

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

As Engrossed: S2/23/21

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 *AMEND ARKANSAS'S*
10 *MEDICAID ELIGIBILITY RULES* TO PROVIDE ACCESS TO
11 COVERAGE FOR MIGRANT MEN, WOMEN, AND CHILDREN FROM
12 THE COMPACT OF FREE ASSOCIATION ISLANDS.

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15 **Subtitle**

16 *TO ENCOURAGE THE GOVERNOR TO AMEND*
17 *ARKANSAS'S MEDICAID ELIGIBILITY RULES TO*
18 *PROVIDE ACCESS TO COVERAGE FOR MIGRANT*
19 *MEN, WOMEN, AND CHILDREN FROM THE COMPACT*
20 *OF FREE ASSOCIATION ISLANDS.*

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

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

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

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36 WHEREAS, the United States Atomic Energy Commission established the



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

1 immigrants, migrants from the Compact of Free Association islands have
2 continued to be excluded; and

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

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8 WHEREAS, it is necessary to amend Arkansas's Medicaid *eligibility rules*
9 *to reflect this change in federal law and to* formally allow migrants from the
10 Compact of Free Association islands to participate in the Arkansas Medicaid
11 Program; and

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

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

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

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25 NOW THEREFORE,

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

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29 THAT the Senate of the Ninety-Third General Assembly, the House of
30 Representatives concurring, encourage the Governor *to amend Arkansas's*
31 *Medicaid eligibility rules to reflect recent changes in federal law and allow*
32 *access to coverage for migrant men, women, and children from the Compact of*
33 *Free Association islands.*

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35 BE IT FURTHER RESOLVED THAT upon adoption of this resolution, an
36 appropriate copy be provided by the Secretary of the Senate to the office of

1 the Governor and the Secretary of the Department of Human Services.

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/s/L. Eads