

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

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/17/15
A Bill

HOUSE BILL 1847

By: Representative D. Ferguson

For An Act To Be Entitled

AN ACT TO PROHIBIT A HEALTH CARRIER FROM DENYING
COVERAGE FOR HEALTHCARE SERVICES DUE TO AN INJURY
SUSTAINED BY AN INSURED WHILE THE INSURED IS UNDER
THE INFLUENCE OF ALCOHOL OR A CONTROLLED SUBSTANCE;
AND FOR OTHER PURPOSES.

Subtitle

TO PROHIBIT A HEALTH CARRIER FROM DENYING
COVERAGE FOR HEALTHCARE SERVICES DUE TO
AN INJURY SUSTAINED BY AN INSURED WHILE
THE INSURED IS UNDER THE INFLUENCE OF
ALCOHOL OR A CONTROLLED SUBSTANCE.

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

SECTION 1. Arkansas Code Title 23, Chapter 85, Subchapter 1, is amended to add an additional section to read as follows:

23-85-140. Denial of coverage for healthcare services resulting from injury sustained while under influence of alcohol or drugs prohibited.

(a) As used in this section, "elevated blood alcohol content" means a ratio of alcohol in the blood of a person that is eight-hundredths of one percent (0.08%) or more of alcohol, by weight.

(b) A health carrier shall not deny coverage under an insurance policy that is delivered, issued, amended, renewed, or continued in this state for healthcare services to an insured to treat any injury sustained by an insured while the injury occurred when an insured:

(1) Has an elevated blood alcohol content; or



(2) Is under the influence of intoxicating liquor or any drug,
or both.

/s/D. Ferguson