

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: S2/25/19
A Bill

SENATE BILL 380

By: Senator G. Leding
By: Representative D. Ferguson

For An Act To Be Entitled

AN ACT TO MODIFY COVERAGE FOR SCREENING MAMMOGRAPHY
AND BREAST ULTRASOUND FOR THE DIAGNOSIS OF BREAST
DISEASE SUCH AS CANCER AND FOR THE EVALUATION OF
DENSE BREAST TISSUE AS AN ESSENTIAL HEALTH BENEFIT;
AND FOR OTHER PURPOSES.

Subtitle

TO MODIFY COVERAGE FOR SCREENING
MAMMOGRAPHY AND BREAST ULTRASOUND FOR THE
DIAGNOSIS OF BREAST DISEASE SUCH AS
CANCER AND FOR THE EVALUATION OF DENSE
BREAST TISSUE AS AN ESSENTIAL HEALTH
BENEFIT.

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

SECTION 1. Arkansas Code § 23-79-140(b), concerning coverage of mammograms and breast ultrasounds as an essential health benefit, is amended to read as follows:

(b)(1) Every accident and health insurance company, hospital service corporation, health maintenance organization, or other accident and health insurance provider in the State of Arkansas shall offer, ~~after January 1, 1990,~~ as an essential health benefit, coverage for screening mammography and breast ultrasound for the diagnosis of breast disease such as cancer and the evaluation of dense breast including tissue:

~~(1)(A)~~ A baseline mammogram for a woman covered by such a



~~policy~~ an insured woman who is thirty-five to forty (35-40) years of age;

~~(2)(B) A mammogram for a woman covered by such a policy who is forty (40) years of age or older, every year~~ An annual mammogram for an insured woman who is forty (40) years of age or older;

~~(3)(C)~~ Upon recommendation of a woman's physician, without regard to age, when the woman has had a prior history of breast cancer, when the woman's mother or sister has had a history of breast cancer, positive genetic testing, or other risk factors; and

~~(4)(D)~~ A comprehensive ultrasound screening of an entire breast or breasts if a mammogram screening demonstrates heterogeneously dense or extremely dense breast tissue when and the woman's primary healthcare provider or radiologist determines a comprehensive ultrasound screening is medically necessary; and.

~~(5)(2)~~ Insurance coverage for screening mammograms, including digital breast tomosynthesis, and breast ultrasounds shall not prejudice coverage for diagnostic mammograms or breast ultrasounds, as recommended by the woman's physician.

(3) A fully insured large group insurer that issues, renews, or extends a health benefit plan in this state shall also provide coverage for an optional screening mammography and breast ultrasound benefit as described under subdivision (b)(1) of this section.

(4) As used in subsection (b) of this section, an accident and health insurance company, hospital service corporation, health maintenance organization, or other accident and health insurance provider does not include benefits under one (1) or more, or any combination thereof, of the following:

(A) Coverage only for accident or disability income insurance, or any combination thereof;

(B) Coverage issued as a supplement to liability insurance;

(C) Liability insurance, including general liability insurance and automobile liability insurance;

(D) Workers' compensation or similar insurance;

(E) Automobile medical payment insurance;

(F) Credit-only insurance;

(G) Limited-scope dental or vision benefits;

(H) Benefits for long-term care, nursing home care, home health care, community-based care, or any combination thereof;

(I) Coverage only for a specified disease or illness;

(J) Hospital indemnity or other fixed indemnity insurance;

or

(K) Other similar insurance coverage, specified in rules, under which benefits for medical care are secondary or incidental to other insurance benefits.

/s/G. Leding

APPROVED: 3/15/19