

**RULE 86**

**HEALTH CARE PROVIDER LISTING  
UNDER ANY WILLING PROVIDER**

- Section 1. Purpose**
- Section 2. Health Care Providers**
- Section 3. Health Care Service Coverage For Listed Medical Providers**
- Section 4. Authority**
- Section 5. Applicability & Scope**
- Section 6. Severability**
- Section 7. Effective Date**

**SECTION 1. PURPOSE**

The purpose of this Rule is to implement Ark. Code Ann. §23-99-802(4)(DD) which permits the Arkansas Insurance Department to add by regulation "other health care practitioners" who may be entitled to participate in health benefit plans under Ark. Code Ann. §23-99-201. et seq. and Ark. Code Ann. §23-99-801, et seq. (otherwise known as the "Any Willing Provider Law").

**SECTION 2. HEALTH CARE PROVIDERS**

The following "other health care practitioners" shall be entitled to participate in health benefit plans under the Any Willing Provider Law, in addition to the health care providers listed in Ark. Code Ann. §23-99-203(d) and §23-99-802(4), to the extent that the specific health care service is offered or covered in the health benefit plan in the manner specified in the health benefit plan of that insured or beneficiary:

- (1) Non-hospital based medical facilities providing clinical diagnostic services for sleep disorders;
- (2) Non-hospital based medical facilities providing magnetic resonance imaging, computed axial tomography, or other imaging diagnostic testing.

**SECTION 3. HEALTH CARE SERVICE COVERAGE FOR LISTED MEDICAL PROVIDERS**

Nothing in this Rule shall mandate that a health care insurer must offer or cover a health care service performed by a provider listed under this Rule, or establish a network for that class of medical providers.

**SECTION 4. AUTHORITY**

Authority for this Rule is given to the Insurance Commissioner for the State of Arkansas by Ark. Code Ann. §23-99-802(4)(DD) which permits the Arkansas Insurance Department to add "other

health care practitioners" entitled to participate in the Any Willing Provider Law. In addition, the Commissioner has authority to issue this Rule under Ark. Code Ann. §§23-99-803(1), 23-61 - 108, and 25-15-201 et seq.

#### **SECTION 5. APPLICABILITY AND SCOPE**

This Rule shall apply to all "health insurers," or "health care insurers," defined in Ark. Code Ann. §23-99-802(5), which provide or offer "health benefit plans" defined in Ark. Code Ann. §23-99-802(3).

#### **SECTION 6. SEVERABILITY**

If any provision of this Rule, or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect other provisions or applications of this Rule which can be given effect without the invalid provision or application, and to that end the provisions of this Rule are severable.

#### **SECTION 7. EFFECTIVE DATE**

This Rule shall be effective on and after January 1, 2007.

(Signed by Julie Benafield Bowman)

---

JULIE BENAFIELD BOWMAN  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS

(October 24, 2006)

---