

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

HOUSE BILL 1272

5 By: Representative L. Johnson  
6 By: Senator Irvin  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE HEALTHCARE CONTRACTING  
10 SIMPLIFICATION ACT; TO PROHIBIT A HEALTHCARE INSURER  
11 FROM LEASING A HEALTHCARE CONTRACT OR PROVIDER  
12 NETWORK; AND FOR OTHER PURPOSES.  
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## Subtitle

15 TO AMEND THE HEALTHCARE CONTRACTING  
16 SIMPLIFICATION ACT; AND TO PROHIBIT A  
17 HEALTHCARE INSURER FROM LEASING A  
18 HEALTHCARE CONTRACT OR PROVIDER NETWORK.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code Title 23, Chapter 99, Subchapter 12, is  
25 amended to add an additional section to read as follows:

26 23-99-1210. Healthcare contract or provider network – Prohibition.

27 (a) A healthcare insurer shall not:

28 (1) Lease, rent, or sell a healthcare contract or provider  
29 network of a health benefit plan to another healthcare insurer or third-party  
30 administrator; or

31 (2) In any manner allow the use of a healthcare contract or  
32 provider network of a health benefit plan by another healthcare insurer or  
33 third-party administer.

34 (b)(1) A violation of this section is:

35 (A) An unfair trade practice under § 23-66-206; and

36 (B) Subject to the Trade Practices Act, § 23-66-201 et



1 seq.

2 (2) If a healthcare contract contains a provision that violates  
3 this section, then the provision under the healthcare contract is void.

4 (c) This section does not apply if a healthcare insurer:

5 (1) Provides notice of the intent to lease, rent, or sell a  
6 healthcare contract or provider network of a health benefit plan to another  
7 healthcare insurer or third-party administrator;

8 (2) Allows a healthcare provider that is a party to the  
9 healthcare contract or provider network of a health benefit plan the  
10 opportunity to opt out of participating in the proposed lease, rental, or  
11 sale of a healthcare contract or provider network of a health benefit plan  
12 entirely or for an individual healthcare insurer or a third-party  
13 administrator under the lease, rental, or sale of the healthcare contract or  
14 provider network; and

15 (3) Provides contact information for the healthcare insurer or  
16 third-party administrator using the healthcare contract or provider network  
17 of a health benefit plan, including without limitation:

18 (A) Contact name;

19 (B) Mailing address;

20 (C) Direct telephone number for customer service matters;

21 and

22 (D) Direct email address for customer service matters.

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