

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

ACT 289 OF 1993
SENATE BILL 304

4 **By: Senators Holiman, Bookout, Beebe, Bearden, Hopkins, Fitch, Gwatney, Chaffin, Todd, S.**
5 **Bell**

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED 19-5-1047 TO
10 REQUIRE THAT MONEYS RECEIVED BY THE DEPARTMENT OF HUMAN
11 SERVICES FROM DRUG MANUFACTURERS IN THE FORM OF REBATES
12 SHALL BE USED SOLEY TO PAY PHARMACY CLAIMS IN THE ARKANSAS
13 MEDICAID PRESCRIPTION DRUG PROGRAM; AND FOR OTHER
14 PURPOSES. "

Subtitle

16 **"TO REQUIRE THAT MONEY RECEIVED BY DHS FROM**
17 **DRUG MANUFACTURERS AS REBATES BE USED TO PAY**
18 **MEDICAID PHARMACY CLAIMS."**
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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 § 19-5-1047(d) is hereby amended to read as follows:**

24 **"(d)(1) The Department of Human Services is authorized to receive moneys in the**
25 **form of rebates from drug manufacturers as established by contract or pursuant to the**
26 **provisions of the Omnibus Reconciliation Act of 1990.**

27 **(2) Any moneys accruing to the department through these rebates shall be**
28 **deposited in the State Treasury as nonrevenue receipts to be credited to the Arkansas**
29 **Medicaid Rebate Program Revolving Fund and transferred by the Director of the Department**
30 **of Human Services to the Department of Human Services Medicaid Paying Accounts to be**
31 **used solely for paying pharmacy claims in the Arkansas Medicaid Prescription Program.**

32 **(3) Any general revenues that accrue as a result of the receipt of the Medicaid**
33 **rebate shall be transferred to the Department of Human Services Grants Fund Account."**
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35 **SECTION 2. All provisions of this act of a general and permanent nature are**
36 **amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision**

1 **Commission shall incorporate the same in the Code.**

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

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

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10 **APPROVED: 03/01/93**

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