

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

SENATE BILL

4 **By: Senators Holiman, Bookout, Beebe, Bearden, Hopkins, Fitch, Gwatney, Chaffin, Todd, S.**
5 **Bell**

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED 19-5-1047 TO
10 REQUIRE THAT MONEYS RECEIVED BY THE DEPARTMENT OF HUMAN
11 SERVICES FROM DRUG MANUFACTURERS IN THE FORM OF REBATES
12 SHALL BE USED SOLEY TO PAY PHARMACY CLAIMS IN THE ARKANSAS
13 MEDICAID PRESCRIPTION DRUG PROGRAM; AND FOR OTHER
14 PURPOSES."

Subtitle

17 "TO REQUIRE THAT MONEY RECEIVED BY DHS FROM DRUG
18 MANUFACTURERS AS REBATES BE USED TO PAY MEDICAID PHARMACY
19 CLAIMS."

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

23 SECTION 1. Arkansas Code § 19-5-1047(d) is hereby amended to read as
24 follows:

25 "(d) (1) The Department of Human Services is authorized to receive
26 moneys in the form of rebates from drug manufacturers as established by
27 contract or pursuant to the provisions of the Omnibus Reconciliation Act of
28 1990.

29 (2) Any moneys accruing to the department through these rebates
30 shall be deposited in the State Treasury as nonrevenue receipts to be credited
31 to the Arkansas Medicaid Rebate Program Revolving Fund and transferred by the
32 Director of the Department of Human Services to the Department of Human
33 Services Medicaid Paying Accounts to be used solely for paying pharmacy claims
34 in the Arkansas Medicaid Prescription Program.

35 (3) Any general revenues that accrue as a result of the receipt

1 of the Medicaid rebate shall be transferred to the Department of Human
2 Services Grants Fund Account."

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4 SECTION 2. All provisions of this act of a general and permanent nature
5 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
6 Revision Commission shall incorporate the same in the Code.

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8 SECTION 3. If any provision of this act or the application thereof to
9 any person or circumstance is held invalid, such invalidity shall not affect
10 other provisions or applications of the act which can be given effect without
11 the invalid provision or application, and to this end the provisions of this
12 act are declared to be severable.

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14 SECTION 4. All laws and parts of laws in conflict with this act are
15 hereby repealed.

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