOR OTHER PURPOSES.  
11

## Subtitle

14 TO MODIFY THE TIME FOR RECOUPMENT OF  
15 AUDITS OF MEDICAL PROVIDERS.  
16

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

20 SECTION 1. Arkansas Code § 23-63-1801(2), concerning the definition of  
21 "health care insurer" as used in the audits of medical providers, is amended  
22 to read as follows:

23 (2) "~~Health care~~ Healthcare insurer" means an entity subject to  
24 the insurance laws of this state or the jurisdiction of the Insurance  
25 Commissioner that contracts or offers to contract to provide health insurance  
26 coverage, including, but not limited to, an insurance company, a health  
27 maintenance organization, or a hospital medical service corporation;  
28

29 SECTION 2. Arkansas Code § 23-63-1801(3), concerning the definition of  
30 "health care provider" as used in the audits of medical providers, is amended  
31 to read as follows:

32 (3) "~~Health care~~ Healthcare provider" means any person or entity  
33 providing:

- 34 (A) Medical, pharmaceutical, optometric, or dental care;
- 35 (B) Hospitalization; or
- 36 (C) Any other services and goods used for the purpose or



1 incidental to the purpose of preventing, alleviating, curing, or healing  
2 human illness or injury;

3  
4 SECTION 3. Arkansas Code § 23-63-1802 is amended to read as follows:  
5 23-63-1802. Time for recoupment.

6 (a)(1) Except in cases of fraud committed by ~~the health-care a~~  
7 healthcare provider, a ~~health-care~~ healthcare insurer may exercise recoupment  
8 from a healthcare provider only during the eighteen-month period after the  
9 date that the ~~health-care~~ healthcare insurer paid the claim submitted by the  
10 ~~health-care~~ healthcare provider.

11 (2) A healthcare provider may submit a corrected claim for up to  
12 six (6) months after recoupment for services that were actually provided but  
13 billed in error without the intent to defraud.

14 (b)(1) A ~~health-care~~ healthcare insurer that exercises recoupment  
15 under this section shall give the ~~health-care~~ healthcare provider a written  
16 or electronic statement specifying the basis for the recoupment.

17 (2) At a minimum, the statement shall contain the information  
18 required by § 23-63-1804.

19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36