

ARKANSAS SENATE
88th General Assembly - Regular Session, 2011
Amendment Form

Subtitle of Senate Bill No. 847

TO CONTROL THE MEDICAL COSTS FOR INMATES IN STATE, COUNTY, OR
MUNICIPAL CORRECTIONAL FACILITIES.

Amendment No. 1 to Senate Bill No. 847

Amend Senate Bill No. 847 as originally introduced:

Page 1, delete Section 1 in its entirety and substitute:

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

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

(a) As used in this section:

(1) "Health care provider" means:

- (A) A person licensed to practice any branch of the healing arts;
- (B) A person who holds a temporary permit to practice any branch of the healing arts issued by a state board of healing arts;
- (C) A person engaged in a postgraduate training program for the healing arts;
- (D) A licensed physician assistant;
- (E) A medical care facility;
- (F) A licensed podiatrist;
- (G) A licensed optometrist;
- (H) A registered nurse;
- (I) An advanced nurse practitioner;
- (J) A licensed professional nurse who is authorized to practice as a registered nurse anesthetist;
- (K) A licensed practical nurse;
- (L) A licensed physical therapist;
- (M) A professional corporation, limited liability company, or partnership that is a health care provider as defined by this subsection;
- (N) An Arkansas not-for-profit corporation organized for the purpose of rendering professional services by persons who are health care providers, or a psychiatric hospital;
- (O) A licensed social worker;
- (P) A mental health center;
- (Q) A mental health clinic; or



(R) Any health care provider licensed by the appropriate regulatory body in another state; and

(2) "Medicaid rate" means the terms, conditions, and amounts a health care provider would be paid for a health care service rendered under a contract or provider agreement with the Department of Human Services.

(b)(1) Except as otherwise provided in this section:

(A) The State of Arkansas;

(B) The Department of Correction;

(C) The Department of Community Correction;

(D) A county;

(E) A city; or

(F) A county or city law enforcement agency;

(2) That makes a payment to a health care provider for health care services rendered to persons in custody shall not exceed:

(A) The lesser of the actual amount billed by such health care provider; or

(B) The medicaid rate.

(c) This section does not apply if a person in custody is covered under a:

(1) Current individual or group accident and health insurance policy;

(2) Medical service plan contract;

(3) Hospital service corporation contract;

(4) Hospital and medical service corporation contract;

(5) Fraternal benefit society; or

(6) Health maintenance organization contract.

(d) This section does not prevent an agency or a political subdivision described in subsection (b) of this section or an agency-authorized vendor or political subdivision-authorized vendor from entering into an agreement with a health care provider for a health care service at terms, conditions, and amounts that are different than the medicaid rate.

(e) With the assistance of the Department of Human Services, an agency or political subdivision described in subsection (b) of this section shall determine the amount payable for a health care service provided to the person in custody and communicate that determination along with the remittance advice and payment for the services provided.

(f) This section does not create a duty on the part of a health care provider to render a health care service to a person in the custody of an agency or political subdivision described in subsection (b) of this section."

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

By: Senator Luker
BPG/LNS - 03/23/11 12:41
BPG438

Secretary