

State of Arkansas *As Engrossed: H2/6/25 H2/11/25 H2/20/25 H3/20/25*

95th General Assembly

## A Bill

Regular Session, 2025

HOUSE BILL 1290

By: Representatives L. Johnson, Vaught

*By: Senator J. Boyd*

### For An Act To Be Entitled

AN ACT TO MANDATE COVERAGE FOR MENTAL HEALTH WELLNESS  
EXAMINATIONS; TO ESTABLISH THE ARKANSAS SUPPORT OF  
MENTAL HEALTH WELLNESS EXAMINATIONS ACT; AND FOR  
OTHER PURPOSES.

### Subtitle

TO MANDATE COVERAGE FOR MENTAL HEALTH  
WELLNESS EXAMINATIONS; AND TO ESTABLISH  
THE ARKANSAS SUPPORT OF MENTAL HEALTH  
WELLNESS EXAMINATIONS ACT.

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

SECTION 1. DO NOT CODIFY. Title. This act shall be known and may be  
cited as the "Arkansas Support of Mental Health Wellness Examinations Act".

SECTION 2. Arkansas Code Title 23, Chapter 79, is amended to add an  
additional subchapter to read as follows:

Subchapter 29 – Coverage for Mental Health Wellness Examinations

23-79-2901. Purpose.

The purpose of this subchapter is to require coverage under a health  
benefit plan for mental health wellness examinations in an effort to promote  
greater utilization of mental health wellness examinations and strengthen the  
mental health of Arkansans.



1 23-79-2902. Definitions.

2 As used in this subchapter:

3 (1)(A) "Health benefit plan" means:

4 (i) An individual, blanket, or group plan or a  
5 policy or contract for healthcare services offered, issued, renewed,  
6 delivered, or extended in this state by a healthcare insurer; and

7 (ii) A health benefit program receiving state or  
8 federal appropriations from the State of Arkansas, including the Arkansas  
9 Medicaid Program and the Arkansas Health and Opportunity for Me Program  
10 established by the Arkansas Health and Opportunity for Me Act of 2021, § 23-  
11 61-1001 et seq., or any successor program.

12 (B) "Health benefit plan" includes:

13 (i) Indemnity and managed care plans; and  
14 (ii) Nonfederal governmental plans as defined in 29  
15 U.S.C. § 1002(32), as it existed on January 1, 2025.

16 (C) "Health benefit plan" does not include:

17 (i) A plan that provides only dental benefits or eye  
18 and vision care benefits;

19 (ii) A disability income plan;

20 (iii) A credit insurance plan;

21 (iv) Insurance coverage issued as a supplement to  
22 liability insurance;

23 (v) A medical payment under an automobile or  
24 homeowners insurance plan;

25 (vi) A health benefit plan provided under Arkansas  
26 Constitution, Article 5, § 32, the Workers' Compensation Law, § 11-9-101 et  
27 seq., or the Public Employee Workers' Compensation Act, § 21-5-601 et seq.;

28 (vii) A plan that provides only indemnity for  
29 hospital confinement;

30 (viii) An accident-only plan;

31 (ix) A specified disease plan; or

32 (x) A long-term-care-only plan;

33 (2)(A) "Healthcare insurer" means an entity subject to the  
34 insurance laws of this state or the jurisdiction of the Insurance  
35 Commissioner that contracts or offers to contract to provide health insurance  
36 coverage, including without limitation an insurance company, a hospital and

1 medical service corporation, a health maintenance organization, a self-  
2 insured governmental or church plan in this state, or the Arkansas Medicaid  
3 Program.

4 (B) "Healthcare insurer" does not include an entity that  
5 provides only dental benefits or eye and vision care benefits;

6 (3) "Mental health professional" means an individual licensed  
7 by the state to provide mental health services, limited to the following:

8 (A) A physician or psychiatrist;

9 (B) A medical officer of the United States Government;

10 (C) A psychologist or clinical psychologist;

11 (D) A nurse practitioner or clinical nurse specialist with  
12 a psychiatric, primary care, or mental health population focus licensed to  
13 engage in advanced practice nursing;

14 (E) A licensed clinical social worker;

15 (F) A licensed marriage and family therapist;

16 (G) A licensed professional counselor; and

17 (H) A physician assistant; and

18 (4) "Mental health wellness examination" means an examination  
19 that includes without limitation:

20 (A) A behavioral health screening;

21 (B) Education and consultation on health, wellness, and  
22 behavioral changes;

23 (C) Referrals to ongoing treatment, mental health  
24 services, and other supports as clinically appropriate;

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26  
27 (D) Age-appropriate screenings or observations to  
28 understand an individual's mental health history, personal history, and  
29 mental cognitive state; and

30 (E) If appropriate, relevant adult input through  
31 screenings, interviews, and questions.

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33 23-79-2903. Coverage for mental health wellness examinations.

34 (a) On and after January 1, 2026, a health benefit plan that is  
35 offered, issued, renewed, delivered, or extended in this state shall provide  
36 coverage for an annual standalone mental health wellness examination that is

1 performed by a licensed mental health professional to the extent permitted by  
2 federal law.

3 (b) The coverage for mental health wellness examinations under  
4 subsection (a) of this section shall:

5 (1) Be no less extensive than the coverage provided for  
6 preventive services or primary care benefits under a health benefit plan;

7 (2) Comply with the Paul Wellstone and Pete Domenici Mental Health  
8 Parity and Addiction Equity Act of 2008, Pub. L. No. 110-343; and

9 (3)(A) Except as provided in subdivision (b)(3)(B) of this  
10 section, not be subject to an annual deductible, copayment, coinsurance  
11 limit, or any other cost-sharing requirements.

12 (B) Cost-sharing may be required if the applicable health  
13 benefit plan is governed by the federal Internal Revenue Code and the health  
14 benefit plan would lose its tax-exempt status as a result of the prohibition  
15 on cost-sharing requirements for a mental health wellness examination.

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17 23-79-2904. Rules.

18 (a) The Insurance Commissioner shall promulgate rules to implement  
19 this subchapter.

20 (b) The Secretary of the Department of Human Services shall promulgate  
21 rules necessary to implement this subchapter that may apply to the Arkansas  
22 Medicaid Program or the Arkansas Health and Opportunity for Me Program, § 23-  
23 61-1001 et seq.

24 (c) The State Board of Finance shall promulgate rules necessary to  
25 implement this subchapter that may apply to the State and Public School Life  
26 and Health Insurance Program.

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28 SECTION 3. EFFECTIVE DATE. This act is effective on and after January  
29 1, 2026.

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31 /s/L. Johnson  
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