

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1543

5 By: Representative Burch
6 By: Senator A. Clark
7

For An Act To Be Entitled

9 AN ACT TO CLARIFY THE LAW ON ELIGIBILITY FOR SERVICES
10 PROVIDED BY THE ADULT PROTECTIVE SERVICES UNIT OF THE
11 DEPARTMENT OF HUMAN SERVICES; AND FOR OTHER PURPOSES.
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Subtitle

15 TO CLARIFY THE LAW ON ELIGIBILITY FOR
16 SERVICES PROVIDED BY THE ADULT PROTECTIVE
17 SERVICES UNIT OF THE DEPARTMENT OF HUMAN
18 SERVICES.
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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 § 9-20-108(c), concerning eligibility for
24 services from the Department of Human Services, is amended to read as
25 follows:

26 (c)(1) Eligibility for services from the department, including
27 custody, for aliens and nonaliens shall be the same eligibility requirements
28 for the Arkansas Medicaid Program.

29 (2) If an adult who is in the custody of the department does not
30 meet the eligibility requirements for the Arkansas Medicaid Program due to
31 exceeding income or resource limitations for eligibility at the time the
32 department assumes custody of the adult or at any point after the department
33 assumes custody of the adult, the court shall:

34 (A) Direct payment from the assets of the adult who is in
35 the custody of the department if it is necessary to pay for services rendered
36 or goods purchased by or on behalf of the adult; and



1 (B) Enter an order regarding the use or sale of the income
2 or resources of the adult who is in the custody of the department that is
3 necessary to provide for services rendered or goods purchased by or on behalf
4 of the adult.

5 (3) The court shall not order the department to pay for services
6 rendered or goods purchased by or on behalf of the adult who is in the
7 custody of the department including without limitation placement for the
8 adult.

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11 **APPROVED: 4/12/19**
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