

Stricken language would be deleted from and underlined language would be added to present law.
Act 58 of the Regular Session

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H1/23/19
A Bill

HOUSE BILL 1074

By: Representative J. Mayberry

By: Senator Hester

For An Act To Be Entitled

AN ACT TO REQUIRE NEWBORN SCREENING FOR SPINAL
MUSCULAR ATROPHY; TO MANDATE THAT INSURANCE POLICIES
COVER NEWBORN SCREENING FOR SPINAL MUSCULAR ATROPHY;
AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE NEWBORN SCREENING FOR SPINAL
MUSCULAR ATROPHY; AND TO MANDATE THAT
INSURANCE POLICIES COVER NEWBORN
SCREENING FOR SPINAL MUSCULAR ATROPHY.

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

SECTION 1. Arkansas Code § 20-15-302(a)(1)(A), concerning testing of newborn infants, is amended to read as follows:

(a)(1)(A) All newborn infants shall be tested for phenylketonuria, hypothyroidism, galactosemia, cystic fibrosis, ~~and~~ sickle-cell anemia, and spinal muscular atrophy.

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

Subchapter 18 – Coverage for Newborn Screening for Spinal Muscular Atrophy

23-79-1801. Definitions.

As used in this subchapter:

(1)(A) “Health benefit plan” means:



(i) An individual, blanket, or group plan, policy, or contract for healthcare services issued or delivered by an insurer, health maintenance organization, hospital medical service corporation, or self-insured governmental or church plan in this state; and

(ii) Any health benefit program receiving state or federal appropriations from the State of Arkansas, including the Arkansas Medicaid Program, the Health Care Independence Program, commonly referred to as the "Private Option", and the Arkansas Works Program, or any successor program.

(B) "Health benefit plan" includes:

(i) An indemnity and managed care plan; and

(ii) A nonfederal governmental plan as defined in 29 U.S.C. § 1002(32), as it existed on January 1, 2019.

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

(i) A disability income plan;

(ii) A credit insurance plan;

(iii) Insurance coverage issued as a supplement to liability insurance;

(iv) Medical payments under an automobile or homeowner's insurance plan;

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

(vi) A plan that provides only indemnity for hospital confinement;

(vii) An accident-only plan;

(viii) A specified disease plan; or

(ix) A long-term care only plan;

(2) "Healthcare professional" means a person who is licensed, certified, or otherwise authorized by the laws of this state to administer health care in the ordinary course of the practice of his or her profession;

(3) "Newborn" means a child who is twenty-nine (29) days of age or younger; and

(4) "Spinal muscular atrophy" means a genetic disease that affects the part of the nervous system that controls voluntary muscle movement.

23-79-1802. Coverage for newborn screening for spinal muscular atrophy.

(a) A health benefit plan that is offered, issued, or renewed in this state shall provide coverage for newborn screening for spinal muscular atrophy by a healthcare professional on or after January 1, 2020.

(b) The coverage for newborn screening for spinal muscular atrophy under this section:

(1) Is not subject to policy deductibles or copayment requirements; and

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

/s/J. Mayberry

APPROVED: 2/4/19