

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4
5 By: Senator K. Hammer
6

A Bill

SENATE BILL 178

For An Act To Be Entitled

8 AN ACT TO AMEND THE ARKANSAS HEALTH CARE CONSUMER
9 ACT; TO PROVIDE REIMBURSEMENT AND BENEFITS FOR MENTAL
10 ILLNESS AND SUBSTANCE USE DISORDERS THAT ARE
11 DELIVERED THROUGH A PSYCHIATRIC COLLABORATIVE CARE
12 MODEL; AND FOR OTHER PURPOSES.

Subtitle

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16 TO AMEND THE ARKANSAS HEALTH CARE
17 CONSUMER ACT; AND TO PROVIDE
18 REIMBURSEMENT AND BENEFITS FOR MENTAL
19 ILLNESS AND SUBSTANCE USE DISORDERS THAT
20 ARE DELIVERED THROUGH A PSYCHIATRIC
21 COLLABORATIVE CARE MODEL.

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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Arkansas Code Title 23, Chapter 99, Subchapter 4, is
27 amended to add an additional section to read as follows:

28 23-99-422. Benefits for mental illness or substance use disorders
29 delivered through psychiatric collaborative care model – Definitions – Rules.

30 (a) As used in this section:

31 (1) “Healthcare insurer” means an insurance company, hospital
32 and medical service corporation, or health maintenance organization issuing
33 or delivering health benefit plans in this state and subject to the following
34 laws:

35 (A) The Arkansas Insurance Code;

36 (B) Section 23-76-101 et seq., pertaining to health



1 maintenance organizations;

2 (C) Section 23-75-101 et seq., pertaining to hospital and
3 medical service corporations; and

4 (D) The Arkansas Medicaid Program for any Medicaid
5 beneficiaries in the fee-for-service Arkansas Medicaid Program and Medicaid
6 services provided under the Arkansas Medicaid Program that are managed or
7 reimbursed by another healthcare insurer or a risk-based provider
8 organization; and

9 (2) "Psychiatric collaborative care model" means the delivery of
10 care that is:

11 (A) An evidence-based, integrated behavioral health
12 service delivery method described at 81 Fed. Reg. 80230, as it existed on
13 January 1, 2023; and

14 (B) A method typically used by a primary care team
15 consisting of a primary care provider and a care manager who works in
16 collaboration with a psychiatric consultant, including without limitation a
17 psychiatrist.

18 (b) A healthcare insurer that provides benefits for the treatment of
19 mental illness or substance use disorders shall provide reimbursement for
20 those benefits if the benefits are delivered through a psychiatric
21 collaborative care model.

22 (c) The care provided by a primary care team shall:

23 (1) Be directed by the primary care team;

24 (2) Include structured care management with regular assessments
25 of clinical status using validated tools; and

26 (3) Include modification of treatment, as appropriate.

27 (d) A psychiatric consultant who participates in a primary care team
28 shall:

29 (1) Provide regular consultations to the primary care team;

30 (2) Review the clinical status and care of the covered person;

31 and

32 (3) Make recommendations.

33 (e) A healthcare insurer may deny reimbursement for healthcare
34 services delivered through a psychiatric collaborative care model on the
35 grounds of medical necessity if the medical necessity determinations are in
36 compliance with state law and the Paul Wellstone and Pete Domenici Mental

1 Health Parity and Addiction Equity Act of 2008, Pub. L. No. 110-343, § 511 et
2 seq.

3 (f) The Insurance Commissioner may promulgate rules necessary to
4 implement this section.

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6 SECTION 2. DO NOT CODIFY. EFFECTIVE DATE. This act is effective on
7 and after October 1, 2023.

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