

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
89th General Assembly  
Regular Session, 2013

As Engrossed: S2/18/13 S2/27/13  
**A Bill**

SENATE BILL 277

By: Senators *J. Dismang, Elliott, Burnett, Files, Holland, Irvin, B. King, Rapert, B. Sample, G. Stubblefield, J. Woods, D. Wyatt*

By: Representatives *Farrer, D. Altes, E. Armstrong, Baine, Copenhaver, Gillam, Hutchison, Leding, McLean, Ratliff, Vines, Wardlaw, Wren, Wright*

### **For An Act To Be Entitled**

AN ACT TO REQUIRE INSURANCE COMPANIES TO PAY  
COMPARABLE REIMBURSEMENT TO PHYSICAL THERAPISTS,  
OCCUPATIONAL THERAPISTS, SPEECH-LANGUAGE  
PATHOLOGISTS, AND PHYSICIANS; AND FOR OTHER PURPOSES.

### **Subtitle**

TO REQUIRE INSURANCE COMPANIES TO PAY  
COMPARABLE REIMBURSEMENT TO PHYSICAL  
THERAPISTS, OCCUPATIONAL THERAPISTS,  
SPEECH-LANGUAGE PATHOLOGISTS, AND  
PHYSICIANS.

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

SECTION 1. Arkansas Code Title 23, Chapter 79, Subchapter 1, is amended to add an additional section to read as follows:

23-79-156. Payment for services rendered by physical therapists, occupational therapists and speech-language pathologists.

(a) As used in this section:

(1)(A) "Health benefit plan" means any group or blanket plan, policy, or contract for health care services issued or delivered in this state by health care insurers, including indemnity and managed care plans and the plans providing health benefits to state and public school employees under § 21-5-401 et seq., but excluding individual major medical plans and



plans providing health care services under Arkansas Constitution, Article 5, § 32, the Workers' Compensation Law, § 11-9-101 et seq., and the Public Employee Workers' Compensation Act, § 21-5-601 et seq.

(B) "Health benefit plan" does not include an accident-only, specified disease, hospital indemnity, Medicare supplement, long-term care, disability income, or other limited benefit health insurance policy;

(2) "Health care insurer" means any insurance company, hospital and medical service corporation, or health maintenance organization issuing or delivering health benefit plans in this state and subject to any of the following laws:

(A) The insurance laws of this state;

(B) Section 23-75-101 et seq., pertaining to hospital and medical service corporations; and

(C) Section 23-76-101 et seq., pertaining to health maintenance organizations;

(3) "Licensed physical therapist, occupational therapist, or speech-language pathologist" means:

(A) A physical therapist licensed under §§ 17-93-101 – 17-93-312;

(B) An occupational therapist licensed under the Arkansas Occupational Therapy Practice Act, § 17-88-101 et seq.; and

(C) A speech-language pathologist licensed under §§ 17-100-102 – 17-100-308; and

(4) "Licensed primary care physician or osteopath" means a primary care physician and an osteopath licensed under §§ 17-80-101 – 17-95-505.

(b) An insurer shall not impose a copayment, coinsurance, or an office visit deductible amount or a combination of a copayment, coinsurance, or an office visit deductible amount charged to the insured for services rendered for a date of service by a licensed physical therapist, occupational therapist, or speech-language pathologist that is greater than the copayment, coinsurance, or office visit deductible amount charged to the insured for an office visit for the service of a licensed primary care physician or osteopath.

(c) An insurer shall state in its health benefit plan:

(1) The availability of physical therapy, occupational therapy,

or speech-language pathologist coverage under its plan; and

(2) All related limitations, conditions, and exclusions.

*/s/J. Dismang*