

State of Arkansas As Engrossed: H2/3/25 H3/12/25 H3/13/25

95th General Assembly

A Bill

Regular Session, 2025

HOUSE BILL 1333

By: Representatives Hudson, D. Garner, Bentley, A. Brown, K. Brown, Cavanaugh, Ennett, Gonzales

Worthen, J. Mayberry, McCullough, T. Shephard, Springer, Clowney

By: Senators J. Scott, *Irvin*

For An Act To Be Entitled

AN ACT TO MANDATE COVERAGE FOR BREASTFEEDING AND
LACTATION CONSULTANT SERVICES; AND FOR OTHER
PURPOSES.

Subtitle

TO MANDATE COVERAGE FOR BREASTFEEDING
AND LACTATION CONSULTANT SERVICES.

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

SECTION 1. Arkansas Code Title 23, Chapter 79, is amended to add an
additional subchapter to read as follows:

Subchapter 29 – Coverage for Breastfeeding and Lactation Consultants

23-79-2901. Definitions.

As used in this subchapter:

(1)(A) "Breastfeeding and lactation consultant" means:

(i) An International Board Certified Lactation
Consultant; and

(ii) A certified lactation counselor.

(B) The individuals listed under subdivision (1)(A) of
this section are required to be supervised by a contracted
and in-network healthcare provider to receive reimbursement;

(2) "Breastfeeding and lactation consultant services" means
medically appropriate outpatient services or hospital services, or both,



1 provided by a breastfeeding and lactation consultant during pregnancy and
2 through the extended postpartum period to aid in milk expression or infant
3 nutrition;

4 (3)(A) "Enrollee" means an individual entitled to coverage of
5 healthcare services from a healthcare insurer.

6 (B) "Enrollee" includes a minor child;

7 (4)(A) "Health benefit plan" means:

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

11 (ii) A health benefit program receiving state or
12 federal appropriations from the State of Arkansas, including the Arkansas
13 Medicaid Program, ARKids First-A or First-B, and the Arkansas Health and
14 Opportunity for Me Program established by the Arkansas Health and Opportunity
15 for Me Act of 2021, § 23-61-1001 et seq.

16 (B) "Health benefit plan" includes:

17 (i) Indemnity and managed care plans; and

18 (ii) Plans providing health benefits to state and
19 public school employees under § 21-5-401 et seq.

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

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

23 (ii) A disability income plan;

24 (iii) A credit insurance plan;

25 (iv) Insurance coverage issued as a supplement to
26 liability insurance;

27 (v) A medical payment under an automobile or
28 homeowners insurance plan;

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

32 (vii) A plan that provides only indemnity for
33 hospital confinement;

34 (viii) An accident-only plan;

35 (ix) A specified disease plan; or

36 (x) A long-term-care-only plan; and

1 (5)(A) "Healthcare insurer" means an entity subject to the
2 insurance laws of this state or the jurisdiction of the Insurance
3 Commissioner that contracts or offers to contract to provide health insurance
4 coverage, including without limitation an insurance company, a hospital and
5 medical service corporation, a health maintenance organization, a self-
6 insured governmental or church plan in this state, the Arkansas Medicaid
7 Program, or a nonprofit agricultural membership organization as defined in §
8 23-60-104.

9 (B) "Healthcare insurer" does not include an entity that
10 provides only dental benefits or eye and vision care benefits.

11
12 23-79-2902. Coverage for breastfeeding and lactation consultant
13 services.

14 (a) On and after January 1, 2026, a health benefit plan that is
15 offered, issued, renewed, delivered, or extended in this state shall provide
16 coverage for breastfeeding and lactation consultant services in an outpatient
17 setting to an enrollee.

18 (b) The coverage for breastfeeding and lactation consultant services
19 under subsection (a) of this section:

20 (1) Is not subject to an annual deductible, copayment, or
21 coinsurance limit as established for other covered benefits under a health
22 benefit plan; and

23 (2) Does not diminish or limit benefits otherwise allowable
24 under a health benefit plan.

25
26 23-79-2903. Rules.

27 (a) The Insurance Commissioner may develop and promulgate rules for
28 the implementation and administration of this subchapter.

29 (b) The Secretary of the Department of Human Services may develop and
30 promulgate rules for the implementation and administration of this subchapter
31 that may apply to the Arkansas Medicaid Program or the Arkansas Health and
32 Opportunity for Me Program established by the Arkansas Health and Opportunity
33 for Me Act of 2021, § 23-61-1001 et seq.

34 (c) The State Board of Finance may develop and promulgate rules for
35 the administration of this subchapter for the plans providing health benefits
36 to state and public school employees under § 21-5-401 et seq.

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/s/Hudson