

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Mahony**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO CREATE AN ASSIGNMENT OF RIGHT TO CHILD SUPPORT
9 TO THE DEPARTMENT OF HUMAN SERVICES BY A RECIPIENT OF
10 MEDICAID BENEFITS; AND FOR OTHER PURPOSES."

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12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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14 SECTION 1. By accepting medicaid assistance for or on behalf of a
15 child, the recipient thereof shall be deemed to have assigned to the
16 appropriate division of the Department of Human Services any rights to child
17 support from any other person as the recipient may have:

18 (1) In his own behalf or in behalf of any other family member for whom
19 the recipient is receiving assistance; and

20 (2) Accrued at the time such assistance, or any portion thereof, is
21 accepted.

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23 SECTION 2. The appropriate division of the Department of Human Services
24 shall give notice, in writing, to each applicant for assistance. This notice
25 shall state that acceptance of assistance would invoke the provisions of
26 Section (1) above and result in an assignment under Section (1) above.

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28 SECTION 3. Support rights assigned to the Department of Human Services
29 under this act shall constitute an obligation owed to the State of Arkansas by
30 the person responsible for providing the support, and the obligation shall be
31 collectible under all legal processes.

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33 SECTION 4. All provisions of this act of a general and permanent nature
34 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
35 Revision Commission shall incorporate the same in the Code.

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SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 6. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 7. EMERGENCY. It is hereby found and determined by the Seventy-Eighth General Assembly that it is in the best interest of the people of the State of Arkansas that paternity of the children be established in the most expedient manner for all children of this state; and the smooth transition from current requirements of those of this act require the provisions to become effective immediately upon passage. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

