

**Title 23. Public Utilities and Regulated Industries**  
**Chapter I. State Insurance Department, Department of Commerce**  
**Subchapter B. Life, Health, and Accident**  
**Part 124. Healthcare Provider Listing Under Any Willing Provider**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"SECTION 4. AUTHORITY

"SECTION 6. SEVERABILITY

If any provision of this Rule, or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect other provisions or applications of this Rule which can be given effect without the invalid provision or application, and to that end the provisions of this Rule are severable.

SECTION 7. EFFECTIVE DATE

This Rule shall be effective on and after January 1, 2007."

**Subpart 1. Generally**

**23 CAR § 124-101. Purpose.**

The purpose of this part is to implement Arkansas Code § 23-99-802(4)(FF), which permits the State Insurance Department to add by rule other healthcare practitioners who may be entitled to participate in health benefit plans under:

- (1) The Patient Protection Act of 1995, Arkansas Code § 23-99-201 et seq.;
- and
- (2) Arkansas Code § 23-99-801 et seq., otherwise known as the "Any Willing Provider Law".

**Authority.** Arkansas Code §§ 23-61-108, 23-99-802.

**23 CAR § 124-102. Healthcare providers.**

The following "other healthcare practitioners" shall be entitled to participate in health benefit plans under the Any Willing Provider Law, in addition to the healthcare providers listed in Arkansas Code § 23-99-203(d) and § 23-99-802(4), to the extent that the specific healthcare service is offered or covered in the health benefit plan in the manner specified in the health benefit plan of that insured or beneficiary:

- (1) Non-hospital based medical facilities providing clinical diagnostic services for sleep disorders; and
- (2) Non-hospital based medical facilities providing:
  - (A) Magnetic resonance imaging;
  - (B) Computed axial tomography; or
  - (C) Other imaging diagnostic testing.

**Authority.** Arkansas Code §§ 23-61-108, 23-99-802.

**23 CAR § 124-103. Healthcare service coverage for listed medical providers.**

Nothing in this part shall mandate that a healthcare insurer must:

- (1) Offer or cover a healthcare service performed by a provider listed under this part; or
- (2) Establish a network for that class of medical providers.

**Authority.** Arkansas Code §§ 23-61-108, 23-99-802.

**23 CAR § 124-104. Applicability and scope.**

This part shall apply to all "health insurers" or "healthcare insurers", defined in Arkansas Code § 23-99-802(5), that provide or offer "health benefit plans", defined in Arkansas Code § 23-99-802(3).

**Authority.** Arkansas Code §§ 23-61-108, 23-99-802.