

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

# A Bill

SENATE BILL 642

By: Senator B. Davis  
By: Representative Cloud

## For An Act To Be Entitled

AN ACT TO MODIFY THE TIME FOR RECOUPMENT OF AUDITS OF  
MEDICAL PROVIDERS; AND FOR OTHER PURPOSES.

### Subtitle

TO MODIFY THE TIME FOR RECOUPMENT OF  
AUDITS OF MEDICAL PROVIDERS.

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

SECTION 1. Arkansas Code § 23-63-1801(2), concerning the definition of "health care insurer" as used in the audits of medical providers, is amended to read as follows:

(2) "~~Health care~~ Healthcare insurer" means an entity subject to the insurance laws of this state or the jurisdiction of the Insurance Commissioner that contracts or offers to contract to provide health insurance coverage, including, but not limited to, an insurance company, a health maintenance organization, or a hospital medical service corporation;

SECTION 2. Arkansas Code § 23-63-1801(3), concerning the definition of "health care provider" as used in the audits of medical providers, is amended to read as follows:

(3) "~~Health care~~ Healthcare provider" means any person or entity providing:

- (A) Medical, pharmaceutical, optometric, or dental care;
- (B) Hospitalization; or
- (C) Any other services and goods used for the purpose or



incidental to the purpose of preventing, alleviating, curing, or healing human illness or injury;

SECTION 3. Arkansas Code § 23-63-1802 is amended to read as follows:  
23-63-1802. Time for recoupment.

(a)(1) Except in cases of fraud committed by ~~the health-care~~ a healthcare provider, a ~~health-care~~ healthcare insurer may exercise recoupment from a healthcare provider only during the eighteen-month period after the date that the ~~health-care~~ healthcare insurer paid the claim submitted by the ~~health-care~~ healthcare provider.

(2) A healthcare provider may submit a corrected claim for up to six (6) months after recoupment for services that were actually provided but billed in error without the intent to defraud.

(b)(1) A ~~health-care~~ healthcare insurer that exercises recoupment under this section shall give the ~~health-care~~ healthcare provider a written or electronic statement specifying the basis for the recoupment.

(2) At a minimum, the statement shall contain the information required by § 23-63-1804.