

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 141

By: Senator Irvin
By: Representative L. Johnson

For An Act To Be Entitled

AN ACT TO AMEND THE PRIOR AUTHORIZATION TRANSPARENCY ACT; TO CLARIFY THAT A HEALTHCARE INSURER FROM OUT OF STATE IS SUBJECT TO THE PRIOR AUTHORIZATION TRANSPARENCY ACT IF THAT HEALTHCARE INSURER HAS SUBSCRIBERS IN THIS STATE; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE PRIOR AUTHORIZATION TRANSPARENCY ACT; AND TO CLARIFY THAT A HEALTHCARE INSURER FROM OUT OF STATE IS SUBJECT TO THE PRIOR AUTHORIZATION TRANSPARENCY ACT IF THAT HEALTHCARE INSURER HAS SUBSCRIBERS IN THIS STATE.

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

SECTION 1. Arkansas Code § 23-99-1103(8)(A)(i), concerning the definition of "healthcare insurer" under the Prior Authorization Transparency Act, is amended to read as follows:

(8)(A)(i) "Healthcare insurer" means an entity that:

(a) ~~is~~ Is subject to state insurance regulation, including an insurance company, a health maintenance organization, a hospital and medical service corporation, a risk-based provider organization, and a sponsor of a nonfederal self-funded governmental plan; or

(b) Has any subscribers in this state.



SECTION 2. Arkansas Code § 23-99-1112 is amended to read as follows:
23-99-1112. Application of subchapter.

This subchapter applies to a healthcare insurer, whether or not the healthcare insurer is:

(1) ~~acting~~ Acting directly or indirectly through a private utilization review entity; or

(2) Located in this state.

APPROVED: 2/17/23