

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: S2/6/19 S2/13/19  
**A Bill**

HOUSE BILL 1125

By: Representative Evans  
By: Senator Irvin

### For An Act To Be Entitled

AN ACT TO PROHIBIT AN INSURER FROM REQUIRING PAYMENT FOR HEALTHCARE SERVICES THROUGH GIFT CARDS, CREDIT CARDS, OR VIRTUAL CREDIT CARDS; AND FOR OTHER PURPOSES.

### Subtitle

TO PROHIBIT AN INSURER FROM REQUIRING PAYMENT FOR HEALTHCARE SERVICES THROUGH GIFT CARDS, CREDIT CARDS, OR VIRTUAL CREDIT CARDS.

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

SECTION 1. Arkansas Code § 23-76-119, concerning prohibited practices of health maintenance organizations, is amended to add an additional subsection to read as follows:

(d)(1) A health maintenance organization or its contractor or subcontractor may pay a claim for healthcare services by any lawful method, including the alternative payment method by gift card, credit card, or other type of electronic payment or virtual credit card as payment if the healthcare provider is given clear instructions about how to select the alternative payment method.

(2) However, a health maintenance organization or its contractor or subcontractor is prohibited from requiring a participating provider to accept a gift card, credit card, or other type of electronic payment or virtual credit card as payment of a claim for healthcare services if the



method of payment charges the participating provider a service fee to process.

SECTION 2. Arkansas Code § 23-99-204, concerning the terms of a health benefit plan, is amended to add an additional subsection to read as follows:

(c)(1) A healthcare insurer may pay a claim for healthcare services by any lawful method, including the alternative payment method by gift card, credit card, or other type of electronic payment or virtual credit card as payment if the healthcare provider is given clear instructions about how to select the alternative payment method.

(2) However, a healthcare insurer is prohibited from requiring a healthcare provider to accept a gift card, credit card, or other type of electronic payment or virtual credit card as payment of a claim for healthcare services if the method of payment charges the healthcare provider a service fee to process.

SECTION 3. Arkansas Code § 23-99-902(4), concerning the definition of "risk-sharing payment" as used in alternative payment systems, is amended to add an additional subdivision to read as follows:

(4)(A) "Risk-sharing payment" means a reduction in a payment to or refund of a payment already made to a physician as a result of patient care costs that exceed cost thresholds of any form.

(B) "Risk-sharing payment" includes the alternative payment method by gift card, credit card, or other type of electronic payment or virtual credit card as payment if the physician is given clear instructions about how to select an alternative payment method that does not result in the physician's being charged a service fee to process.

/s/Evans

APPROVED: 3/5/19