

ARKANSAS SENATE
93rd General Assembly - Regular Session, 2021
Amendment Form

Subtitle of Senate Bill No. 295

TO PROMOTE INTEGRITY IN WELFARE PROGRAMS; AND TO AMEND THE MEDICAID ELIGIBILITY
VERIFICATION SYSTEM.

Amendment No. 1 to Senate Bill 295

Amend Senate Bill No. 295 as originally introduced:

Page 1, line 36, delete "(a) The" and substitute "(a) Except when prohibited by federal law, the"

AND

Page 2, line 5, delete "redetermination" and substitute "recertification"

AND

Page 2, line 15, delete "(b)(1)" and substitute "(b)(1)(A)"

AND

Page 2, delete line 18, and substitute the following:
"to identify individuals with lottery or gambling winnings.
(B) Data received under a data matching agreement
described in subdivision (b)(1)(A) of this section shall be treated as
verified upon receipt."

AND

Page 2, delete lines 22 through 25, and substitute the following:
"verification of any substantial winnings exceeding the resource limits for
that household or the threshold set under 7 C.F.R. 272.17, as existing on
January 1, 2021.

(B) If the Department of Human Services discovers,
including through a database match, that a household fails to disclose
substantial winnings that would result in being ineligible for the
Supplemental Nutrition Assistance Program, the household shall be referred to
the Office of Appeals and Hearings of the Department of Human Services to



determine whether an intentional program violation has occurred through a due process hearing."

AND

Page 2, delete lines 31 and 32, and substitute the following:

"(2) From the Division of Workforce Services, the Department of Finance and Administration, the United States Department of Health and Human Services, the Office of Child Support Enforcement, and the National Directory of New Hires concerning individuals enrolled in assistance"

AND

Page 2, delete line 36, and substitute the following:

"(3) From the Division of Workforce Services concerning individuals enrolled in assistance that indicates a change in circumstances that may affect eligibility, including without limitation a change in employment or wages;

(4) Concerning individuals enrolled in assistance that indicates"

AND

Page 3, line 4, delete "(4)" and substitute "(5)"

AND

Page 3, line 7, delete "a quarterly" and substitute "an annual"

AND

Page 3, delete lines 14 and 15, and substitute the following:

"(2) The total number of assistance cases referred for prosecution;"

AND

Page 3, line 29, delete "(g)" and substitute "(g)(1)"

AND

Page 3, delete line 33, and substitute the following:

"the household unless the household is designated as a simplified reporting household.

(2)(A) A household that is designated as a simplified reporting household shall be assigned a certification period of six (6) months or less.

(B) The Department of Human Services shall begin phasing in the reduction in certification periods for simplified reporting households no later than September 1, 2022."

AND

Page 4, line 26, delete "(a) The" and substitute "(a) Except when prohibited by federal law, the"

AND

Page 4, line 31, delete "redetermination" and substitute "reevaluation"

AND

Page 5, delete lines 4 through 13, and substitute the following:

"(b)(1) The Department of Human Services shall enter into a data matching agreement with the Office of the Arkansas Lottery and the Arkansas Racing Commission to identify individuals with substantial winnings.

(2) On at least a quarterly basis, the Department of Human Services shall review this information and act on any changes that may affect eligibility consistent with 42 U.S.C. 1396, as existing on January 1, 2021."

AND

Page 5, line 31, delete "On at least a quarterly basis," and substitute "Annually,"

AND

Page 6, delete lines 2 and 3, and substitute the following:

"(2) The total number of assistance cases referred for prosecution;"

AND

Page 6, delete lines 25 through 30, and substitute the following:

"(3) Request authority to waive or decline to periodically check any available income-related data sources to verify eligibility."

AND

Page 6, line 36, delete "sixty (60) days" and substitute "one hundred eighty (180) days"

AND

Page 7, line 2, delete "redeterminations" and substitute "reevaluations"

AND

Page 7, line 3, delete "redetermination" and substitute "reevaluation"

AND

Page 7, delete lines 5 through 10, and substitute the following:

"(B) Carry out an additional check of all verification"

AND

Page 7, line 13, delete "(D)" and substitute "(C)"

AND

Page 7, line 15, delete "redeterminations" and substitute "reevaluations"

AND

Page 7, line 16, delete "redeterminations" and substitute "reevaluations"

AND

Page 7, delete lines 17 through 36, and substitute the following:
"permissible under the law."

SECTION 5. Arkansas Code Title 23, Chapter 115, Subchapter 1, is amended to add an additional section to read as follows:

23-115-105. Data sharing with Department of Human Services.

The Office of the Arkansas Lottery and the Arkansas Racing Commission shall enter into a data matching agreement with the Department of Human Services for purposes under §§ 20-76-215 and 20-77-2104."

AND

Page 8, delete lines 1 through 36

AND

Page 9, delete lines 1 through 24

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Flippo

JMB/JMB - 03-09-2021 11:40:19

JMB340

Secretary