

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

A Bill

HOUSE BILL 1165

5 By: Representative L. Johnson
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For An Act To Be Entitled

9 AN ACT TO PROHIBIT DIFFERENT REIMBURSEMENT RATES FOR
10 SERVICES PERFORMED BY THE SAME TYPE OF PROVIDER IN
11 DIFFERENT SETTINGS WITHIN THE ARKANSAS MEDICAID
12 PROGRAM; AND FOR OTHER PURPOSES.
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Subtitle

15 TO PROHIBIT DIFFERENT REIMBURSEMENT
16 RATES FOR SERVICES PERFORMED BY THE SAME
17 TYPE OF PROVIDER IN DIFFERENT SETTINGS
18 WITHIN THE ARKANSAS MEDICAID PROGRAM.
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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 Title 20, Chapter 77, Subchapter 1, is
24 amended to add an additional section to read as follows:

25 20-77-154. Prohibition on different reimbursement rates by the same
26 type of provider in different settings.

27 (a) The General Assembly finds that:

28 (1) There are discrepancies between the rates paid to physicians
29 who see patients in an office setting when that setting is a behavioral
30 health agency or a certified support services provider agency and when that
31 setting is the physician's office;

32 (2) A physician is paid more for his or her services when those
33 services are rendered in his or her office than when a physician provides the
34 same services at a behavioral health agency or a certified support services
35 provider agency;

36 (3) The services in these settings employ the same billing



1 codes;

2 (4) With some billing codes, the difference in reimbursement
3 rates based on the setting is quite substantial; and

4 (5) Behavioral health providers and certified support services
5 provider agencies are being paid at lower rates for the physician's services
6 provided in a behavioral health setting than when the physician's services
7 are exactly the same as the physician would provide in his or her own office;
8 and

9 (6) This discrepancy places the provision of behavioral health
10 services in this state at a great disadvantage.

11 (b) The Arkansas Medicaid Program shall not pay different
12 reimbursement rates for the same services performed by the same type of
13 provider that use the same billing codes when the only difference is the
14 setting in which the services are rendered.

15 (c) The Department of Human Services shall apply for any federal
16 waiver, Medicaid state plan amendment, or other authorization necessary to
17 implement this section.

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