

2 State of Arkansas

3 92nd General Assembly

4 Second Extraordinary Session, 2020

A Bill

JMB/JMB

SENATE BILL

5
6 By: Senator Irvin

7 Filed with: Senate Committee on Public Health, Welfare, and Labor

8 pursuant to A.C.A. §10-3-217.

9 For An Act To Be Entitled

10 AN ACT TO REQUIRE THE OFFICE OF MEDICAID INSPECTOR
11 GENERAL TO DELAY RECOVERY OF IMPROPERLY EXPENDED
12 MEDICAL ASSISTANCE FUNDS DURING A PUBLIC HEALTH
13 EMERGENCY; AND FOR OTHER PURPOSES.

16 Subtitle

17 TO REQUIRE THE OFFICE OF MEDICAID
18 INSPECTOR GENERAL TO DELAY RECOVERY OF
19 IMPROPERLY EXPENDED MEDICAL ASSISTANCE
20 FUNDS DURING A PUBLIC HEALTH EMERGENCY.

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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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25 SECTION 1. Arkansas Code Title 20, Chapter 77, Subchapter 25, is
26 amended to add an additional section to read as follows:

27 20-77-2514. Delayed recovery during public health emergency.

28 (a) Except as provided in subsection (b) of this section, if the
29 Governor declares a disaster emergency under the Arkansas Emergency Services
30 Act of 1973, § 12-75-101 et seq., or the Governor orders the State Board of
31 Health to take action under § 20-7-110(b) to prevent the spread of an
32 epidemic or contagious disease, the Office of Medicaid Inspector General
33 shall delay recovery of improperly expended medical assistance funds until
34 the disaster emergency under the Arkansas Emergency Services Act of 1973, §
35 12-75-101 et seq., or action under § 20-7-110(b) has ended.

1 (b) The office may immediately recover improperly expended medical
2 assistance funds from a person who is providing medical services fraudulently
3 or in bad faith or who is taking advantage of patients during the public
4 health emergency.

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7 Referred by Senator Irvin

8 Prepared by: MBM/MBM
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