

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1165

By: Representative L. Johnson

For An Act To Be Entitled

AN ACT TO PROHIBIT DIFFERENT REIMBURSEMENT RATES FOR SERVICES PERFORMED BY THE SAME TYPE OF PROVIDER IN DIFFERENT SETTINGS WITHIN THE ARKANSAS MEDICAID PROGRAM; AND FOR OTHER PURPOSES.

Subtitle

TO PROHIBIT DIFFERENT REIMBURSEMENT RATES FOR SERVICES PERFORMED BY THE SAME TYPE OF PROVIDER IN DIFFERENT SETTINGS WITHIN THE ARKANSAS MEDICAID PROGRAM.

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:

20-77-154. Prohibition on different reimbursement rates by the same type of provider in different settings.

(a) The General Assembly finds that:

(1) There are discrepancies between the rates paid to physicians who see patients in an office setting when that setting is a behavioral health agency or a certified support services provider agency and when that setting is the physician's office;

(2) A physician is paid more for his or her services when those services are rendered in his or her office than when a physician provides the same services at a behavioral health agency or a certified support services provider agency;

(3) The services in these settings employ the same billing



codes;

(4) With some billing codes, the difference in reimbursement rates based on the setting is quite substantial; and

(5) Behavioral health providers and certified support services provider agencies are being paid at lower rates for the physician's services provided in a behavioral health setting than when the physician's services are exactly the same as the physician would provide in his or her own office; and

(6) This discrepancy places the provision of behavioral health services in this state at a great disadvantage.

(b) The Arkansas Medicaid Program shall not pay different reimbursement rates for the same services performed by the same type of provider that use the same billing codes when the only difference is the setting in which the services are rendered.

(c) The Department of Human Services shall apply for any federal waiver, Medicaid state plan amendment, or other authorization necessary to implement this section.