

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021

SCR 5

4
5 By: Senator L. Eads
6 By: Representative Lundstrum

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8 **SENATE CONCURRENT RESOLUTION**

9 TO ENCOURAGE THE GOVERNOR TO SUBMIT A STATE PLAN
10 AMENDMENT TO THE CENTERS FOR MEDICARE AND MEDICAID
11 SERVICES TO PROVIDE ACCESS TO COVERAGE FOR MIGRANT
12 MEN, WOMEN, AND CHILDREN FROM THE COMPACT OF FREE
13 ASSOCIATION ISLANDS.

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16 **Subtitle**

17 TO ENCOURAGE THE GOVERNOR TO SUBMIT A
18 STATE PLAN AMENDMENT TO THE CENTERS FOR
19 MEDICARE AND MEDICAID SERVICES TO PROVIDE
20 ACCESS TO COVERAGE FOR MIGRANT MEN,
21 WOMEN, AND CHILDREN FROM THE COMPACT OF
22 FREE ASSOCIATION ISLANDS.

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25 WHEREAS, shortly after World War II, the United States of America
26 assumed administration of the Trust Territory of the Pacific Islands under a
27 United Nations strategic trusteeship that provided for control over
28 development of the economies and international relations of the islands; and

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30 WHEREAS, the areas of the Trust Territory of the Pacific Islands
31 includes three (3) groups of islands that have become the sovereign nations
32 of the Republic of Palau, the Republic of the Marshall Islands, and the
33 Federated States of Micronesia; and

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35 WHEREAS, these three (3) nations are also known as the "Compact of Free
36 Association islands"; and



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2 WHEREAS, the United States Atomic Energy Commission established the
3 Pacific Proving Grounds in what is now the Republic of the Marshall Islands,
4 one (1) of the three (3) Pacific island groups formerly under the
5 trusteeship; and
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7 WHEREAS, sixty-seven (67) atmospheric nuclear weapons were tested in
8 the Marshall Islands between the years of 1946 and 1958 on a number of
9 islands that were inhabited and on some islands that had not been evacuated;
10 and
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12 WHEREAS, many residents that were in the vicinity of the nuclear
13 weapons test proving grounds and their descendants continue to exhibit
14 medical conditions that may have resulted from exposure to the nuclear
15 fallout that occurred and is still measurable on some islands; and
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17 WHEREAS, under the Compact of Free Association treaty between the
18 United States and the three (3) island nations of the Republic of Palau, the
19 Republic of the Marshall Islands, and the Federated States of Micronesia,
20 citizens of the Compact of Free Association islands may freely enter the
21 United States without visas to study, lawfully reside, and work; and
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23 WHEREAS, many citizens of the Compact of Free Association islands have
24 served honorable in the United States Armed Services, serving in times of
25 peace and conflict, and have shed blood in the defense of our nation; and
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27 WHEREAS, Arkansas' relationship with the citizens of the Compact of
28 Association islands has benefitted all the people of Arkansas through their
29 economic impact of approximately one hundred twenty-three million dollars
30 (\$123,000,000); and
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32 WHEREAS, prior to the Personal Responsibility and Work Opportunity
33 Reconciliation Act of 1996, Pub. L. 104-193, migrants from the Compact of
34 Free Association islands were eligible for the traditional Arkansas Medicaid
35 Program and other federally funded programs; and
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1 WHEREAS, while eligibility for federally funded programs has been
2 incrementally restored for other legal immigrants to be considered qualified
3 immigrants, migrants from the Compact of Free Association islands have
4 continued to be excluded; and

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6 WHEREAS, under the Coronavirus Response and Relief Supplemental
7 Appropriations Act of 2021, United States Congress has restored Medicaid
8 eligibility for migrants from the Compact of Free Association islands; and

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10 WHEREAS, it is necessary to amend Arkansas's Medicaid state plan to
11 formally allow migrants from the Compact of Free Association islands to
12 participate in the Arkansas Medicaid Program; and

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14 WHEREAS, currently, the vast majority of Marshallese migrants reside in
15 Hawaii and Arkansas; and

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17 WHEREAS, migrants from the Compact of Free Association islands continue
18 to suffer from the effects of nuclear contamination and have high rates of
19 cancer as well as chronic conditions, including without limitation obesity,
20 diabetes, and cardiovascular disease; and

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22 WHEREAS, the State of Arkansas incurs additional and significant
23 uncompensated care costs for healthcare services provided to migrants from
24 the Compact of Free Association islands,

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26 NOW THEREFORE,

27 BE IT RESOLVED BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE
28 STATE OF ARKANSAS, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

29
30 THAT the Senate of the Ninety-Third General Assembly, the House of
31 Representatives concurring, encourage the Governor to submit a state plan
32 amendment to the Centers for Medicare and Medicaid Services to provide access
33 to coverage for migrant men, women, and children from the Compact of Free
34 Association islands.

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36 BE IT FURTHER RESOLVED THAT upon adoption of this resolution, an

1 appropriate copy be provided by the Secretary of the Senate to the office of
2 the Governor and the Secretary of the Department of Human Services.

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