

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

SENATE BILL 139

By: Senator J. Bryant

For An Act To Be Entitled

AN ACT TO REQUIRE THAT THE ARKANSAS MEDICAID PROGRAM
COVER AUTHORIZED PRESCRIPTION DIGITAL THERAPEUTICS;
AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE THAT THE ARKANSAS MEDICAID
PROGRAM COVER AUTHORIZED PRESCRIPTION
DIGITAL THERAPEUTICS.

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

SECTION 1. Arkansas Code Title 20, Chapter 77, Subchapter 1, is amended to add an additional section to read as follows:

20-77-148. Legislative findings – Authorized prescription digital therapeutic coverage.

(a) The General Assembly finds that:

(1) Combating the opioid epidemic in this state by expanding access to innovative evidence-based treatments for individuals with substance and opioid use disorder is critical;

(2) Citizens of this state can benefit from receiving the latest and most effective treatments for substance and opioid use disorder;

(3) Some citizens in this state have difficulty accessing treatment for substance and opioid use disorder due to many limiting factors;

(4) Offering citizens prescription digital therapeutics authorized by the United States Food and Drug Administration for the treatment of substance and opioid use disorder would save lives and be cost neutral to the state; and



(5) Other states have implemented the use of authorized prescription digital therapeutics which has benefited the needs of impacted people with a cost neutral alternative to traditional treatment.

(b) As used in this section, "authorized prescription digital therapeutic" means a product, device, internet application, or other technology which:

(1) Is intended to prevent, manage, or treat a medical disease, condition, or disorder;

(2) Is approved, cleared, or classified by the United States Food and Drug Administration under section 510(k), 513(f), or 515 of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 301 et seq., for such intended use;

(3) Utilizes both cognitive behavioral therapy and contingency management to treat substance use disorder and opioid use disorder; and

(4) Requires a prescription under 21 C.F.R. § 801.109, as existing on January 1, 2023, or any successor regulation.

(c) The Arkansas Medicaid Program shall provide coverage for authorized prescription digital therapeutics for the treatment of an individual if that individual is eligible by a licensed provider in the state to receive treatment of authorized prescription digital therapeutics.