

Stricken language would be deleted from and underlined language would be added to present law.  
Act 959 of the Regular Session

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: H3/4/19  
**A Bill**

HOUSE BILL 1555

By: Representatives A. Collins, *Cloud*, A. Davis, Eaves, D. Ferguson, Gazaway, Hawks, L. Johnson,  
Lundstrum, Magie

By: Senators Irvin, Bond, M. Johnson

### For An Act To Be Entitled

AN ACT TO INCREASE COVERAGE FOR MEDICATIONS APPROVED  
BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION FOR  
TOBACCO CESSATION IN THE ARKANSAS MEDICAID PROGRAM;  
AND FOR OTHER PURPOSES.

### Subtitle

TO INCREASE COVERAGE FOR MEDICATIONS  
APPROVED BY THE UNITED STATES FOOD AND  
DRUG ADMINISTRATION FOR TOBACCO CESSATION  
IN THE ARKANSAS MEDICAID PROGRAM.

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

SECTION 1. DO NOT CODIFY. Legislative findings and intent.

(a) The General Assembly finds that:

(1) Arkansas has the third-highest rate of adult smokers in the  
United States;

(2) Arkansas has the third-highest rate of new lung cancer  
diagnoses in the United States;

(3) One-third (1/3) of all cancer-related deaths are tied to the  
use of tobacco; and

(4) The Arkansas Healthcare Transparency Initiative, the  
statewide all-payer claims database, projects that the annual cost of tobacco  
use to the Arkansas Medicaid Program to be approximately seven hundred  
ninety-five million dollars (\$795,000,000).



(b) It is the intent of this section to lower the rate of adult smokers in Arkansas and to reduce costs of treatment related to tobacco use-related illness by increasing coverage in the Arkansas Medicaid Program for medications approved by the United States Food and Drug Administration for tobacco cessation.

SECTION 2. Arkansas Code Title 20, Chapter 77, Subchapter 1, is amended to add an additional section to read as follows:

20-77-135. Medications approved by the United States Food and Drug Administration for tobacco cessation coverage.

(a) The Department of Human Services shall ensure that the Arkansas Medicaid Program covers for medications approved by the United States Food and Drug Administration for tobacco cessation, including without limitation:

- (1) Nicotine replacement therapy patches;
- (2) Nicotine replacement therapy gum;
- (3) Nicotine replacement therapy lozenges;
- (4) Nicotine replacement therapy nasal spray;
- (5) Nicotine replacement therapy inhalers;
- (6) Bupropion; and
- (7) Varenicline.

(b) Prior authorization shall not be required for coverage of medications described in subsection (a) of this section.

*/s/A. Collins*

**APPROVED: 4/12/19**