

2 State of Arkansas
3 88th General Assembly
4 Regular Session, 2011

As Engrossed: S3/24/11

A Bill

SENATE BILL 847

5
6 By: Senator Luker

7 Filed with: Interim Senate Committee on Judiciary
8 pursuant to A.C.A. §10-3-217.

9 For An Act To Be Entitled

10 AN ACT TO CONTROL THE MEDICAL COSTS FOR INMATES IN
11 STATE, COUNTY, OR MUNICIPAL CORRECTIONAL FACILITIES;
12 AND FOR OTHER PURPOSES.

13 Subtitle

14
15 TO CONTROL THE MEDICAL COSTS FOR INMATES
16 IN STATE, COUNTY, OR MUNICIPAL
17 CORRECTIONAL FACILITIES.
18

19
20
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

22
23 *SECTION 1. Arkansas Title 12, Chapter 27 is amended to add a new*
24 *section to read as follows:*

25 *12-27-143. Payment rate for the state, a county, a city, or a law*
26 *enforcement agency regarding payment to a health care provider for a person*
27 *in custody – Exceptions.*

28 *(a) As used in this section:*

29 *(1) "Health care provider" means:*

30 *(A) A person licensed to practice any branch of the*
31 *healing arts;*

32 *(B) A person who holds a temporary permit to practice any*
33 *branch of the healing arts issued by a state board of healing arts;*

34 *(C) A person engaged in a postgraduate training program*
35 *for the healing arts;*

36 *(D) A licensed physician assistant;*

- 1 (E) A medical care facility;
- 2 (F) A licensed podiatrist;
- 3 (G) A licensed optometrist;
- 4 (H) A registered nurse;
- 5 (I) An advanced nurse practitioner;
- 6 (J) A licensed professional nurse who is authorized to
7 practice as a registered nurse anesthetist;
- 8 (K) A licensed practical nurse;
- 9 (L) A licensed physical therapist;
- 10 (M) A professional corporation, limited liability company,
11 or partnership that is a health care provider as defined by this subsection;
- 12 (N) An Arkansas not-for-profit corporation organized for
13 the purpose of rendering professional services by persons who are health care
14 providers, or a psychiatric hospital;
- 15 (O) A licensed social worker;
- 16 (P) A mental health center;
- 17 (Q) A mental health clinic; or
- 18 (R) Any health care provider licensed by the appropriate
19 regulatory body in another state; and
- 20 (2) "Medicaid rate" means the terms, conditions, and amounts a
21 health care provider would be paid for a health care service rendered under a
22 contract or provider agreement with the Department of Human Services.
- 23 (b)(1) Except as otherwise provided in this section:
- 24 (A) The State of Arkansas;
- 25 (B) The Department of Correction;
- 26 (C) The Department of Community Correction;
- 27 (D) A county;
- 28 (E) A city; or
- 29 (F) A county or city law enforcement agency;
- 30 (2) That makes a payment to a health care provider for health
31 care services rendered to persons in custody shall not exceed:
- 32 (A) The lesser of the actual amount billed by such health
33 care provider; or
- 34 (B) The medicaid rate.
- 35 (c) This section does not apply if a person in custody is covered
36 under a:

