

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021

A Bill

HOUSE BILL 1138

4
5 By: Representatives Vaught, Bentley, Breaux, Cavanaugh, Furman, M. Gray, Haak, L. Johnson, B. Smith
6 By: Senator G. Leding

For An Act To Be Entitled

9 AN ACT TO CONTINUE CARE FOR THE PROTECTION OF CANCER
10 SURVIVORS; CONCERNING COVERAGE FOR POSITRON EMISSION
11 TOMOGRAPHY UNDER A HEALTH BENEFIT PLAN TO SCREEN FOR
12 OR DIAGNOSE CANCER IN CERTAIN PATIENTS; AND FOR OTHER
13 PURPOSES.

Subtitle

16 TO CONTINUE CARE FOR THE PROTECTION OF
17 CANCER SURVIVORS.

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

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

25 23-79-164. Coverage for positron emission tomography – Definitions.

26 (a) As used in this section:

27 (1)(A) “Health benefit plan” means an individual, blanket, or
28 any group plan, policy, or contract for healthcare services issued, renewed,
29 or extended in this state by a healthcare insurer, health maintenance
30 organization, hospital medical service corporation, or self-insured
31 governmental or church plan in this state.

32 (B) “Health benefit plan” includes:

33 (i) Indemnity and managed care plans; and

34 (ii) Plans providing health benefits to state and
35 public school employees under § 21-5-401 et seq.

36 (C) “Health benefit plan” does not include:



- 1 (i) A disability income plan;
- 2 (ii) A credit insurance plan;
- 3 (iii) Insurance coverage issued as a supplement to
 4 liability insurance;
- 5 (iv) Medical payments under an automobile or
 6 homeowners' insurance plan;
- 7 (v) A health benefit plan provided under Arkansas
 8 Constitution, Article 5, § 32, the Workers' Compensation Law, § 11-9-101 et
 9 seq., and the Public Employee Workers' Compensation Act, § 21-5-601 et seq.;
- 10 (vi) A plan that provides only indemnity for
 11 hospital confinement;
- 12 (vii) An accident-only plan; or
- 13 (viii) A specified disease plan;

14 (2) "Healthcare insurer" means any insurance company, hospital
 15 and medical service corporation, or health maintenance organization that
 16 issues or delivers health benefit plans in this state and is subject to any
 17 of the following laws:

- 18 (A) The insurance laws of this state;
- 19 (B) Section 23-75-101 et seq., pertaining to hospital and
 20 medical service corporations; or
- 21 (C) Section 23-76-101 et seq., pertaining to health
 22 maintenance organizations; and

23 (3) "Positron emission tomography" means an imaging test that
 24 uses radioactive substances to visualize and measure metabolic processes in
 25 the body to help reveal how tissue and organs are functioning.

26 (b) A healthcare insurer that offers a health benefit plan in this
 27 state shall provide coverage for positron emission tomography to screen for
 28 or to diagnose cancer in a patient upon the recommendation of the patient's
 29 physician when the patient has a prior history of cancer.

30 (c) Benefits under subsection (b) of this section are subject to any
 31 health benefit plan provisions that apply to other services covered by the
 32 health benefit plan.

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