

INTERIM STUDY PROPOSAL 2019-152

State of Arkansas

92nd General Assembly

Second Extraordinary Session, 2020

A Bill

JMB/JMB

SENATE BILL

By: Senator Irvin

Filed with: Senate Committee on Public Health, Welfare, and Labor
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO REQUIRE THE OFFICE OF MEDICAID INSPECTOR
GENERAL TO DELAY RECOVERY OF IMPROPERLY EXPENDED
MEDICAL ASSISTANCE FUNDS DURING A PUBLIC HEALTH
EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE THE OFFICE OF MEDICAID
INSPECTOR GENERAL TO DELAY RECOVERY OF
IMPROPERLY EXPENDED MEDICAL ASSISTANCE
FUNDS DURING A PUBLIC HEALTH EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 20, Chapter 77, Subchapter 25, is amended to add an additional section to read as follows:

20-77-2514. Delayed recovery during public health emergency.

(a) Except as provided in subsection (b) of this section, if the Governor declares a disaster emergency under the Arkansas Emergency Services Act of 1973, § 12-75-101 et seq., or the Governor orders the State Board of Health to take action under § 20-7-110(b) to prevent the spread of an epidemic or contagious disease, the Office of Medicaid Inspector General shall delay recovery of improperly expended medical assistance funds until the disaster emergency under the Arkansas Emergency Services Act of 1973, § 12-75-101 et seq., or action under § 20-7-110(b) has ended.

1 (b) The office may immediately recover improperly expended medical
2 assistance funds from a person who is providing medical services fraudulently
3 or in bad faith or who is taking advantage of patients during the public
4 health emergency.

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7 Referred by Senator Irvin

8 Prepared by: MBM/MBM
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