

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: S4/5/21

# A Bill

SENATE BILL 395

5 By: Senator Irvin  
6 By: Representatives M. Gray, D. Ferguson  
7

## For An Act To Be Entitled

9 AN ACT TO MODIFY THE ANNUAL CAP ON DIAGNOSTIC  
10 LABORATORY SERVICES IN THE ARKANSAS MEDICAID PROGRAM;  
11 AND FOR OTHER PURPOSES.  
12  
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### Subtitle

15 TO MODIFY THE ANNUAL CAP ON DIAGNOSTIC  
16 LABORATORY SERVICES IN THE ARKANSAS  
17 MEDICAID PROGRAM.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code Title 20, Chapter 77, Subchapter 1, is  
23 amended to add an additional section to read as follows:

24 20-77-140. Diagnostic laboratory services.

25 (a) The General Assembly finds that:

26 (1) The national coronavirus 2019 (COVID-19) emergency has  
27 emphasized the critical importance of laboratory testing for diagnosing  
28 disease and promoting health;

29 (2) There is a disparity in the scope of laboratory testing  
30 services that are covered by the Arkansas Medicaid Program;

31 (3) Often, radiology services are grouped with diagnostic  
32 laboratory services;

33 (4) Radiology services are more expensive than diagnostic  
34 laboratory services and greatly reduce the services that a beneficiary can  
35 receive;

36 (5) The Arkansas Medicaid Program only covers up to five hundred



1 dollars (\$500) for all diagnostic laboratory services, including radiology;  
2 and

3 (6) This disparity in services should be reduced or eliminated.

4 (b) The program shall set the annual cap for:

5 (1) Diagnostic laboratory services, not including radiology  
6 services, of at least five hundred dollars (\$500); and

7 (2) Radiology services of at least five hundred dollars (\$500).

8 (c) Any laboratory or diagnostic procedure that is an essential health  
9 benefit does not count towards the caps described in subsection (b) of this  
10 section.

11 (d) The Department of Human Services shall apply for any federal  
12 waiver, Medicaid state plan amendment, or other authorization necessary to  
13 implement this section.

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15 /s/Irvin  
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