

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

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H4/1/25

A Bill

HOUSE BILL 1826

By: Representative Bentley

By: Senator D. Wallace

For An Act To Be Entitled

AN ACT TO MANDATE COVERAGE FOR DELIVERY OF A NEWBORN
IN A LICENSED BIRTHING CENTER; AND FOR OTHER
PURPOSES.

Subtitle

TO MANDATE COVERAGE FOR DELIVERY OF A
NEWBORN IN A LICENSED BIRTHING CENTER.

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 Licensed Birthing Centers

23-79-2901. Definitions.

As used in this subchapter:

(1) "Enrollee" means an individual entitled to coverage of healthcare services from a healthcare insurer;

(2)(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 federal appropriations from the State of Arkansas, including the Arkansas Medicaid Program and the Arkansas Health and Opportunity for Me Program established by the Arkansas Health and Opportunity for Me Act of 2021, § 23-



61-1001 et seq.

(B) "Health benefit plan" includes indemnity and managed care plans.

(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 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;

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

(xi) A plan providing health benefits to state and public school employees under § 21-5-401 et seq.; or

(xii) A health benefit plan offered by a trust established under §§ 14-54-101 and 25-20-104 providing benefits, including accident and health benefits, death benefits, dental benefits, and disability income benefits;

(3)(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, the Arkansas Medicaid Program, and a nonprofit agricultural membership organization as defined in § 23-60-104.

(B) "Healthcare insurer" does not include an entity or trust established under §§ 14-54-101 and 25-20-104 that provides:

(i) Only dental benefits or eye and vision care benefits;

(ii) Health benefits to state and public school employees under § 21-5-401 et seq; or

(iii) Benefits, including accident and health benefits, death benefits, dental benefits, and disability income benefits; and

(4) "Licensed birthing center" means a birthing center licensed by the Department of Health that provides birthing services.

23-79-2902. Coverage for birthing services in licensed birthing centers.

(a) On and after January 1, 2026, a health benefit plan that is offered, issued, renewed, delivered, or extended in this state shall provide the same coverage to an enrollee for birthing services received in a licensed birthing center as provided for birthing services received in a hospital.

(b) The coverage for licensed birthing centers under subsection (a) of this section:

(1) Is not subject to a greater deductible, coinsurance, copayment, or out-of-pocket limits than any other benefit provided by a healthcare insurer under a health benefit plan; and

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

23-79-2903. Rules.

(a) The Insurance Commissioner may develop and promulgate rules for the implementation and administration of this subchapter.

(b) The Secretary of the Department of Human Services may develop and promulgate rules for the implementation and administration of this subchapter that apply to the Arkansas Medicaid Program or the Arkansas Health and Opportunity for Me Program established by the Arkansas Health and Opportunity for Me Act of 2021, § 23-61-1001 et seq.

/s/Bentley