

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

SENATE BILL 527

By: Senator Bledsoe
By: Representative D. Ferguson

For An Act To Be Entitled

AN ACT TO REQUIRE A HEALTHCARE PAYOR TO DISCLOSE ON A MEMBER IDENTIFICATION CARD WHETHER A HEALTH BENEFIT PLAN IS INSURED OR SELF-FUNDED; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE A HEALTHCARE PAYOR TO DISCLOSE ON A MEMBER IDENTIFICATION CARD WHETHER A HEALTH BENEFIT PLAN IS INSURED OR SELF-FUNDED; AND TO DECLARE AN EMERGENCY.

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 18 – Healthcare Payor Identification Card Act

23-79-1801. Title.

This subchapter shall be known and may be cited as the "Healthcare Payor Identification Card Act".

23-79-1802. Definitions.

As used in this subchapter:

(1)(A) "Health benefit plan" means an individual, blanket, or group plan, policy, or contract for healthcare services issued or delivered



by a healthcare payor in this state.

(B) "Health benefit plan" does not include workers' compensation plans, Medicaid, or a plan that provides only dental benefits or eye and vision care benefits;

(2)(A) "Healthcare payor" means an entity or individual that contracts, pays, or arranges for payment, in whole or in part, for the delivery of healthcare services or products that are covered by a health benefit plan administered, issued, or delivered by the entity or individual.

(B) "Healthcare payor" includes a health insurance company, a health maintenance organization, a hospital and medical services corporation, and an entity that provides or administers a self-funded health benefit plan, including a governmental plan;

(3) "Identification card" means a card or other technology that functions like a card issued by a healthcare payor to a subscriber or member and containing information related to the member's identity and health benefit plan; and

(4) "Member" means an individual enrolled or subscribed for healthcare services or products that are covered by a health benefit plan.

23-79-1803. Identification cards.

A healthcare payor shall issue an identification card to a member that provides an indication of whether the health benefit plan is insured or self-funded.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there is confusion in the marketplace among consumers and providers as to whether members are in an insured or self-funded plan; that simply identifying the type of plan on a member's identification card will significantly address this problem without causing an administrative burden; and that this act is immediately necessary because the confusion makes proper regulation and enforcement of laws under the Arkansas Insurance Code difficult. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor,

the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

APPROVED: 4/4/19