

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 85th General Assembly  
3 Regular Session, 2005

# A Bill

HOUSE BILL 2096

4  
5 By: Representative Roebuck  
6  
7

## For An Act To Be Entitled

9 AN ACT TO PROVIDE FUNDING FOR COMMUNITY HEALTH  
10 CENTERS; TO AMEND SECTIONS OF THE ARKANSAS CODE  
11 RESULTING FROM INITIATED ACT 1 OF 2000; AND FOR  
12 OTHER PURPOSES.  
13

## Subtitle

14 AN ACT TO PROVIDE FUNDING FOR COMMUNITY  
15 HEALTH CENTERS AND TO AMEND SECTIONS OF  
16 THE ARKANSAS CODE RESULTING FROM  
17 INITIATED ACT 1 OF 2000.  
18  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 19-12-102(13), concerning the definition of  
24 the Medicaid Expansion Program Account, resulting from Initiated Act 1 of  
25 2000, is amended to read as follows:

26 (13) "Medicaid Expansion Program Account" shall mean the account  
27 by that name created pursuant to § 19-12-112 to be funded from the Tobacco  
28 Settlement Program Fund ~~and used by the Arkansas Department of Human Services~~  
29 ~~for the purposes set forth in this chapter.~~  
30

31 SECTION 2. Arkansas Code § 19-12-112, resulting from Initiated Act 1  
32 of 2000, is amended to read as follows:

33 19-12-112. Creation of Medicaid Expansion Program Account.

34 (a)(1) There is hereby created a trust fund on the books of the  
35 Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State,  
36 within the Tobacco Settlement Program Fund maintained by the State Board of



1 Finance, an account to be known as the Medicaid Expansion Program Account.

2 ~~Such account~~ (2) The account shall be used ~~by:~~

3 (A)(i) By the Department of Human Services for such  
4 purposes and in such amounts as may be appropriated in law.

5 (ii) These funds shall not be used to replace or  
6 supplant other funds available in the Department of Human Services Grants  
7 Fund Account.

8 (iii) The funds appropriated for this program shall  
9 not be expended, except in conformity with federal and state laws, and then  
10 only after the department obtains the necessary approvals from the federal  
11 Health Care Financing Administration; and

12 (B) As appropriated by the General Assembly for use in  
13 providing primary medical, dental, and mental health services and  
14 preventative health services to the uninsured and medically underserved  
15 Arkansans by community-owned and governed nonprofit organizations deemed  
16 federally qualified health centers under 42 U.S.C. § 254b, as in effect on  
17 January 1, 2005.

18 (b) On each July 1, there shall be transferred from the fund to the  
19 account the amount specified in § 19-12-108(d)(1)(C).

20 (c) All moneys deposited to the account except for investment earnings  
21 shall be used for the purposes set forth in § 19-12-116, or such other  
22 purposes as may be appropriated in law.

23 (d) Moneys remaining in the account at the end of the first fiscal  
24 year of a biennium shall be carried forward and used for the purposes  
25 provided by law. Such amounts that remain at the end of a biennium shall be  
26 transferred to the fund pursuant to § 19-12-108(e).

27  
28 SECTION 3. Arkansas Code § 19-12-119, resulting from Initiated Act 1  
29 of 2000, is amended to read as follows:

30 19-12-119. Use of funds for the Medicaid Expansion Program Account.

31 In addition to the purposes enumerated in ~~§ 19-12-116~~ §§ 19-12-116 and  
32 19-12-112 for the Medicaid expansion program, the funds made available to the  
33 Medicaid Expansion Program Account may also be used to supplement current  
34 general revenues as approved by the Governor and the Chief Fiscal Officer of  
35 the State for the Arkansas Medicaid Program. None of the funds shall be used  
36 for this additional purpose if the usage will reduce the funds made available

1 by the General Assembly for the Meals-on-Wheels program and the senior  
 2 prescription drug program.

3  
 4 SECTION 4. Arkansas Code § 19-5-1121, resulting from Initiated Act 1  
 5 of 2000, is amended to read as follows:

6 19-5-1121. Medicaid Expansion Program Account.

7 (a) There is hereby established on the books of the Treasurer of  
 8 State, the Auditor of State, and the Chief Fiscal Officer of the State a fund  
 9 to be known as the Medicaid Expansion Program Account.

10 (b)(1) This fund shall consist of those moneys transferred from the  
 11 Tobacco Settlement Program Fund as provided in § 19-12-108 and interest  
 12 earnings.

13 (2) The fund shall be used ~~by the:~~

14 (A) By the Department of Human Services for those purposes  
 15 as set out in § 19-12-112; and

16 (B) As appropriated by the General Assembly for use in  
 17 providing primary medical, dental, and mental health services and  
 18 preventative health services to the uninsured and medically underserved  
 19 Arkansans by community-owned and governed nonprofit organizations deemed  
 20 qualified health centers under 42 U.S.C. § 254b, as in effect on January 1,  
 21 2005.

22  
 23 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the  
 24 General Assembly of the State of Arkansas that many Arkansans are in need of  
 25 primary medical, dental, and mental health treatment and preventative health  
 26 services and are not covered by health insurance or eligible for Medicaid or  
 27 Medicare; that qualified community health centers provide needed care for  
 28 many of these citizens but are in need of funding in order to continue  
 29 offering necessary medical services; that this act will permit the use of  
 30 available funds for those services; and that this act is necessary in order  
 31 to provide needed funding for the next fiscal biennium. Therefore, an  
 32 emergency is declared to exist and this act being necessary for the  
 33 preservation of the public peace, health, and safety shall become effective  
 34 on July 1, 2005.