

ARKANSAS SENATE
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of Senate Bill No. 815

"AN ACT TO DEFINE THE RELATIONSHIP BETWEEN THE STATE AND
COMMUNITIES."

Amendment No. 8 to Senate Bill No. 815.

Amend Senate Bill No. 815 as engrossed, S3/13/01:

Page 2, delete lines 19 through 36 and substitute the following:

"SECTION 3. (a) There is a moratorium on existing prior authorization of community-based services licensed by Developmental Disabilities Services, and prohibition of additional prior authorization procedures by the Department of Human Services shall be in force.

(b)(1) Subsection (a) shall not apply if:

(A) The Department of Human Services adopts regulations and standards, approved pursuant to subdivision (b)(2), which clearly define the state's responsibility to individuals eligible for services under federal and state laws, and more specifically:

(i) The categories of services which will be provided through the Medicaid State Plan; and

(ii) The categories of services which will be provided for with state general revenue funds; and

(B) The Department of Human Services provides the resources to the community-based programs to cover the costs of the existing federal and state mandates, regulations and guidelines, and for the costs of any additional required staffing, processes or guidelines required by the Department of Human Services or the Department of Education, or both.

(2)(A) Regulations and standards of the Department of Human Services under this subsection (b) shall not be effective unless approved by the Senate and House Interim Committees on Public Health Welfare and Labor. The approval by each committee shall be by a majority vote of the membership of the committee.

(B) The requirement of approval by the Senate and House Interim Committees on Public Health Welfare and Labor is not a severable part of this subsection (b). If the requirement of approval by the Senate and House Interim Committees on Public Health Welfare and Labor is ruled unconstitutional by a court jurisdiction, this entire subsection (b) is void.

SECTION 4. (a) The Department of Human Services is prohibited from eliminating or"

AND

Page 3, line 6, delete "(c)(1)" and substitute "(b)(1)"

AND

Page 4, line 6, delete "SECTION 4." and substitute "SECTION 5."

The Amendment was read the first time, rules suspended and read the second time and _____

**By: Senator Mahony
DF/CDS - 031520010902
CDS434**

Secretary