

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1138

By: Representatives Vaught, Bentley, Breaux, Cavanaugh, Furman, M. Gray, Haak, L. Johnson, B. Smith
By: Senator G. Leding

For An Act To Be Entitled

AN ACT TO CONTINUE CARE FOR THE PROTECTION OF CANCER SURVIVORS; CONCERNING COVERAGE FOR POSITRON EMISSION TOMOGRAPHY UNDER A HEALTH BENEFIT PLAN TO SCREEN FOR OR DIAGNOSE CANCER IN CERTAIN PATIENTS; AND FOR OTHER PURPOSES.

Subtitle

TO CONTINUE CARE FOR THE PROTECTION OF
CANCER SURVIVORS.

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:

23-79-164. Coverage for positron emission tomography – Definitions.

(a) As used in this section:

(1)(A) “Health benefit plan” means an individual, blanket, or any group plan, policy, or contract for healthcare services issued, renewed, or extended in this state by a healthcare insurer, health maintenance organization, hospital medical service corporation, or self-insured governmental or church plan in this state.

(B) “Health benefit plan” includes:

(i) Indemnity and managed care plans; and

(ii) Plans providing health benefits to state and

public school employees under § 21-5-401 et seq.

(C) “Health benefit plan” does not include:



- (i) A disability income plan;
- (ii) A credit insurance plan;
- (iii) Insurance coverage issued as a supplement to liability insurance;
- (iv) Medical payments under an automobile or homeowners' insurance plan;
- (v) A health benefit plan provided 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.;
- (vi) A plan that provides only indemnity for hospital confinement;
- (vii) An accident-only plan; or
- (viii) A specified disease plan;

(2) "Healthcare insurer" means any insurance company, hospital and medical service corporation, or health maintenance organization that issues or delivers health benefit plans in this state and is 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; or
- (C) Section 23-76-101 et seq., pertaining to health maintenance organizations; and

(3) "Positron emission tomography" means an imaging test that uses radioactive substances to visualize and measure metabolic processes in the body to help reveal how tissue and organs are functioning.

(b) A healthcare insurer that offers a health benefit plan in this state shall provide coverage for positron emission tomography to screen for or to diagnose cancer in a patient upon the recommendation of the patient's physician when the patient has a prior history of cancer.

(c) Benefits under subsection (b) of this section are subject to any health benefit plan provisions that apply to other services covered by the health benefit plan.