

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: S3/3/99

A Bill

Act 1197 of 1999
SENATE BILL 626

5 By: Senators Webb, Russ, Argue, Riggs, Beebe, Harriman, Bradford, Walters
6 By: Representatives Madison, Bush, Laverty, T. Thomas, Magnus, Files, Buchanan, *Lendall*
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For An Act To Be Entitled

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10 "AN ACT TO ESTABLISH THE MEDICAL ASSISTANCE PROGRAM
11 FOR DISABLED WORKING PERSONS WHOSE FAMILY INCOME IS
12 LESS THAN TWO HUNDRED FIFTY PERCENT (250%) OF THE
13 FEDERAL POVERTY GUIDELINE; AND FOR OTHER PURPOSES. "
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Subtitle

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16 "TO ESTABLISH THE MEDICAL ASSISTANCE
17 PROGRAM FOR DISABLED WORKING PERSONS
18 WHOSE FAMILY INCOME IS LESS THAN TWO
19 HUNDRED FIFTY PERCENT (250%) OF THE
20 FEDERAL POVERTY GUIDELINE. "
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22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. This act shall be known and may be cited as the "Medicaid
26 Program for Low Income Disabled Working Persons".
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28 SECTION 2. The purpose and intent of this act is to establish a new
29 optional categorically needy Medicaid eligibility group under Section 4733 of
30 the Balanced Budget Act of 1997 to provide medical assistance to disabled
31 working persons whose family incomes are less than two hundred fifty percent
32 (250%) of the federal poverty guideline.
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34 SECTION 3. Definitions.

35 (a) "Eligible individual" means an individual who meets the disability
36 assets and unearned income standards to receive Supplemental Security Income

1 (SSI), who would be considered to be receiving SSI benefits but for their
2 earned income, and whose net combined family income is less than two hundred
3 fifty percent (250%) of the federal poverty guideline.

4 (b) "Cost sharing" means the portion of the cost of a Medicaid covered
5 service which must be paid for at the point of service by the eligible
6 individual. Cost sharing shall be set on a sliding scale based on income.

7 (c) "Family" means family as defined in the Medical Services program
8 policy manual.

9 (d) "Medicaid covered service" means physician, pharmacy, and hospital
10 services covered for other categories of the Arkansas Medicaid Program.

11 (d) "Premium" means a charge which must be paid by an applicant as a
12 condition of enrolling in the low income disabled working person category of
13 Medicaid eligibility.

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15 SECTION 4. Administration - regulation.

16 The Department of Human Services is authorized to apply to the Health
17 Care Financing Administration (HCFA) for approval to create and administer the
18 low income disabled working person category of Medicaid eligibility. The
19 department shall promulgate rules for and administer the low income disabled
20 working person category of Medicaid eligibility in conformity with this act
21 with a state Medicaid plan amendment or waiver approved by the HCFA and in a
22 manner that:

23 (a) Limits the population that may enroll in the low income disabled
24 working person category of Medicaid eligibility to eligible persons.

25 (b) Establishes premium and cost sharing charges on a sliding scale
26 based on income.

27 (c) Provides for the automatic assignment of medical payments due as
28 set out in Arkansas Code 20-77-302 and 20-77-308 as a condition of eligibility
29 for benefits under the low income disabled working person category of Medicaid
30 eligibility.

31 (d) Limits the services reimbursed to Medicaid covered services
32 furnished by providers enrolled as Medicaid providers.

33 (e) Limits reimbursements to the rates established by the department.

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35 SECTION 5. Funding.

36 (a) Funding for the low income disabled working person category of

1 Medicaid eligibility shall be derived from funds as may be provided by the
2 General Assembly, premiums, cost sharing, and any federal matching funds
3 available to the program.

4 (b) It is further the intent of this act that funds appropriated by the
5 General Assembly for the purpose of funding the low income disabled working
6 person category of Medicaid eligibility be used where appropriate and
7 practical to match federal funding sources to enhance the total available
8 funding for the operation of the program.

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10 SECTION 6. All provisions of this act of a general and permanent nature
11 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
12 Revision Commission shall incorporate the same in the Code.

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14 SECTION 7. If any provision of this act or the application thereof to
15 any person or circumstance is held invalid, such invalidity shall not affect
16 other provisions or applications of the act which can be given effect without
17 the invalid provision or application, and to this end the provisions of this
18 act are declared to be severable.

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

22 /s/ Webb

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25 APPROVED: 4/7/1999
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