

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas *As Engrossed: H2/18/25 H3/6/25*

2 95th General Assembly

A Bill

3 Regular Session, 2025

HOUSE BILL 1316

4

5 By: Representatives F. Allen, *Wooten, J. Richardson, K. Ferguson*

6 By: *Senator D. Wallace*

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8

For An Act To Be Entitled

9

AN ACT TO MANDATE COVERAGE FOR LUNG CANCER

10

SCREENINGS; AND FOR OTHER PURPOSES.

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12

13

Subtitle

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TO MANDATE COVERAGE FOR LUNG CANCER

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SCREENINGS.

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

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

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Subchapter 29 – Coverage for Lung Cancer Screenings

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23-79-2901. Legislative findings.

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The General Assembly finds that:

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(1) Lung cancer is the leading cause of cancer deaths in

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Arkansas, killing nearly two thousand (2,000) residents each year;

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(2) Lung cancer, which is mostly preventable, is the leading

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cause of cancer deaths in Arkansas;

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(3) In Arkansas, about one thousand eight hundred twenty-five

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(1,825) individuals die each year from lung cancer;

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(4) Lung cancer claims more lives each year than the combined

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deaths of nine hundred eighty-one (981) caused by breast cancer, colorectal

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cancer, or prostate cancer in Arkansas, which indicates that lung cancer

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should be a top priority for Arkansas;

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1 (5) The lung cancer death rate in Arkansas is higher than the
2 lung cancer death rate for the United States, forty-five and sixth-tenths
3 (45.6) versus thirty-two and four-tenths (32.4) per one hundred thousand
4 (100,000) individuals;

5 (6) Washington County is the only county in Arkansas that has a
6 lung cancer death rate that is less than the United States average;

7 (7) On average, about two thousand six hundred ninety-eight
8 (2,698) people are diagnosed with lung cancer each year in Arkansas;

9 (8) The rate of new lung cancer cases diagnosed in Arkansas is
10 higher than the rate of new cases for the United States, sixty-eight and two-
11 tenths (68.2) versus fifty-three and six-tenths (53.6) per one hundred
12 thousand (100,000) individuals;

13 (9) Only Benton County, Lee County, and Washington County have
14 incidence rates of lung cancer less than the United States average of fifty-
15 three and six-tenths (53.6) per one hundred thousand (100,000) individuals;

16 (10) Lung cancer survival rates are low because it is often
17 diagnosed too late;

18 (11) According to the American Lung Association, it estimated
19 that only twenty-two and six-tenths percent (22.6%) of Arkansans will survive
20 lung cancer five (5) years past their diagnosis;

21 (12) Lung cancer has one (1) of the lowest survival rates,
22 slightly better than esophageal cancer, liver cancer, and pancreatic cancer,
23 respectively;

24 (13) Lung cancer, esophageal cancer, liver cancer, and
25 pancreatic cancer are associated with cigarette smoking;

26 (14)(A) Nearly ninety percent (90%) of all lung cancers are due
27 to cigarette smoking.

28 (B) Air pollution and exposure to radon, a radioactive
29 gas, explain most of the other ten percent (10%) of lung cancers;

30 (15) Quitting cigarette smoking can reduce the risk for lung
31 cancer and many other tobacco-caused cancers;

32 (16) In addition, lung cancer screening can reduce lung cancer
33 deaths by at least twenty percent (20%);

34 (17) Lung cancer gets the least amount of federal funding even
35 though lung cancer takes more lives as a percentage of the whole than other
36 cancers;

1 (18)(A) Most individuals are aware that it is possible to get a
2 mammogram to detect breast cancer early or a colonoscopy to detect colon
3 cancer early.

4 (B) However, some individuals may not be aware that it is
5 possible to get an annual lung cancer screening to detect lung cancer early;

6 (19) Lung cancer screening is performed with low-dose computed
7 tomography scan that can identify small nodules or other abnormalities in the
8 lungs;

9 (20) Screening with low-dose computed tomography may be done in
10 asymptomatic individuals and in high-risk individuals like smokers and former
11 smokers;

12 (21)(A) The American Lung Association says that only three and
13 seven-tenths percent (3.7%) of individuals who are eligible to get screened
14 for lung cancer are screened in Arkansas.

15 (B) This is lower than the national rate of four and five-
16 tenths percent (4.5%);

17 (22) The American Cancer Society recommends that smokers and
18 former smokers fifty (50) to eighty (80) years of age get screened for lung
19 cancer if they have smoked at least twenty (20) or more packs for years,
20 which can be measured in different ways. For example, an individual who
21 smoked one (1) pack of cigarettes a day for at least twenty (20) years would
22 have the equivalent smoking rate of an individual who has smoked two (2)
23 packs of cigarettes per day for ten (10) years;

24 (23) The American Cancer Society screening guideline differs
25 from the United States Preventive Services Task Force Lung Cancer Screening
26 Guidelines which state that lung cancer screening should be discontinued
27 after a person has not smoked for at least fifteen (15) years;

28 (24) Medicare and most healthcare insurers will cover lung
29 cancer screening, but eligibility requirements, obtaining a referral,
30 copayments, deductibles, out-of-pocket costs, and the type of paperwork
31 needed to get an annual lung cancer screening vary by healthcare insurer;

32 (25) The Arkansas Medicaid Program covers lung cancer screening
33 in Arkansas;

34 (26) If a healthcare insurer does not cover annual lung cancer
35 screening, then funds are needed to assist smokers and former smokers in
36 getting screened;

1 (27) Arkansas has the second-highest smoking rate in the nation;

2 (28) Smoking rates are higher in rural versus urban areas where
3 access to low-dose computed tomography is low; and

4 (29) It is important to promote lung cancer screenings by:

5 (A) Increasing availability of low-dose computed
6 tomography in rural areas that may reduce travel time to no more than thirty
7 (30) minutes;

8 (B) Increasing the number of healthcare providers in rural
9 areas to support lung cancer screening and also support other cancer
10 screening as well;

11 (C) Increasing funding for educational programs to
12 increase awareness about lung cancer screening in Arkansas;

13 (D) Increasing research dollars in Arkansas to support
14 research related to lung cancer screening and early detection of lung cancer;

15 (E) Increasing funding for patient advocates in all
16 counties and public health regions to help people overcome financial,
17 transportation, and other barriers to lung cancer screening; and

18 (F) Providing hospitals with incentives to add smoking
19 cessation programs to lung cancer screening.

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21 23-79-2902. Definitions.

22 As used in this subchapter:

23 (1) "Covered person" means an individual who is entitled to
24 receive healthcare services under the terms of a health benefit plan;

25 (2)(A) "Health benefit plan" means:

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

29 (ii) A health benefit program receiving state or
30 federal appropriations from the State of Arkansas, including the Arkansas
31 Medicaid Program and the Arkansas Health and Opportunity for Me Program, §
32 23-61-1001 et seq., or any successor program.

33 (B) "Health benefit plan" includes:

34 (i) Indemnity and managed care plans; and

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

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

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

4 (ii) A disability income plan;

5 (iii) A credit insurance plan;

6 (iv) Insurance coverage issued as a supplement to
7 liability insurance;

8 (v) A medical payment under an automobile or
9 homeowners insurance plan;

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

13 (vii) A plan that provides only indemnity for
14 hospital confinement;

15 (viii) An accident-only plan;

16 (ix) A specified disease plan; or

17 (x) A long-term-care-only plan; and

18 (3)(A) "Healthcare insurer" means an insurance company, hospital
19 and medical service corporation, or health maintenance organization that
20 issues or delivers health benefit plans in this state and is subject to:

21 (i) The insurance laws of this state;

22 (ii) Section 23-75-101 et seq., pertaining to
23 hospital and medical service corporations; or

24 (iii) Section 23-76-101 et seq., pertaining to
25 health maintenance organizations.

26 (B) "Healthcare insurer" does not include an entity that
27 provides only dental benefits or eye and vision care benefits.

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29 23-79-2903. Coverage for lung cancer screenings.

30 (a) On and after January 1, 2026, a health benefit plan that is
31 offered, issued, renewed, delivered, or extended in this state shall provide
32 coverage for lung cancer screenings and follow-up healthcare services
33 according to American Cancer Society guidelines.

34 (b) The coverage for lung cancer screenings under subsection (a) of
35 this section:

36 (1) Is not subject to an annual deductible, copayment, or

1 coinsurance limit as established for other covered benefits under a health
2 benefit plan; and

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

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6 23-79-2904. Rules.

7 (a) The Insurance Commissioner shall promulgate rules to implement
8 this subchapter.

9 (b) The Secretary of the Department of Human Services shall promulgate
10 rules necessary to implement this subchapter that may apply to the Arkansas
11 Medicaid Program or the Arkansas Health and Opportunity for Me Program, § 23-
12 61-1001 et seq.

13 (c) The State Board of Finance shall promulgate rules necessary to
14 implement this subchapter that may apply to the State and Public School Life
15 and Health Insurance Program.

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17 */s/F. Allen*
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