

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
4

As Engrossed: H3/14/05

A Bill

HOUSE BILL 2096

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

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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.

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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.

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23 SECTION 5. Arkansas Code Title 19, Chapter 5, Subchapter 12 is amended
24 to add a new section as follows:

25 19-5-1228. Community Health Centers of Arkansas Fund.

26 (a) There is created on the books of the Treasurer of State, Auditor
27 of State, and Chief Fiscal Officer of the State a fund to be known as the
28 "Community Health Centers of Arkansas Fund".

29 (b) The fund shall consist of any revenues as may be authorized by
30 law.

31 (c) The funds transferred to the Community Health Centers of Arkansas
32 Fund shall be distributed by the Department of Finance and Administration –
33 Disbursing Officer to be used for primary medical, dental, mental health,
34 pharmacy, and preventive services for uninsured and medically underserved
35 Arkansans.

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1 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the
2 General Assembly of the State of Arkansas that many Arkansans are in need of
3 primary medical, dental, and mental health treatment and preventative health
4 services and are not covered by health insurance or eligible for Medicaid or
5 Medicare; that qualified community health centers provide needed care for
6 many of these citizens but are in need of funding in order to continue
7 offering necessary medical services; that this act will permit the use of
8 available funds for those services; and that this act is necessary in order
9 to provide needed funding for the next fiscal biennium. Therefore, an
10 emergency is declared to exist and this act being necessary for the
11 preservation of the public peace, health, and safety shall become effective
12 on July 1, 2005.

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/s/ Roebuck