State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 1351

By: Representative Neal
By: Senator J. Woods

For An Act To Be Entitled
AN ACT CONCERNING THE MEDICAL CARE AFFORDED INMATES
OF THE DEPARTMENT OF CORRECTION; AND FOR OTHER
PURPOSES.

Subtitle
CONCERNING THE MEDICAL CARE AFFORDED
INMATES OF THE DEPARTMENT OF CORRECTION.

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

SECTION 1. Arkansas Code §12-29-401, concerning the medical care
afforded inmates in the Department of Correction, is amended to add a new
subsection to read as follows:

(e)(1) If an inmate in the Department of Correction or a person in the
custody of the Department of Community Correction receives medical services
that meet criteria for Medicaid coverage, the departments are authorized to
apply for Medicaid coverage under this subsection.

(2)(A) The inmate or person may designate a representative for
the purposes of filing a Medicaid application and complying with Medicaid
requirements for determining and maintaining eligibility.

(B) However, the agency having custody of the inmate or
person shall be the authorized representative for purposes of establishing
and maintaining Medicaid eligibility under this subsection if:

(i) The inmate or person does not designate a
representative within three (3) business days after request; or

(ii) The representative designated under subdivision
(e)(2)(A) of this section does not file a Medicaid application within three
(3) business days after appointment and request.

(3) An authorized representative under this subsection:
(A) Shall have access to the information necessary to
comply with Medicaid requirements; and
(B) May provide and receive information in connection with
establishing and maintaining Medicaid eligibility, including confidential
information.

(4)(A) The director of the Department of Correction or the
Department of Community Correction or his or her designee may access
information necessary to determine if a Medicaid application has been filed
on behalf of the inmate or person.

(B) Disclosure under subdivision (e)(4)(A) of this section
shall be to:
(i) Establish Medicaid eligibility;
(ii) Provide health care services; or
(iii) Pay for health care services.

APPROVED: 03/21/2013