

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

# A Bill

SENATE BILL 664

5 By: Senator G. Leding  
6

## For An Act To Be Entitled

8 AN ACT TO EXEMPT HEALTH SAVINGS ACCOUNT-QUALIFIED  
9 HEALTH INSURANCE POLICIES FROM CERTAIN INSURANCE  
10 REQUIREMENTS; TO CLARIFY THE COVERAGE OF DIAGNOSTIC  
11 EXAMINATIONS FOR BREAST CANCER UNDER CERTAIN PLANS;  
12 AND FOR OTHER PURPOSES.  
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## Subtitle

15 TO EXEMPT HEALTH SAVINGS ACCOUNT-  
16 QUALIFIED HEALTH INSURANCE POLICIES FROM  
17 CERTAIN INSURANCE REQUIREMENTS; AND TO  
18 CLARIFY THE COVERAGE OF DIAGNOSTIC  
19 EXAMINATIONS FOR BREAST CANCER UNDER  
20 CERTAIN PLANS.  
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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 79, Subchapter 1, is  
27 amended to add an additional section to read as follows:

28 23-79-164. Health savings account-qualified health insurance policy -  
29 Exemption - Definition.

30 (a) As used in this section, "health savings account-qualified health  
31 insurance policy" means a policy of individual or group health insurance  
32 coverage that satisfies the criteria for a high deductible health plan under  
33 26 U.S.C. § 223, as it existed on January 1, 2021.

34 (b) A health savings account-qualified health insurance policy is  
35 exempt from a prohibition on cost-sharing requirements for a covered benefit  
36 that is required under state law to the extent the exemption is necessary to



1 meet the criteria for a health savings account-qualified health insurance  
2 policy.

3 (c) This section does not apply to any coverage required by state law  
4 that pertains to preventive care as defined by regulation or guidance issued  
5 by the United States Department of the Treasury under 26 U.S.C. § 223, as it  
6 existed on January 1, 2021, with respect to any health savings account-  
7 qualified health insurance policy issued, delivered, amended, or renewed  
8 while the regulation or guidance issued by the United States Department of  
9 the Treasury is effective.

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11 SECTION 2. Arkansas Code § 23-79-140(a)(6), as enacted by Acts 2021,  
12 No. 553, and concerning the definition of "examination for breast cancer"  
13 used in the coverage of diagnostic examinations for breast cancer under  
14 certain health benefit plans, is amended to read as follows:

15 (6) "Examination for breast cancer" means an examination used to  
16 evaluate an abnormality in a breast using diagnostic mammography, breast  
17 magnetic resonance imaging, biological and laboratory testing, or breast  
18 ultrasound;