

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1090

By: Representatives Wilson and Townsend

"AN ACT TO AMEND SECTION 279 OF ACT 148 OF 1959, AS AMENDED [ARK. STAT. 66-3212], TO PROVIDE THAT EVERY POLICY, CONTRACT, PLAN OR AGREEMENT FOR HEALTH AND ACCIDENT OR MEDICAL SERVICES OR INDEMNITY WHICH PROVIDES FOR THE PAYMENT AND/OR REIMBURSEMENT TO THE POLICYHOLDER FOR ANY SERVICES PROVIDED BY PERSONS LICENSED UNDER THE ARKANSAS MEDICAL PRACTICES ACT SHALL PROVIDE PAYMENT OR REIMBURSEMENT FOR SERVICES PROVIDED BY PERSONS LICENSED UNDER THE ARKANSAS SOCIAL WORK LICENSING ACT; TO PROVIDE FOR FREEDOM OF CHOICE OF PRACTITIONERS; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 279 of Act 148 of 1959, as amended, the same being Arkansas Statute 66-3212, is hereby amended by adding thereto a new subsection to read as follows:

"(14) Notwithstanding any provision of any individual or group policy of accident and health insurance, or any provision of a policy, contract, plan or agreement for hospital or medical service or indemnity, wherever such policy, contract, plan or agreement provides for payment or reimbursement for any services consisting of clinical social work, counseling, psychotherapy or related mental health services, provided by all persons licensed under the Arkansas Medical Practices Act (Act 198 of 1957, as amended, Ark. Stat. 74-601 et seq.), the person entitled to benefits or persons providing services under such policy, contract, plan or agreement are entitled to payment or reimbursement on an equal basis for such service, when the said service is provided by any person licensed as a Certified Social Worker under Act 791 of 1981, Ark. Stat. 71-2801 et seq., and operating within their areas of competence and in consultation with a physician licensed under the Arkansas Medical Practices

Act."

SECTION 2. No person entitled to benefits under Section 1 of this Act (Ark. Stat. 66-3212(14)) shall be denied his or her freedom of choice of any practitioner licensed under Act 198 of 1957, as amended, or Act 791 of 1981, by any insurer or agency or employee of such insurer or by any department, agency, or employee of this State.

SECTION 3. Section 1 of this Act (Ark. Stat. 66-3212(14)) shall not be construed to enlarge or diminish the practice of social work as now defined by law in Act 791 of 1981.

SECTION 4. The purpose of Section 1 of this Act (Ark. Stat. 66-3212(14)) is to insure that all persons licensed under the Arkansas Medical Practices Act (Act 198 of 1957, as amended) or persons licensed as Certified Social Workers under the Arkansas Social Work Licensing Act (Act 791 of 1981) shall be entitled to payment or reimbursement on an equal basis for services consisting of clinical social work, counseling, psychotherapy, or related mental health services.

SECTION 5. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 6. EMERGENCY. It is hereby found and determined by the General Assembly that every policy of health, accident or medical insurance should provide for the payment or reimbursement for services provided by persons licensed under the Arkansas Social Work Licensing Act; and that such policy changes should occur immediately. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

