

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

A Bill

HOUSE BILL 1826

5 By: Representative Bentley
6 By: Senator D. Wallace
7

For An Act To Be Entitled

8
9 AN ACT TO MANDATE COVERAGE FOR DELIVERY OF A NEWBORN
10 IN A LICENSED BIRTHING CENTER; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

14
15 TO MANDATE COVERAGE FOR DELIVERY OF A
16 NEWBORN IN A LICENSED BIRTHING CENTER.
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code Title 23, Chapter 79, is amended to add an
21 additional subchapter to read as follows:
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Subchapter 29 – Coverage for Licensed Birthing Centers

23-79-2901. Definitions.

As used in this subchapter:

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27 (1) "Enrollee" means an individual entitled to coverage of
28 healthcare services from a healthcare insurer;

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

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

33 (ii) A health benefit program receiving state or
34 federal appropriations from the State of Arkansas, including the Arkansas
35 Medicaid Program and the Arkansas Health and Opportunity for Me Program
36 established by the Arkansas Health and Opportunity for Me Act of 2021, § 23-



1 61-1001 et seq.

2 (B) "Health benefit plan" includes indemnity and managed
 3 care plans.

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

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

7 (ii) A disability income plan;

8 (iii) A credit insurance plan;

9 (iv) Insurance coverage issued as a supplement to
 10 liability insurance;

11 (v) A medical payment under an automobile or
 12 homeowners insurance plan;

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

16 (vii) A plan that provides only indemnity for
 17 hospital confinement;

18 (viii) An accident-only plan;

19 (ix) A specified disease plan;

20 (x) A long-term-care-only plan; or

21 (xi) A plan providing health benefits to state and
 22 public school employees under § 21-5-401 et seq.;

23 (3)(A) "Healthcare insurer" means an entity subject to the
 24 insurance laws of this state or the jurisdiction of the Insurance
 25 Commissioner that contracts or offers to contract to provide health insurance
 26 coverage, including without limitation an insurance company, a hospital and
 27 medical service corporation, a health maintenance organization, a self-
 28 insured governmental or church plan in this state, the Arkansas Medicaid
 29 Program, and a nonprofit agricultural membership organization as defined in §
 30 23-60-104.

31 (B) "Healthcare insurer" does not include an entity that
 32 provides:

33 (i) Only dental benefits or eye and vision care
 34 benefits; or

35 (ii) Health benefits to state and public school
 36 employees under § 21-5-401 et seq.; and

1 (4) "Licensed birthing center" means a birthing center licensed
 2 by the Department of Health that provides birthing services.

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 4 23-79-2902. Coverage for birthing services in licensed birthing
 5 centers.

6 (a) On and after January 1, 2026, a health benefit plan that is
 7 offered, issued, renewed, delivered, or extended in this state shall provide
 8 the same coverage to an enrollee for birthing services received in a licensed
 9 birthing center as provided for birthing services received in a hospital.

10 (b) The coverage for licensed birthing centers under subsection (a) of
 11 this section:

12 (1) Is not subject to a greater deductible, coinsurance,
 13 copayment, or out-of-pocket limits than any other benefit provided by a
 14 healthcare insurer under a health benefit plan; and

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

17
 18 23-79-2903. Rules.

19 (a) The Insurance Commissioner may develop and promulgate rules for
 20 the implementation and administration of this subchapter.

21 (b) The Secretary of the Department of Human Services may develop and
 22 promulgate rules for the implementation and administration of this subchapter
 23 that apply to the Arkansas Medicaid Program or the Arkansas Health and
 24 Opportunity for Me Program established by the Arkansas Health and Opportunity
 25 for Me Act of 2021, § 23-61-1001 et seq.