

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Bell**

A Bill

SENATE BILL 307

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 20-77-101 TO
9 DECLARE THAT IT IS THE PUBLIC POLICY OF ARKANSAS THAT
10 PAYMENTS MADE BY TITLE XIX MEDICAID PROGRAM FOR THE STATE
11 ARE INTENDED TO BE SUPPLEMENTAL TO AND NOT IN LIEU OF
12 PAYMENT FROM OTHER SOURCES; AND FOR OTHER PURPOSES."

Subtitle

14 "TO ESTABLISH AS PUBLIC POLICY OF THE STATE OF ARKANSAS
15 THAT MEDICAID IS THE PAYOR OF LAST RESORT."
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. Arkansas Code § 20-77-101 is hereby amended to read as
21 follows:

22 "20-77-101. Cost-sharing charges for medically indigent.

23 (a) It is the intent of the General Assembly of the State of Arkansas
24 that the medical assistance program administered by the Department of Human
25 Services (Medicaid) is intended to be supplemental to other potential sources
26 of payment which are or may be available to pay for the costs of medical care
27 delivered to residents of this state. To ensure the appropriated funds are
28 available to meet the needs of those residents, it is hereby declared the
29 public policy of the State of Arkansas that the medical assistance program
30 administered by the Department of Human Services (Medicaid) is the payor of
31 last resort to supplement and not supplant other sources which are or may be
32 available to any individual *except when federal requirements under Title V*
33 *specify otherwise.*

34 (b) The appropriate division of the Department of Human Services, in
35 order to comply with Public Law 92-603, § 208, may, with respect to the

1 medically indigent:

2 (1) Provide that an enrollment fee, premium, or similar charge
3 may be imposed;

4 (2) Specify the amount of and the period of liability for the
5 charges; and

6 (3) Define the state's policy regarding the effect on the
7 recipient of nonpayment of required charges."

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

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13 SECTION 3. If any provision of this act or the application thereof to
14 any person or circumstance is held invalid, such invalidity shall not affect
15 other provisions or applications of the act which can be given effect without
16 the invalid provision or application, and to this end the provisions of this
17 act are declared to be severable.

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

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/s/ Senator Bell

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