

As Engrossed: 3/26/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Barclay**

A Bill ACT 1147 OF 1991
HOUSE BILL 2104

For An Act To Be Entitled

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8 "AN ACT TO AMEND TITLE 20, CHAPTER 77, SUBCHAPTER 1 OF THE
9 ARKANSAS CODE OF 1987 TO CLARIFY THE ANNUAL AUDIT
10 REQUIREMENTS OF PRIVATE NONPROFIT CORPORATIONS ENROLLED AS
11 MEDICAID PROVIDERS; AND FOR OTHER PURPOSES."

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

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15 SECTION 1. Arkansas Code §20-77-108 is hereby amended to read as
16 follows:

17 "20-77-108. Furnishing of annual audit by nonprofit medicaid providers.

18 (a) Every nonprofit corporation, except those licensed under 20-9-201 et
19 seq., which is eligible to receive payments of twenty-five thousand dollars
20 (\$25,000) or more for services supplied as a Medicaid provider shall, as a
21 condition of enrollment, provide the Department of Human Services with an
22 annual financial and compliance audit. The audit shall cover the entire
23 operations of the nonprofit organization and be in accordance with the
24 "Guidelines for Financial and Compliance Audits of Programs Funded by the
25 Arkansas Department of Human Services" as promulgated by the Arkansas
26 Department of Human Services.

27 (b) Every nonprofit corporation licensed under 20-9-201 et seq. which
28 is eligible to receive payments of twenty-five thousand dollars (\$25,000) or
29 more for services supplied as a Medicaid provider shall, as a condition of
30 enrollment, provide the Department of Human Services with an annual financial
31 audit. The audit shall cover the entire operations of the organization and be
32 in accordance with the "Guidelines for Financial and Compliance Audits of
33 Programs Funded by the Arkansas Department of Human Services".

34 (c) The Arkansas Department of Human Services is specifically
35 authorized to promulgate regulations establishing *subrecipient and provider*
36 audit requirements for all programs funded through the Arkansas Department of

1 Human Services."

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3 SECTION 2. All provisions of this act of a general and permanent nature
4 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
5 Revision Commission shall incorporate the same in the Code.

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7 SECTION 3. If any provision of this act or the application thereof to
8 any person or circumstance is held invalid, such invalidity shall not affect
9 other provisions or applications of the act which can be given effect without
10 the invalid provision or application, and to this end the provisions of this
11 act are declared to be severable.

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13 SECTION 4. All laws and parts of laws in conflict with this act are
14 hereby repealed.

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16 SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the
17 Seventy-Eighth General Assembly that the audit requirements for participating
18 Medicaid providers established pursuant to Section 1 of Act 942 of 1989 have
19 created uncertainty and the same should be amended. Therefore, an emergency
20 is hereby declared to exist and this act being necessary for the immediate
21 preservation of the public peace, health and safety shall be in full force and
22 effect from and after its passage and approval.

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24 */s/Dick Barclay*

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26 APPROVED: 4/9/91

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