

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1320

5 By: Representatives Wooldridge, L. Johnson
6 By: Senator C. Tucker
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND THE BEHAVIORAL HEALTH CRISIS
10 INTERVENTION PROTOCOL ACT OF 2017; TO PROHIBIT LIMITS
11 ON UTILIZATION CRITERIA UNDER THE BEHAVIORAL HEALTH
12 CRISIS INTERVENTION PROTOCOL ACT OF 2017; TO AMEND
13 THE DEFINITION OF "HEALTHCARE PROVIDER" UNDER THE
14 PATIENT PROTECTION ACT OF 1995; TO MODIFY THE
15 DEFINITION OF "HEALTHCARE PROVIDER" AS USED UNDER THE
16 ANY WILLING PROVIDER LAWS; TO REGULATE CRISIS
17 STABILIZATION UNITS AND HEALTHCARE INSURERS; TO
18 PROHIBIT CERTAIN PRIOR AUTHORIZATIONS FOR CRISIS
19 STABILIZATION UNITS UNLESS AUTHORIZED BY THE
20 INSURANCE COMMISSIONER; AND FOR OTHER PURPOSES.
21
22

Subtitle

23
24 TO AMEND THE LAW CONCERNING CRISIS
25 STABILIZATION UNITS AND HEALTHCARE
26 INSURERS.
27

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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30 SECTION 1. Arkansas Code § 20-47-813 is amended to read as follows:
31 20-47-813. ~~Rulemaking authority~~ Rules.

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

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



1 adopted in conjunction with the Insurance Commissioner.

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

6 (31) Crisis stabilization units.

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

11 (GG) Crisis stabilization units.

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

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16 Subchapter 19 – Crisis Stabilization Units

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18 23-99-1901. Definitions.

19 As used in this subchapter:

20 (1) "Crisis stabilization unit" means the same as defined in §
 21 20-47-803;

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

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

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

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

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

35 (ii) Has subscribers in this state.

36 (B) "Healthcare insurer" includes Medicaid if Medicaid

1 services are managed or reimbursed by a healthcare insurer.

2 (C) "Healthcare insurer" does not include:

3 (i) A workers' compensation plan; or

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

6 (4) "Healthcare provider" means:

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

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

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

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

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 18 23-99-1902. Behavioral or medical management utilization limitations,
 19 measures, or controls.

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

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

29
 30 23-99-1903. Prior authorization or precertification.

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

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 36 23-99-1904. Rules.

1 The Insurance Commissioner may promulgate rules to implement this
2 subchapter.

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