

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1277

5 By: Representative L. Johnson
6

For An Act To Be Entitled

8 AN ACT TO REGULATE A PRUDENT LAY PERSON REVIEW
9 PROCESS BY AN INSURER; TO PROHIBIT THE USE OF A
10 LICENSED MEDICAL PROFESSIONAL TO REVIEW A PRUDENT LAY
11 PERSON DECISION; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 TO REGULATE A PRUDENT LAY PERSON REVIEW
15 PROCESS BY AN INSURER; AND TO PROHIBIT
16 THE USE OF A LICENSED MEDICAL
17 PROFESSIONAL TO REVIEW A PRUDENT LAY
18 PERSON DECISION.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 20-9-309(d), concerning appropriate
25 intervention under the Emergency Medical Care Act, is amended to add an
26 additional subdivision to read as follows:

27 (3) An insurer, health maintenance organization, hospital
28 medical service corporation, or health benefit plan shall not subsequently
29 review a prudent lay person's decision to seek emergency medical care using
30 an individual who has a professional license under Arkansas Code Title 17,
31 Subtitle 3.
32

33 SECTION 2. Arkansas Code Title 23, Chapter 85, Subchapter 1, is
34 amended to add an additional section to read as follows:

35 23-85-141. Prudent lay person – Emergency medical care – Review by
36 licensed medical professional prohibited.



1 An insurer, health maintenance organization, hospital medical service
2 corporation, or health benefit plan shall not use an individual who has a
3 professional license under Arkansas Code Title 17, Subtitle 3, to review the
4 decision of a prudent lay person to seek emergency medical care under the
5 Emergency Medical Care Act, § 20-9-309.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36