

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1300

5 By: Representatives Miller, Farrer, Payton, Rye
6 By: Senator B. King
7

For An Act To Be Entitled

9 AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO
10 PRIORITIZE SPENDING WITH THE DEPARTMENT OF HUMAN
11 SERVICES AND THE ARKANSAS MEDICAID PROGRAM TO FULLY
12 FUND HOME- AND COMMUNITY-BASED SERVICES FOR
13 INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES; AND FOR
14 OTHER PURPOSES.
15
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Subtitle

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18 TO REQUIRE THE DEPARTMENT OF HUMAN
19 SERVICES TO PRIORITIZE SPENDING WITH THE
20 DEPARTMENT AND THE ARKANSAS MEDICAID
21 PROGRAM TO FULLY FUND HOME- AND
22 COMMUNITY-BASED SERVICES FOR INDIVIDUALS
23 WITH DEVELOPMENTAL DISABILITIES.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 WHEREAS, the State of Arkansas has spent three billion one hundred
29 sixty-six million dollars (\$3,166,000,000) in federal funds for Health Care
30 Independence Program, also known as the Private Option, which provides
31 healthcare coverage for able-bodied individuals; and
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33 WHEREAS, starting in 2017, the State of Arkansas will begin spending
34 state funds on the Arkansas Works Program created by Identical Acts 2016 (2nd
35 Ex. Sess.), Nos. 1 and 2, which provides healthcare coverage for able-bodied
36 individuals, and is projected to spend approximately six hundred fifty-six



1 million dollars (\$656,000,000) in state funds over the next five (5) years on
 2 the program, as estimated by The Stephen Group; and

3
 4 WHEREAS, the Alternative Community Services Waiver Program, commonly
 5 known as the "Developmental Disabilities Waiver", has a waiting list of
 6 approximately three thousand (3,000) individuals with developmental
 7 disabilities; and

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 9 WHEREAS, the individuals on the waiting list for the Alternative
 10 Community Services Waiver Program have waited on the list for upwards of ten
 11 (10) years in hopes of receiving home- and community-based services to enable
 12 the individuals to stay in a loving and caring environment within their home;
 13 and

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 15 WHEREAS, the waiting list for services to individuals with
 16 developmental disabilities should be eliminated to enable the children with
 17 developmental disabilities and adults with developmental disabilities to live
 18 life to the fullest capacity possible,

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 20 NOW THEREFORE,

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

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

25 20-77-132. Prioritized spending for individuals with developmental
 26 disabilities.

27 (a) The Department of Human Services shall analyze and reprioritize
 28 spending within the department and the Arkansas Medicaid Program to best
 29 serve the following purposes in the most cost-effective manner:

30 (1) Eliminate the waiting list for the Alternative Community
 31 Services Waiver Program, also known as the "Developmental Disabilities
 32 Waiver"; and

33 (2) Fully fund home- and community-based services for
 34 individuals with developmental disabilities who are on the waiting list.

35 (b) The department shall strive to achieve the purposes of subsection
 36 (a) of this section as quickly as possible but no later than on or before

three (3) years after the effective date of this section unless the
department determines that an adequate number of providers for individuals
with developmental disabilities does not exist within the state.

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