

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

As Engrossed: H3/17/15

# A Bill

HOUSE BILL 1847

5 By: Representative D. Ferguson  
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## For An Act To Be Entitled

8 AN ACT TO PROHIBIT A HEALTH CARRIER FROM DENYING  
9 COVERAGE FOR HEALTHCARE SERVICES DUE TO AN INJURY  
10 SUSTAINED BY AN INSURED WHILE THE INSURED IS UNDER  
11 THE INFLUENCE OF ALCOHOL OR A CONTROLLED SUBSTANCE;  
12 AND FOR OTHER PURPOSES.  
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## Subtitle

15 TO PROHIBIT A HEALTH CARRIER FROM DENYING  
16 COVERAGE FOR HEALTHCARE SERVICES DUE TO  
17 AN INJURY SUSTAINED BY AN INSURED WHILE  
18 THE INSURED IS UNDER THE INFLUENCE OF  
19 ALCOHOL OR A CONTROLLED SUBSTANCE.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 *SECTION 1. Arkansas Code Title 23, Chapter 85, Subchapter 1, is*  
26 *amended to add an additional section to read as follows:*

27 23-85-140. Denial of coverage for healthcare services resulting from  
28 injury sustained while under influence of alcohol or drugs prohibited.

29 (a) As used in this section, "elevated blood alcohol content" means a  
30 ratio of alcohol in the blood of a person that is eight-hundredths of one  
31 percent (0.08%) or more of alcohol, by weight.

32 (b) A health carrier shall not deny coverage under an insurance policy  
33 that is delivered, issued, amended, renewed, or continued in this state for  
34 healthcare services to an insured to treat any injury sustained by an insured  
35 while the injury occurred when an insured:

36 (1) Has an elevated blood alcohol content; or



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(2) Is under the influence of intoxicating liquor or any drug,  
or both.

*/s/D. Ferguson*