

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H3/13/15

A Bill

HOUSE BILL 1311

5 By: Representatives Gates, Ballinger, Womack, Vaught, B. Smith, Rushing, Richmond, Lemons,
6 Ladyman, Copeland, Brown, Bentley
7

For An Act To Be Entitled

9 AN ACT TO END ENROLLMENT IN THE HEALTH CARE
10 INDEPENDENCE PROGRAM; TO TERMINATE COVERAGE UNDER THE
11 HEALTH CARE INDEPENDENCE PROGRAM ON DECEMBER 31,
12 2016; TO RESTORE MEDICAID WAIVER PROGRAMS PREVIOUSLY
13 ENDED DUE TO THE HEALTH CARE INDEPENDENCE PROGRAM; TO
14 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.
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Subtitle

18 TO END ENROLLMENT IN THE HEALTH CARE
19 INDEPENDENCE PROGRAM; TO RESTORE MEDICAID
20 WAIVER PROGRAMS PREVIOUSLY ENDED DUE TO
21 THE HEALTH CARE INDEPENDENCE PROGRAM; AND
22 TO DECLARE AN EMERGENCY.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. DO NOT CODIFY. TEMPORARY LANGUAGE. Health Care
28 Independence Program Enrollment Termination – Restoration of Previous
29 Medicaid Waiver Programs.

30 (a)(1) Except as provided in subdivision (a)(2) of this section, on
31 and after December 31, 2016, or an earlier date if legislation is enacted to
32 end the Health Care Independence Program earlier, the Department of Human
33 Services shall terminate services, coverage, or premium assistance to persons
34 enrolled in the Health Care Independence Program.

35 (2) Subdivision (a)(1) of this section does not prohibit the
36 payment of expenses incurred before December 31, 2016, or an earlier date if



1 legislation is enacted to end the Health Care Independence Program earlier by
2 persons participating in the program who were determined to be more
3 effectively covered through the traditional Arkansas Medicaid Program.

4 (3) A person enrolled in the Health Care Independence Program
5 shall continue to receive coverage under the traditional Medicaid program if
6 the person was previously eligible for the traditional Medicaid program or a
7 Medicaid waiver program in this state before October 1, 2013.

8 (b) The department shall not accept applications on and after July 1,
9 2016, for enrollment into the Arkansas Health Care Independence Program
10 established by the Health Care Independence Act of 2013, §§ 20-77-2401 et
11 seq., in an effort to wind down the program to help the transition process.

12 (c) The department shall submit and seek approval for appropriate
13 state plan amendments or federal waivers, or both, to eliminate the
14 eligibility for qualified family members and individuals as described under
15 42 C.F.R. § 435.119, as it existed on January 1, 2015.

16 (d) Subject to the approval of the General Assembly and the Governor,
17 the department may seek approval for appropriate state plan amendments or
18 federal waivers, or both, to restore Medicaid programs that were ended due to
19 the implementation of the Health Care Independence Program.

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21 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
22 General Assembly of the State of Arkansas that the Health Care Independence
23 Program, as implemented, is not consistent with the intent of the General
24 Assembly and does not best serve the citizens of Arkansas; that the citizens
25 of Arkansas and private insurance companies need immediate direction about
26 the law creating the Health Care Independence Program before investing time,
27 funds, personnel, and other resources in the Health Care Independence Program
28 policies; and that this act is necessary because now is the optimal time to
29 end the Health Care Independence Program before further funds are expended.
30 Therefore, an emergency is declared to exist, and this act being immediately
31 necessary for the preservation of the public peace, health, and safety shall
32 become effective on:

33 (1) The date of its approval by the Governor;

34 (2) If the bill is neither approved nor vetoed by the Governor,
35 the expiration of the period of time during which the Governor may veto the
36 bill; or

1 (3) If the bill is vetoed by the Governor and the veto is
2 overridden, the date the last house overrides the veto.

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/s/Gates