

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

As Engrossed: H2/26/25

A Bill

HOUSE BILL 1275

5 By: Representative Cavenaugh
6 By: Senator B. Johnson
7

For An Act To Be Entitled

9 AN ACT TO PROHIBIT PRIOR AUTHORIZATIONS FOR
10 HEALTHCARE SERVICES PROVIDED FOR TREATMENT OF A
11 MENTAL HEALTH CRISIS; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO PROHIBIT PRIOR AUTHORIZATIONS FOR
16 HEALTHCARE SERVICES PROVIDED FOR
17 TREATMENT OF A MENTAL HEALTH CRISIS.
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code Title 23, Chapter 99, is amended to add an
22 additional subchapter to read as follows:
23

24 Subchapter 19 – Prohibition on Prior Authorizations for Treatment of Mental
25 Health Crisis
26

27 23-99-1901. Definitions.

28 As used in this subchapter:

29 (1) "Crisis stabilization unit" means the same as defined in §
30 20-47-803;

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

34 (B) "Health benefit plan" includes a nonfederal self-
35 funded governmental plan.

36 (C) "Health benefit plan" does not include a plan that



1 includes only dental benefits or eye and vision care benefits;

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

3 (i) Is subject to state insurance regulation,
4 including without limitation an insurance company, a health maintenance
5 organization, a hospital and medical service corporation, a risk-based
6 provider organization, and a sponsor of a nonfederal self-funded governmental
7 plan; or

8 (ii) Has subscribers in this state.

9 (B) "Healthcare insurer" does not include:

10 (i) A workers' compensation plan; or

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

13 (4) "Healthcare provider" means:

14 (A) A doctor of medicine, a doctor of osteopathy, or
15 another licensed healthcare professional acting within the healthcare
16 professional's licensed scope of practice; or

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

19 (5) "Healthcare service" means a healthcare procedure,
20 treatment, or service provided:

21 (A) At a crisis stabilization unit or any other program designed
22 to provide immediate crisis services; or

23 (B) By a healthcare provider in an emergency department;

24 and

25 (6) "Mental health crisis" means a situation in which an individual's
26 emotional or mental state becomes so severe that it puts the individual at
27 risk of harming himself, herself, or others, prevents the individual from
28 properly caring for himself, herself, or significantly disrupts the
29 individual's ability to function in daily life.

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31 23-99-1902. Mental health crisis – Prior authorization or
32 precertification for healthcare service prohibited.

33 A health benefit plan shall not require prior authorization or
34 precertification for a healthcare service provided by a healthcare provider
35 to an individual who is suffering a mental health crisis.

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23-99-1903. Rules.

(a) Except as provided in subsection (b) of this section, the Insurance Commissioner may promulgate rules to implement this subchapter.

(b) The State Board of Finance may promulgate rules to implement this subchapter that may apply to the State and Public School Life and Health Insurance Program.

/s/Cavanaugh

APPROVED: 3/25/25