

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

# A Bill

HOUSE BILL 1923

5 By: Representative McCollum  
6 By: Senator T. Garner  
7

## For An Act To Be Entitled

9 AN ACT TO CREATE THE ARKANSAS MEDICAID WORKFORCE ACT  
10 OF 2019; AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 TO CREATE THE ARKANSAS MEDICAID WORKFORCE  
14 ACT OF 2019.  
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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 Title 20, Chapter 77, is amended to add an  
21 additional subchapter to read as follows:

22 Subchapter 29 – Arkansas Medicaid Workforce Act of 2019  
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24 20-77-2901. Title.

25 This subchapter shall be known and may be cited as the “Arkansas  
26 Medicaid Workforce Act of 2019”.  
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28 20-77-2902. Legislative intent.

29 It is the intent of the General Assembly to:

30 (1) Require the Department of Human Services to amend the  
31 existing Section 1115 Medicaid demonstration waiver to the Centers for  
32 Medicare and Medicaid Services;

33 (2) Ensure that the work requirements for the Arkansas Medicaid  
34 Program are updated to include parents, parents currently included under the  
35 Arkansas Works Program, and all able-bodied adults between fifty (50) and  
36 sixty (60) years of age; and



1           (3) Assist in promoting the objectives of Title XIX of the  
 2 Social Security Act, 42 U.S.C. § 1900 et seq., namely improving health  
 3 outcomes and strengthening the financial independence of Medicaid  
 4 beneficiaries.

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 6           20-77-2903. Work requirement.

7           An individual is not eligible to participate in the Arkansas Medicaid  
 8 Program unless he or she is:

9           (1) Working twenty (20) hours or more per week, averaged  
 10 monthly;

11           (2) Participating in and complying with the requirements of a  
 12 work program for twenty (20) hours or more per week, as determined by the  
 13 Department of Human Services;

14           (3) Volunteering twenty (20) hours or more per week as  
 15 determined by the department;

16           (4) Meeting any combination of working and participating in a  
 17 work program for a total of twenty (20) hours or more per week, as determined  
 18 by the department;

19           (5) Participating and complying with the requirements of a  
 20 welfare program with work requirements; or

21           (6) Exempt from the work requirement under § 20-77-2904.

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 23           20-77-2904. Exemptions.

24           The work requirement under this subchapter does not apply to an  
 25 individual if he or she is:

26           (1) Under nineteen (19) years of age;

27           (2) Over sixty (60) years of age;

28           (3) Medically certified as physically or mentally unfit for  
 29 employment;

30           (4) Pregnant;

31           (5) A parent or caretaker who is:

32           (A) Responsible for the care of a dependent child who is  
 33 under one (1) year of age; or

34           (B) Personally providing the care for a dependent child  
 35 with serious medical conditions or with a disability, as determined by the  
 36 Department of Human Services;

1           (6) A recipient of unemployment compensation who is complying  
 2 with work requirements that are part of the Federal-State unemployment  
 3 compensation system; or

4           (7) A participant in a drug addiction or alcoholic treatment and  
 5 rehabilitation program.

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 7           20-77-2905. State plan amendments and waivers.

8           The Director of the Department of Human Services shall submit and apply  
 9 for any federal waivers, waiver amendments, Medicaid state plan amendments,  
 10 or other authority necessary to implement this subchapter.

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 12           20-77-2906. Rules.

13           (a) The Department of Human Services shall adopt necessary rules for  
 14 the implementation of this subchapter.

15           (b)(1) When adopting the initial rules to implement this chapter, the  
 16 final rule shall be filed with the Secretary of State for adoption under §  
 17 25-15-204(f):

18                   (A) On or before January 1, 2020; or

19                   (B) If approval under § 10-3-309 has not occurred by  
 20 January 1, 2020, as soon as practicable after approval under § 10-3-309.

21           (2) The department shall file the proposed rule with the  
 22 Legislative Council under § 10-3-309(c) sufficiently in advance of January 1,  
 23 2020, so that the Legislative Council may consider the rule for approval  
 24 before January 1, 2020.

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 26           SECTION 2. DO NOT CODIFY. CONTINGENT EFFECTIVE DATE.

27           This act shall be effective on and after:

28                   (1) January 1, 2020; or

29                   (2) The date of occurrence of the later of the following if one  
 30 (1) or both actions have not occurred by January 1, 2020:

31                   (A) Approval of the state plan amendment or waiver, or  
 32 both required to be submitted by this act; and

33                   (B) The approval and adoption of rules under § 10-3-309  
 34 and the Arkansas Administrative Procedure Act, § 25-15-201 et seq., that are  
 35 necessary to implement the work requirements under this subchapter.

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