

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

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1277

By: Representative L. Johnson

For An Act To Be Entitled

AN ACT TO REGULATE A PRUDENT LAY PERSON REVIEW
PROCESS BY AN INSURER; TO PROHIBIT THE USE OF A
LICENSED MEDICAL PROFESSIONAL TO REVIEW A PRUDENT LAY
PERSON DECISION; AND FOR OTHER PURPOSES.

Subtitle

TO REGULATE A PRUDENT LAY PERSON REVIEW
PROCESS BY AN INSURER; AND TO PROHIBIT
THE USE OF A LICENSED MEDICAL
PROFESSIONAL TO REVIEW A PRUDENT LAY
PERSON DECISION.

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

SECTION 1. Arkansas Code § 20-9-309(d), concerning appropriate intervention under the Emergency Medical Care Act, is amended to add an additional subdivision to read as follows:

(3) An insurer, health maintenance organization, hospital medical service corporation, or health benefit plan shall not subsequently review a prudent lay person's decision to seek emergency medical care using an individual who has a professional license under Arkansas Code Title 17, Subtitle 3.

SECTION 2. Arkansas Code Title 23, Chapter 85, Subchapter 1, is amended to add an additional section to read as follows:

23-85-141. Prudent lay person – Emergency medical care – Review by licensed medical professional prohibited.



An insurer, health maintenance organization, hospital medical service corporation, or health benefit plan shall not use an individual who has a professional license under Arkansas Code Title 17, Subtitle 3, to review the decision of a prudent lay person to seek emergency medical care under the Emergency Medical Care Act, § 20-9-309.