

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 2813

4
5 By: Representative Biggs
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For An Act To Be Entitled

9 AN ACT TO ADOPT SUBSTANTIVE AND TECHNICAL
10 CORRECTIONS TO THE ARKANSAS INSURANCE CODE TO
11 MODERNIZE THE INSURANCE CODE AND CONFORM IT TO
12 FEDERAL LAWS; TO AMEND PORTIONS OF ARKANSAS CODE
13 TITLES 8, 9, AND 11 CONCERNING STATE INSURANCE
14 DEPARTMENT DUTIES AND RESPONSIBILITIES; AND FOR
15 OTHER PURPOSES.
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Subtitle

17 GENERAL INSURANCE OMNIBUS ACT.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 9-14-504(a), regarding health insurance for
24 minor children provided by custodial and non-custodial parents, is amended to
25 read as follows:

26 (a) Any insurer, health maintenance organization, self-funded group,
27 multiple-employer welfare arrangement, or hospital or medical services
28 corporation operating in this state shall receive claims for payment, respond
29 to requests concerning information necessary to determine coverage status,
30 claims status, and health policy plan or benefits, for minor children or to
31 obtain benefits through such coverage for minor children, and otherwise
32 communicate with the custodial parent or the noncustodial parent of the minor
33 child or children, an assignee, or the Office of Child Support Enforcement,
34 without regard to the fact that such coverage may be through a policy
35 benefiting the noncustodial parent of such child or children.
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1 SECTION 2. Arkansas Code § 11-9-303(d), concerning forms used to
 2 collect additional premium taxes on Workers' Compensation insurance, is
 3 amended to read as follows:

4 (d) Assessments upon which premium taxes are based shall be made on
 5 forms prescribed ~~jointly by the Insurance Commissioner and the commission~~ by
 6 the Workers' Compensation Commission.

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 8 SECTION 3. Arkansas Code § 11-9-305 is amended to read as follows:
 9 11-9-305. Payment of tax by public employer.

10 (a)(1) It shall be the duty of the Workers' Compensation Commission to
 11 collect a tax from every public employer providing workers' compensation
 12 coverage to its employees at a rate to be determined as provided by § 11-9-
 13 306 but not to exceed three percent (3%) of the written manual premium which
 14 an insurance carrier would have to pay under § 11-9-303 if the public
 15 employer were insured by a carrier.

16 (2)(A) ~~The Public Employee Claims Division, or its successor~~
 17 ~~agency, Beginning January 1, 2004, the Workers' Compensation Commission~~ shall
 18 collect and tabulate the tax to be collected from ~~public employers and~~
 19 ~~furnish the tabulated information to the commission, together with four (4)~~
 20 ~~separate payments representing the tax collected from~~ each of the four (4)
 21 categories of public employers: the state; the counties; the municipalities;
 22 and the school districts.

23 (B) In tabulating the manual premium, a public employer
 24 shall use the average compensation rate for this state as promulgated by the
 25 National Council on Compensation Insurance for the tax year in question.

26 (3) The tax collected shall be deposited in and paid to the
 27 commission from the Workers' Compensation Revolving Fund and miscellaneous
 28 revolving funds.

29 (b)(1) In the event any public employer fails to cooperate in
 30 furnishing information upon which the tax will be computed or fails to pay
 31 the tax within thirty (30) days of the date provided in § 11-9-306, the
 32 ~~Director of the Public Employee Claims Division~~ commission shall notify the
 33 ~~commission~~ Director of the Public Employees Claims Division of the failure,
 34 and the commission shall decertify the public employer from participation in
 35 the state's workers' compensation program.

36 (2) In the event of decertification, the public employer shall

1 obtain its employer's workers' compensation liability coverage from the
2 private market and shall not be entitled to participate in the state's
3 workers' compensation program for a period of one (1) year thereafter.

4 (c) The procedure for decertification shall be the same as for the
5 revocation or termination of the self-insurer privilege.

6 ~~(d) [Repealed.]~~

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