

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H3/23/15

A Bill

HOUSE BILL 1566

5 By: Representatives Miller, Bentley, Cozart, Dotson, Farrer, Hammer, J. Mayberry, Payton, Tosh
6

For An Act To Be Entitled

8 AN ACT TO ALLOW PERSONAL CARE ATTENDANTS THE OPTION
9 OF WORKING MORE THAN FORTY (40) HOURS PER WEEK UNDER
10 THE ARKANSAS MEDICAID PROGRAM; AND FOR OTHER
11 PURPOSES.
12
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Subtitle

15 TO ALLOW PERSONAL CARE ATTENDANTS THE
16 OPTION OF WORKING MORE THAN FORTY (40)
17 HOURS PER WEEK UNDER THE ARKANSAS
18 MEDICAID PROGRAM.
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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 Title 20, Chapter 77, Subchapter 1, is*
24 *amended to add an additional section to read as follows:*

25 *20-77-131. Personal care attendants.*

26 *(a) As used in this section, "personal care attendant" means a person*
27 *who:*

28 *(1) Has been hired directly by a Medicaid beneficiary without*
29 *interaction with a third-party organization or agency; and*

30 *(2) Provides personal care services through a home- or*
31 *community-based waiver program funded by Medicaid.*

32 *(b) A personal care attendant may work more than forty (40) hours per*
33 *week under the Arkansas Medicaid Program.*

34 *(c)(1) If a personal care attendant works more than forty (40) hours*
35 *per week, the personal care attendant is not eligible for time-and-a-half pay*
36 *or overtime pay under § 11-4-211.*



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(2) However, the personal care attendant is eligible for regular hourly pay based on the hours worked over forty (40) hours per week.

/s/Miller