

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

As Engrossed: H4/1/25

# A Bill

HOUSE BILL 1826

5 By: Representative Bentley  
6 By: Senator D. Wallace  
7

## For An Act To Be Entitled

9 AN ACT TO MANDATE COVERAGE FOR DELIVERY OF A NEWBORN  
10 IN A LICENSED BIRTHING CENTER; AND FOR OTHER  
11 PURPOSES.  
12  
13

### Subtitle

15 TO MANDATE COVERAGE FOR DELIVERY OF A  
16 NEWBORN IN A LICENSED BIRTHING CENTER.  
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code Title 23, Chapter 79, is amended to add an  
21 additional subchapter to read as follows:  
22

#### Subchapter 29 – Coverage for Licensed Birthing Centers

##### 23-79-2901. Definitions.

##### As used in this subchapter:

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

##### (2)(A) "Health benefit plan" means:

30 (i) An individual, blanket, or group plan or a  
31 policy or contract for healthcare services offered, issued, renewed,  
32 delivered, or extended in this state by a healthcare insurer; and

33 (ii) A health benefit program receiving state or  
34 federal appropriations from the State of Arkansas, including the Arkansas  
35 Medicaid Program and the Arkansas Health and Opportunity for Me Program  
36 established by the Arkansas Health and Opportunity for Me Act of 2021, § 23-



1 61-1001 et seq.

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

4 (C) "Health benefit plan" does not include:

5 (i) A plan that provides only dental benefits or eye  
6 and vision care benefits;

7 (ii) A disability income plan;

8 (iii) A credit insurance plan;

9 (iv) Insurance coverage issued as a supplement to  
10 liability insurance;

11 (v) A medical payment under an automobile or  
12 homeowners insurance plan;

13 (vi) A health benefit plan provided under Arkansas  
14 Constitution, Article 5, § 32, the Workers' Compensation Law, § 11-9-101 et  
15 seq., or the Public Employee Workers' Compensation Act, § 21-5-601 et seq.;

16 (vii) A plan that provides only indemnity for  
17 hospital confinement;

18 (viii) An accident-only plan;

19 (ix) A specified disease plan;

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

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

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

27 (3)(A) "Healthcare insurer" means an entity subject to the  
28 insurance laws of this state or the jurisdiction of the Insurance  
29 Commissioner that contracts or offers to contract to provide health insurance  
30 coverage, including without limitation an insurance company, a hospital and  
31 medical service corporation, a health maintenance organization, a self-  
32 insured governmental or church plan in this state, the Arkansas Medicaid  
33 Program, and a nonprofit agricultural membership organization as defined in §  
34 23-60-104.

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

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

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

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

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

10  
11 23-79-2902. Coverage for birthing services in licensed birthing  
12 centers.

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

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

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

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

24  
25 23-79-2903. Rules.

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

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

33  
34 /s/Bentley

35 **APPROVED: 4/17/25**