

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H1/31/03 S3/11/03

A Bill

Act 552 of 2003
HOUSE BILL 1033

5 By: Representatives Dobbins, Clemons
6 By: Senators Wilkins, Steele
7

For An Act To Be Entitled

10 AN ACT TO ALLOW QUALIFYING COLLEGE STUDENTS TO
11 RECEIVE MEDICAL COVERAGE UNDER THE ARKIDS FIRST
12 PROGRAM; AND FOR OTHER PURPOSES.
13

Subtitle

14 AN ACT TO ALLOW QUALIFYING COLLEGE
15 STUDENTS TO RECEIVE MEDICAL COVERAGE
16 UNDER THE ARKIDS FIRST PROGRAM.
17
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 20-77-1104 is amended to read as follows:
23 20-77-1104. Waiver - Rules.

24 (a)(1) The Department of Human Services has obtained a waiver from the
25 ~~Health Care Financing Administration Centers for Medicare and Medicaid~~
26 ~~Services~~ to create and administer the ARKids First Program as set forth in
27 subdivision (b)(1)(A)(i).

28 (2)(A) The Department of Human Services shall use its best
29 efforts to obtain any necessary waivers from the Centers for Medicare and
30 Medicaid Services to create and administer the ARKids First Program as set
31 forth in subdivisions (b)(1)(A)(ii) and (b)(1)(A)(iii).

32 (B) To the extent the Department of Human Services is unable to obtain
33 a Medicaid waiver or waivers from the Centers for Medicare and Medicaid
34 Services necessary to allow the use of matching federal funds, the Department
35 of Human Services shall have no obligation to allow enrollment as required by
36 either subdivision (b)(1)(A)(ii) or subdivision (b)(1)(A)(iii) of this



1 subsection. (b) The department shall administer and promulgate rules
 2 for the program in conformity with a Medicaid waiver or waivers and in a
 3 manner that:

4 (1)(A) Defines the population which may receive services
 5 provided or reimbursed through this program by limiting the program to:

6 (i) ~~children~~ Children eighteen (18) years of age or
 7 younger without health care coverage who are members of a family with a gross
 8 family income not exceeding two hundred percent (200%) of the federal poverty
 9 guidelines;

10 (ii) Persons nineteen (19) years of age or older but
 11 less than twenty-one (21) years of age who are:

12 (a) Without health care coverage;

13 (b) Members of a family with a gross family
 14 income not exceeding two hundred percent (200%) of the federal poverty
 15 guidelines;

16 (c) Enrolled as full-time students in a public
 17 or private college, university, technical institute, technical college or
 18 other institution of higher education located in the state; and

19 (d) The persons was covered under the ARKids
 20 First Program as set forth in subdivision (b)(1)(A)(i) on the day prior to
 21 becoming age nineteen (19); or

22 (iii) Persons twenty-one (21) years of age or older
 23 but less than twenty-five (25) years of age who are:

24 (a) Without health care coverage;

25 (b) Members of a family with a gross family
 26 income not exceeding two hundred percent (200%) of the federal poverty
 27 guidelines;

28 (c) Enrolled as full-time students in a public
 29 or private college, university, technical institute, technical college or
 30 other institution of higher education located in the state; and

31 (d) The persons was covered under the ARKids
 32 First Program as set forth in subdivision (b)(1)(A)(ii) on the day prior to
 33 becoming age twenty-one (21).

34 (B) No person enrolled in the full Medicaid program may be
 35 concurrently enrolled in the ARKids First Program except as required by
 36 federal law;

1 (C)(i) Subdivisions (b)(1)(A)(ii) and (b)(1)(A)(iii) of
2 this subsection shall only apply to students who enroll as students in a
3 public or private college, university, technical institute, technical
4 college, or other institution of higher education no less than six (6) months
5 after graduation from high school, and who maintain a continuous enrollment
6 each consecutive semester thereafter with no periods of time in which the
7 person is not enrolled as a student, excluding regularly scheduled summer
8 breaks.

9 (ii) If a person is not enrolled as a students as
10 set forth in subdivision (b)(1)(C)(i) of this subsection, the person shall
11 not be entitled to health care coverage under the ARKids First program and
12 shall not be entitled to later resume coverage following a break in
13 eligibility.

14 (2) Defines health care coverage as health care insurance
15 regulated by the State Insurance Department, specifically including group and
16 employer-sponsored health insurance plans. The Department of Human Services
17 may by rule exclude other plans or coverage from the definition of health
18 care coverage;

19 (3) Provides for the automatic assignment of medical payments
20 due as set out in §§ 20-77-302 and 20-77-307 as a condition of eligibility
21 for benefits under the uninsured children's program;

22 (4)(A) Defines the services to be covered under the program,
23 which shall include parity for outpatient mental health care.

24 (B) As used in subdivision (4)(A) of this section, "parity
25 for mental health care" means coverage for the diagnosis and mental health
26 treatment of mental illnesses and the mental health treatment of those with
27 developmental disorders under the same terms and conditions as provided for
28 covered benefits offered under the program for the treatment of other medical
29 illnesses or conditions and with no differences in the program in regard to
30 any of the following:

31 (i) The duration or frequency of coverage;

32 (ii) The dollar amount of coverage; or

33 (iii) Financial requirements.

34 (C) Providers of covered services shall be those providers
35 enrolled as Medicaid providers, and reimbursement shall be at the rates
36 established by the program; and

