



Michael Preston
SECRETARY OF COMMERCE

Alan McClain
INSURANCE COMMISSIONER,
ARKANSAS INSURANCE
DEPARTMENT

MAY 25, 2021

BULLETIN NO. 8-2021

TO: ALL LICENSED HEALTH INSURERS, HEALTH MAINTENANCE ORGANIZATIONS, HOSPITAL PUBLIC SERVICE CORPORATIONS, HEALTHCARE PAYERS, AND OTHER INTERESTED PARTIES


FROM: ARKANSAS INSURANCE DEPARTMENT

SUBJECT: ACT 462 THE MEDICAL ETHICS AND DIVERSITY ACT BULLETIN

ACT 462 of 2021, “An Act To Create the Medical Ethics and Diversity Act,” obligates the Insurance Commissioner to collect and receive from healthcare payers in this market on an annual basis “a comprehensive list by billing code of any and all products, services, and procedures that a healthcare payer shall not pay or make payment for reasons of conscience.” The Act also provides that the filing be provided annually to each beneficiary of the healthcare payer and be published on the website of the healthcare payer. The obligation of this report applies to healthcare insurers, HMOs, and employer health plans.

Healthcare insurers, HMOs, and employer health plans are not required to make this annual filing for “any year in which the healthcare payer will not exercise its conscience rights under the Act.” Unless the healthcare payer makes this annual designation in writing to the Commissioner that it will not exercise its conscience rights under Act 462 of 2021, Carriers and employers shall be required to provide an annual report to the Commissioner in writing on or before December 31st of each year. Healthcare payers are asked to use their best efforts in developing a written annual form, which provides the name, address, phone number and contact name person, and address for the payer, with the payer’s “products, services, and procedures” with associated CPT or DRG codes, the payer intends to use conscience objection to refuse payments. Please address these reports and any designations to:

Arkansas Insurance Department, Legal Division,
Re: Medical Ethics and Diversity Act Report.
1 Commerce Way Ste 504, Little Rock, AR 72202
Email: legal.insurance@arkansas.gov


ALAN McCLAIN
INSURANCE COMMISSIONER
STATE OF ARKANSAS

5-25-2021
DATE