

Hall of the House of Representatives
92nd General Assembly - Regular Session, 2019
Amendment Form

Subtitle of House Bill No. 1521

TO REQUIRE THAT CONTRACTS FOR NONEMERGENCY TRANSPORTATION BE AWARDED BY
COMPETITIVE SEALED PROPOSALS.

Amendment No. 1 to House Bill 1521

Amend House Bill No. 1521 as originally introduced:

Delete the title in its entirety, and substitute the following:
"AN ACT TO ESTABLISH RULES TO IMPROVE CONTRACTING AND SERVICE DELIVERY OF
MEDICAID NONEMERGENCY TRANSPORTATION AND TO ENSURE COMPLIANCE WITH FEDERAL
REGULATIONS; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety, and substitute the following:

"TO ESTABLISH RULES TO IMPROVE
CONTRACTING AND SERVICE DELIVERY OF
MEDICAID NONEMERGENCY TRANSPORTATION AND
TO ENSURE COMPLIANCE WITH FEDERAL
REGULATIONS."

AND

Delete everything after the enacting clause, and substitute the following:

"SECTION 1. Arkansas Code Title 20, Chapter 77, Subchapter 1, is amended to add an additional section to read as follows:

20-77-135. Nonemergency transportation – Intent – Rules – Federal compliance.

(a) The General Assembly finds that it is the obligation of the Department of Human Services to ensure that a contractor that is awarded a contract to provide nonemergency transportation in the Arkansas Medicaid Program is prepared to deliver those services in a manner that minimizes disruption for Medicaid beneficiaries during the contract transition period.

(b) The department shall adopt rules concerning nonemergency transportation, including without limitation rules that address:

(1) Operational stability for nonemergency transportation networks in the state; and



(2) Transition planning for both incoming and outgoing nonemergency transportation contractors.

(c) Regarding procurements for nonemergency transportation broker services, the department shall comply with 42 C.F.R. § 440.170, as it existed on March 1, 2019, which requires that a competitive bidding process be used to select a broker of nonemergency transportation based on the state's evaluation of the broker's experience, performance, references, resources, qualifications, and costs.

SECTION 2. DO NOT CODIFY. Rules.

(a) When adopting the initial rules required under this act, the Department of Human Services shall file the final rules with the Secretary of State for adoption under § 25-15-204(f):

(1) On or before January 1, 2021; or

(2) If approval under § 10-3-309 has not occurred by January 1, 2021, as soon as practicable after approval under § 10-3-309.

(b) The department shall file the proposed rules with the Legislative Council under § 10-3-309(c) sufficiently in advance of January 1, 2021, so that the Legislative Council may consider the rules for approval before January 1, 2021."

The Amendment was read _____

By: Representative M. Gray

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Chief Clerk