

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

# A Bill

SENATE BILL 139

4  
5 By: Senator J. Bryant

## For An Act To Be Entitled

8 AN ACT TO REQUIRE THAT THE ARKANSAS MEDICAID PROGRAM  
9 COVER AUTHORIZED PRESCRIPTION DIGITAL THERAPEUTICS;  
10 AND FOR OTHER PURPOSES.

## Subtitle

14 TO REQUIRE THAT THE ARKANSAS MEDICAID  
15 PROGRAM COVER AUTHORIZED PRESCRIPTION  
16 DIGITAL THERAPEUTICS.

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

21 SECTION 1. Arkansas Code Title 20, Chapter 77, Subchapter 1, is  
22 amended to add an additional section to read as follows:

23 20-77-148. Legislative findings – Authorized prescription digital  
24 therapeutic coverage.

25 (a) The General Assembly finds that:

26 (1) Combating the opioid epidemic in this state by expanding  
27 access to innovative evidence-based treatments for individuals with substance  
28 and opioid use disorder is critical;

29 (2) Citizens of this state can benefit from receiving the latest  
30 and most effective treatments for substance and opioid use disorder;

31 (3) Some citizens in this state have difficulty accessing  
32 treatment for substance and opioid use disorder due to many limiting factors;

33 (4) Offering citizens prescription digital therapeutics  
34 authorized by the United States Food and Drug Administration for the  
35 treatment of substance and opioid use disorder would save lives and be cost  
36 neutral to the state; and



1           (5) Other states have implemented the use of authorized  
2 prescription digital therapeutics which has benefited the needs of impacted  
3 people with a cost neutral alternative to traditional treatment.

4           (b) As used in this section, "authorized prescription digital  
5 therapeutic" means a product, device, internet application, or other  
6 technology which:

7                 (1) Is intended to prevent, manage, or treat a medical disease,  
8 condition, or disorder;

9                 (2) Is approved, cleared, or classified by the United States  
10 Food and Drug Administration under section 510(k), 513(f), or 515 of the  
11 Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 301 et seq., for such  
12 intended use;

13                 (3) Utilizes both cognitive behavioral therapy and contingency  
14 management to treat substance use disorder and opioid use disorder; and

15                 (4) Requires a prescription under 21 C.F.R. § 801.109, as  
16 existing on January 1, 2023, or any successor regulation.

17           (c) The Arkansas Medicaid Program shall provide coverage for  
18 authorized prescription digital therapeutics for the treatment of an  
19 individual if that individual is eligible by a licensed provider in the state  
20 to receive treatment of authorized prescription digital therapeutics.

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