

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

# A Bill

HOUSE BILL 1052

5 By: Representatives Gramlich, L. Johnson  
6 By: Senator J. Boyd  
7

## For An Act To Be Entitled

9 AN ACT TO MANDATE COVERAGE FOR CERTAIN RESPIRATORY  
10 SYNCYTIAL VIRUS DISEASE IMMUNIZATION TECHNOLOGIES FOR  
11 CERTAIN INDIVIDUALS; AND FOR OTHER PURPOSES.  
12  
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## Subtitle

15 TO MANDATE COVERAGE FOR CERTAIN  
16 RESPIRATORY SYNCYTIAL VIRUS DISEASE  
17 IMMUNIZATION TECHNOLOGIES FOR CERTAIN  
18 INDIVIDUALS.  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. Arkansas Code Title 23, Chapter 79, is amended to add an  
23 additional subchapter to read as follows:  
24

25 Subchapter 29 – Coverage for Monoclonal Antibodies for Immunization of  
26 Respiratory Syncytial Virus Disease  
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28 23-79-2901. Definitions.

29 As used in this subchapter:

30 (1)(A) "Health benefit plan" means:

31 (i) An individual, blanket, or group plan or a policy  
32 or contract for healthcare services offered, issued, renewed, delivered, or  
33 extended in this state by a healthcare insurer; and

34 (ii) A health benefit program receiving state or 35  
35 federal appropriations from the State of Arkansas, including the Arkansas  
36 Medicaid Program and the Arkansas Health and Opportunity for Me Program, §



1 23-61-1001 et seq., or any successor program.

2 (B) "Health benefit plan" includes:

3 (i) Indemnity and managed care plans; and

4 (ii) Nonfederal governmental plans as defined in 29  
 5 U.S.C. § 1002(32), as it existed on January 1, 2025.

6 (C) "Health benefit plan" does not include:

7 (i) A plan that provides only dental benefits or eye  
 8 and vision care benefits;

9 (ii) A disability income plan;

10 (iii) A credit insurance plan;

11 (iv) Insurance coverage issued as a supplement to  
 12 liability insurance;

13 (v) A medical payment under an automobile or  
 14 homeowners insurance plan;

15 (vi) A health benefit plan provided under Arkansas  
 16 Constitution, Article 5, § 32, the Workers' Compensation Law, § 11-9-101 et  
 17 17 seq., or the Public Employee Workers' Compensation Act, § 21-5-601 et  
 18 seq.;

19 (vii) A plan that provides only indemnity for 19  
 20 hospital confinement;

21 (viii) An accident-only plan;

22 (ix) A specified disease plan; or

23 (x) A long-term-care-only plan;

24 (2)(A) "Healthcare insurer" means an entity subject to the  
 25 insurance laws of this state or the jurisdiction of the Insurance  
 26 Commissioner that contracts or offers to contract to provide health insurance  
 27 coverage, including without limitation an insurance company, a hospital and  
 28 medical service corporation, a health maintenance organization, a self-  
 29 insured governmental or church plan in this state, or the Arkansas Medicaid  
 30 Program.

31 (B) "Healthcare insurer" does not include an entity that  
 32 provides only dental benefits or eye and vision care benefits;

33 (3) "Infant" means a child less than eight (8) months old; and

34 (4) "Respiratory syncytial virus disease" means a respiratory infection  
 35 of the nose, throat, and lungs caused by the respiratory syncytial virus.

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1           23-79-2902. Coverage for monoclonal antibodies for immunization –  
 2 Respiratory syncytial virus disease.

3           (a) Beginning on and after January 1, 2026, a health benefit plan that  
 4 is offered, issued, renewed, delivered, or extended in this state shall  
 5 provide coverage for monoclonal antibodies for immunization of respiratory  
 6 syncytial virus disease of an infant under guidelines issued by the United  
 7 States Food and Drug Administration.

8           (b) The coverage for monoclonal antibodies for immunization of  
 9 respiratory syncytial virus disease of an infant under subsection (a) of this  
 10 section:

11           (1) Is not subject to an annual deductible, copayment, or  
 12 coinsurance limit as established for other covered benefits under a health  
 13 benefit plan; and

14           (2) Does not diminish or limit benefits otherwise allowable under  
 15 a health benefit plan.

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 17           SECTION 2. TEMPORARY LANGUAGE. DO NOT CODIFY. Rules.

18           (a)(1) Except as provided in subdivisions (a)(2) and (3) of this  
 19 section, the Insurance Commissioner shall promulgate rules necessary to  
 20 implement this act.

21           (2) The Secretary of the Department of Human Services shall  
 22 promulgate rules necessary to implement this act that may apply to the  
 23 Arkansas Medicaid Program or the Arkansas Health and Opportunity for Me  
 24 Program, § 23-61-1001 et seq.

25           (3) The State Board of Finance shall promulgate rules necessary  
 26 to implement this act that may apply to the State and Public School Life and  
 27 Health Insurance Program.

28           (b) When adopting the initial rules required under this act, the  
 29 commissioner, secretary, and the board shall file the final rules with the  
 30 Secretary of State for adoption under § 25-15-204(f):

31           (1) On or before January 1, 2026; or

32           (2) If approval under § 10-3-309 has not occurred by January 1,  
 33 2026, as soon as practicable after approval under § 10-3-309.

34           (c) The commissioner, secretary, and board shall file the proposed  
 35 rules with the Legislative Council under § 10-3-309(c) sufficiently in  
 36 advance of January 1, 2026, so that the Legislative Council may consider the

1 rules for approval before January 1, 2026.

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