

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

State of Arkansas  
95th General Assembly  
Regular Session, 2025

# A Bill

HOUSE BILL 1052

By: Representatives Gramlich, L. Johnson

By: Senator J. Boyd

## For An Act To Be Entitled

AN ACT TO MANDATE COVERAGE FOR CERTAIN RESPIRATORY  
SYNCYTIAL VIRUS DISEASE IMMUNIZATION TECHNOLOGIES FOR  
CERTAIN INDIVIDUALS; AND FOR OTHER PURPOSES.

## Subtitle

TO MANDATE COVERAGE FOR CERTAIN  
RESPIRATORY SYNCYTIAL VIRUS DISEASE  
IMMUNIZATION TECHNOLOGIES FOR CERTAIN  
INDIVIDUALS.

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

SECTION 1. Arkansas Code Title 23, Chapter 79, is amended to add an additional subchapter to read as follows:

Subchapter 29 – Coverage for Monoclonal Antibodies for Immunization of  
Respiratory Syncytial Virus Disease

23-79-2901. Definitions.

As used in this subchapter:

(1)(A) "Health benefit plan" means:

(i) An individual, blanket, or group plan or a policy or contract for healthcare services offered, issued, renewed, delivered, or extended in this state by a healthcare insurer; and

(ii) A health benefit program receiving state or 35 federal appropriations from the State of Arkansas, including the Arkansas Medicaid Program and the Arkansas Health and Opportunity for Me Program, §



23-61-1001 et seq., or any successor program.

(B) "Health benefit plan" includes:

- (i) Indemnity and managed care plans; and
- (ii) Nonfederal governmental plans as defined in 29

U.S.C. § 1002(32), as it existed on January 1, 2025.

(C) "Health benefit plan" does not include:

(i) A plan that provides only dental benefits or eye and vision care benefits;

(ii) A disability income plan;

(iii) A credit insurance plan;

(iv) Insurance coverage issued as a supplement to liability insurance;

(v) A medical payment under an automobile or homeowners insurance plan;

(vi) A health benefit plan provided under Arkansas Constitution, Article 5, § 32, the Workers' Compensation Law, § 11-9-101 et 17 seq., or the Public Employee Workers' Compensation Act, § 21-5-601 et seq.;

(vii) A plan that provides only indemnity for hospital confinement;

(viii) An accident-only plan;

(ix) A specified disease plan; or

(x) A long-term-care-only plan;

(2)(A) "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 without limitation an insurance company, a hospital and medical service corporation, a health maintenance organization, a self-insured governmental or church plan in this state, or the Arkansas Medicaid Program.

(B) "Healthcare insurer" does not include an entity that provides only dental benefits or eye and vision care benefits;

(3) "Infant" means a child less than eight (8) months old; and

(4) "Respiratory syncytial virus disease" means a respiratory infection of the nose, throat, and lungs caused by the respiratory syncytial virus.

23-79-2902. Coverage for monoclonal antibodies for immunization – Respiratory syncytial virus disease.

(a) Beginning on and after January 1, 2026, a health benefit plan that is offered, issued, renewed, delivered, or extended in this state shall provide coverage for monoclonal antibodies for immunization of respiratory syncytial virus disease of an infant under guidelines issued by the United States Food and Drug Administration.

(b) The coverage for monoclonal antibodies for immunization of respiratory syncytial virus disease of an infant under subsection (a) of this section:

(1) Is not subject to an annual deductible, copayment, or coinsurance limit as established for other covered benefits under a health benefit plan; and

(2) Does not diminish or limit benefits otherwise allowable under a health benefit plan.

#### SECTION 2. TEMPORARY LANGUAGE. DO NOT CODIFY. Rules.

(a)(1) Except as provided in subdivisions (a)(2) and (3) of this section, the Insurance Commissioner shall promulgate rules necessary to implement this act.

(2) The Secretary of the Department of Human Services shall promulgate rules necessary to implement this act that may apply to the Arkansas Medicaid Program or the Arkansas Health and Opportunity for Me Program, § 23-61-1001 et seq.

(3) The State Board of Finance shall promulgate rules necessary to implement this act that may apply to the State and Public School Life and Health Insurance Program.

(b) When adopting the initial rules required under this act, the commissioner, secretary, and the board shall file the final rules with the Secretary of State for adoption under § 25-15-204(f):

(1) On or before January 1, 2026; or

(2) If approval under § 10-3-309 has not occurred by January 1, 2026, as soon as practicable after approval under § 10-3-309.

(c) The commissioner, secretary, and board shall file the proposed rules with the Legislative Council under § 10-3-309(c) sufficiently in advance of January 1, 2026, so that the Legislative Council may consider the

rules for approval before January 1, 2026.