

Hall of the House of Representatives

89th General Assembly - Regular Session, 2013

Amendment Form

Subtitle of House Bill No. 1190

TO CLARIFY THE LAW REGARDING MEDICAID REIMBURSEMENTS FOR NURSING PROFESSIONALS.

Amendment No. 1 to House Bill No. 1190

Amend House Bill No. 1190 as originally introduced:

Add Representative Harris as a cosponsor of the bill

Page 1, delete line 9 and substitute the following:

"REIMBURSEMENTS FOR NURSING PROFESSIONALS; TO REQUIRE THAT ADVANCED NURSE PRACTITIONERS BE RECOGNIZED AS PRIMARY CARE PROVIDERS IN THE MEDICAID PROGRAM; TO ESTABLISH MEDICAID REIMBURSEMENT RATES FOR ADVANCED NURSE PRACTITIONERS; AND FOR"

AND

Page 1, line 9 delete "PROFESSIONALS" and substitute "PROFESSIONALS AS PRIMARY CARE MEDICAID PROVIDERS"

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 20, Chapter 77, Subchapter 1, is amended to add an additional section to read as follows:

20-77-125. Advanced nurse practitioners.

(a) As used in this section, "charitable clinic" means a charitable nonprofit corporation or a facility organized as a not-for-profit corporation under §§ 4-28-201 – 4-28-206 and 4-28-209 – 4-28-224 that:

(1) Holds a valid exemption from federal income taxation issued under § section 501(a) of the Internal Revenue Code;

(2) Is listed as an exempt organization under § 501(c)(3) of the Internal Revenue Code; and

(3) Provides advice, counseling, diagnosis, treatment, surgery, care, or services relating to the preservation or maintenance of health on an outpatient basis for a period of less than twenty-four (24) consecutive hours to persons not residing or confined at the facility.

(b) The General Assembly intends that the savings to the Arkansas Medicaid Program achieved under subsection (c) of this section shall be used to assist hospitals in Arkansas in meeting the healthcare needs of the hospitals' communities and the overall Medicaid healthcare cost.



(c)(1) The Arkansas Medicaid Program shall recognize a qualifying advanced nurse practitioner as a primary care provider for all purposes.

(2) Purposes under subdivision (c)(1) of this section include without limitation:

(A) Being recognized as the initial health care provider in the federal Comprehensive Primary Care initiative payment model;

(B) Initially diagnosing;

(C) Leading a team of family practice professionals;

(D) Maintaining patient's records;

(E) Ordering laboratory tests and records management as needed for patient care;

(F) Providing preventive and periodic examinations within primary care;

(G) Referring a patient when necessary to a physician, a specialist or a hospital; and

(H) Treating a patient to the extent of the advanced nurse practitioner's scope of practice.

(d)(1) The Arkansas Medicaid Program shall reimburse an advanced nurse practitioner not less than ninety percent (90%) of the physician reimbursement rate for services performed within the scope and licensure of the advanced nurse practitioner.

(2) However, the Arkansas Medicaid Program shall reimburse an advanced nurse practitioner who performs services at a charitable institution for which the advanced nurse practitioner does not pay a fee for a collaborative agreement with a physician not less than eighty-five percent (85%) of the standard reimbursement rate.

(3) The Arkansas Medicaid Program shall reimburse an advanced nurse practitioner one hundred percent (100%) of the standard reimbursement rate for all out-of-pocket costs such as laboratory tests, x-rays, and tests ordered and performed.

(e)(1) The Arkansas Medicaid Program shall reimburse an advanced nurse practitioner for services and costs performed within the scope and licensure of the advanced nurse practitioner.

(2) The scope and licensure of the advanced nurse practitioner shall be conclusively determined by the Arkansas State Board of Nursing.

(f)(1)(A) For tax years beginning on and after January 1, 2013, there is allowed an income tax credit against the income tax imposed by the Income Tax Act of 1929, § 26-51-101 et seq., in the amount of one hundred dollars (\$100) for each hour that a physician provides medical services at no cost to a charitable clinic.

(B) However, the amount of the credit allowed under subdivision (e)(1)(A) of this section shall not exceed five thousand dollars (\$5,000) for each taxpayer per tax year.

(2) The amount of the income tax credit under this subsection that may be claimed by the taxpayer in a tax year shall not exceed the amount of income tax due by the taxpayer.

(g) An insurance policy the premiums of which are paid directly or indirectly by the Arkansas Medicaid Program also shall reimburse an advanced practice nurse under subsections (c) and (d) of this section.

(h) This section does not increase the scope of practice of an advanced practice nurse."

The Amendment was read _____
By: Representative Hammer
MGF/NJR - 03-22-2013 12:16:53
MGF530 _____ Chief Clerk