

Stricken language would be deleted from and underlined language would be added to present law.
Act 389 of the Regular Session

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H2/26/25

A Bill

HOUSE BILL 1275

By: Representative Cavenaugh

By: Senator B. Johnson

For An Act To Be Entitled

AN ACT TO PROHIBIT PRIOR AUTHORIZATIONS FOR
HEALTHCARE SERVICES PROVIDED FOR TREATMENT OF A
MENTAL HEALTH CRISIS; AND FOR OTHER PURPOSES.

Subtitle

TO PROHIBIT PRIOR AUTHORIZATIONS FOR
HEALTHCARE SERVICES PROVIDED FOR
TREATMENT OF A MENTAL HEALTH CRISIS.

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

SECTION 1. Arkansas Code Title 23, Chapter 99, is amended to add an additional subchapter to read as follows:

Subchapter 19 – Prohibition on Prior Authorizations for Treatment of Mental
Health Crisis

23-99-1901. Definitions.

As used in this subchapter:

(1) "Crisis stabilization unit" means the same as defined in §
20-47-803;

(2)(A) "Health benefit plan" means any individual, blanket, or
group plan, policy, or contract for healthcare services issued or delivered
by a healthcare insurer in this state.

(B) "Health benefit plan" includes a nonfederal self-
funded governmental plan.

(C) "Health benefit plan" does not include a plan that



includes only dental benefits or eye and vision care benefits;

(3)(A) "Healthcare insurer" means an entity that:

(i) Is subject to state insurance regulation, including without limitation 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

(ii) Has subscribers in this state.

(B) "Healthcare insurer" does not include:

(i) A workers' compensation plan; or

(ii) An entity that provides only dental benefits or eye and vision care benefits;

(4) "Healthcare provider" means:

(A) A doctor of medicine, a doctor of osteopathy, or another licensed healthcare professional acting within the healthcare professional's licensed scope of practice; or

(B) A healthcare facility licensed in the state where the facility is located to provide healthcare services;

(5) "Healthcare service" means a healthcare procedure, treatment, or service provided:

(A) At a crisis stabilization unit or any other program designed to provide immediate crisis services; or

(B) By a healthcare provider in an emergency department;

and

(6) "Mental health crisis" means a situation in which an individual's emotional or mental state becomes so severe that it puts the individual at risk of harming himself, herself, or others, prevents the individual from properly caring for himself, herself, or significantly disrupts the individual's ability to function in daily life.

23-99-1902. Mental health crisis – Prior authorization or precertification for healthcare service prohibited.

A health benefit plan shall not require prior authorization or precertification for a healthcare service provided by a healthcare provider to an individual who is suffering a mental health crisis.

23-99-1903. Rules.

(a) Except as provided in subsection (b) of this section, the Insurance Commissioner may promulgate rules to implement this subchapter.

(b) The State Board of Finance may promulgate rules to implement this subchapter that may apply to the State and Public School Life and Health Insurance Program.

/s/Cavanaugh

APPROVED: 3/25/25