

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 1320

By: Representatives Wooldridge, L. Johnson

By: Senator C. Tucker

For An Act To Be Entitled

AN ACT TO AMEND THE BEHAVIORAL HEALTH CRISIS INTERVENTION PROTOCOL ACT OF 2017; TO PROHIBIT LIMITS ON UTILIZATION CRITERIA UNDER THE BEHAVIORAL HEALTH CRISIS INTERVENTION PROTOCOL ACT OF 2017; TO AMEND THE DEFINITION OF "HEALTHCARE PROVIDER" UNDER THE PATIENT PROTECTION ACT OF 1995; TO MODIFY THE DEFINITION OF "HEALTHCARE PROVIDER" AS USED UNDER THE ANY WILLING PROVIDER LAWS; TO REGULATE CRISIS STABILIZATION UNITS AND HEALTHCARE INSURERS; TO PROHIBIT CERTAIN PRIOR AUTHORIZATIONS FOR CRISIS STABILIZATION UNITS UNLESS AUTHORIZED BY THE INSURANCE COMMISSIONER; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING CRISIS STABILIZATION UNITS AND HEALTHCARE INSURERS.

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

SECTION 1. Arkansas Code § 20-47-813 is amended to read as follows:
20-47-813. ~~Rulemaking authority~~ Rules.

(a) The Department of Human Services is authorized to utilize rulemaking in order to properly implement the provisions of this subchapter concerning the certification of a nonhospital crisis stabilization unit.

(b) The department shall not promulgate a rule concerning utilization criteria that limits access to crisis stabilization units unless the rule is



adopted in conjunction with the Insurance Commissioner.

SECTION 2. Arkansas Code § 23-99-203(d), concerning the definition of "healthcare provider" under the Patient Protection Act of 1995, is amended to add an additional subdivision to read as follows:

(31) Crisis stabilization units.

SECTION 3. Arkansas Code § 23-99-802(4), concerning the definition of "healthcare provider" as used under the any willing provider laws, is amended to add an additional subdivision to read as follows:

(GG) Crisis stabilization units.

SECTION 4. Arkansas Code Title 23, Chapter 99, is amended to add an additional subchapter to read as follows:

Subchapter 19 – Crisis Stabilization Units

23-99-1901. Definitions.

As used in this subchapter:

(1) "Crisis stabilization unit" means the same as defined in § 20-47-803;

(2)(A) "Health benefit plan" means any individual, blanket, or group plan, policy, or contract for healthcare services issued or delivered by a healthcare insurer in this state.

(B) "Health benefit plan" includes a nonfederal self-funded governmental plan.

(C) "Health benefit plan" does not include a plan that includes only dental benefits or eye and vision care benefits;

(3)(A) "Healthcare insurer" means an entity that:

(i) Is subject to state insurance regulation, including without limitation an insurance company, a health maintenance organization, a hospital and medical service corporation, a risk-based provider organization, and a sponsor of a nonfederal self-funded governmental plan; or

(ii) Has subscribers in this state.

(B) "Healthcare insurer" includes Medicaid if Medicaid

services are managed or reimbursed by a healthcare insurer.

(C) "Healthcare insurer" does not include:

(i) A workers' compensation plan; or

(ii) An entity that provides only dental benefits or eye and vision care benefits;

(4) "Healthcare provider" means:

(A) A doctor of medicine, a doctor of osteopathy, or another licensed healthcare professional acting within the healthcare professional's licensed scope of practice; or

(B) A healthcare facility licensed in the state where the facility is located to provide healthcare services;

(5) "Healthcare service" means a healthcare procedure, treatment, or service provided by a healthcare provider; and

(6) "Medicaid" means the state-federal medical assistance program established by Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq.

23-99-1902. Behavioral or medical management utilization limitations, measures, or controls.

(a) Except as provided in subsection (b) of this section, a health benefit plan shall not impose or apply any behavioral or medical management utilization limitations, measures, or controls for healthcare services by a crisis stabilization unit unless the behavioral or medical management limitations, measures, or controls are equivalent to, or consistent with, limitations applied to the same healthcare services by Medicaid.

(b) The Insurance Commissioner may authorize behavioral or medical management utilization limitations, measures, or controls for healthcare services by a crisis stabilization unit by rule.

23-99-1903. Prior authorization or precertification.

A health benefit plan shall not require prior authorization or precertification for a healthcare service provided by a crisis stabilization unit unless the healthcare service requires a prior authorization by rule of the Insurance Commissioner.

23-99-1904. Rules.

The Insurance Commissioner may promulgate rules to implement this subchapter.