ARKANSAS SENATE

89th General Assembly - Regular Session, 2013
Amendment Form

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Subtitle of Senate Bill No. 788

TO AMEND THE MEDICAID FAIRNESS ACT TO STRENGTHEN DUE PROCESS FOR PROVIDERS WHO

DELIVER SERVICES; AND TO DECLARE AN EMERGENCY.

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Amendment No. 2 to Senate Bill No. 788

Amend Senate Bill No. 788 as engrossed, S3/8/13 (version: 03/08/2013 08:13:28 AM):

Page 2, line 5, delete "or surveys;" and substitute "or surveys; and"

AND

Page 2, line 9, delete "payment; and" and substitute "payment."

AND

Page 2, delete lines 10 and 11 and substitute the following:
     "(B) To constitute an adverse decision, an agency decision need not
have a monetary penalty attached but must have a direct monetary consequence
to the provider."

AND

Page 2, line 12, delete "(B)" and substitute "(C)"

AND

Page 3, delete lines 33 through 36 and substitute the following:
     "(3) Other documentation under subdivision (b)(1)(C) of this section
is not required to be equivalent in form to nor required to duplicate the
documentation containing the error or omission, if all the documentation
taken together establishes that the claim is payable."

AND

Page 4, line 18, delete "right to" and substitute "right to fair and impartial"

AND

Page 4, delete lines 32 through 34 and substitute the following:
     "(C) An administrative law judge employed by the Department of Health shall conduct all Medicaid provider administrative appeals of adverse decisions under this subchapter."

AND

Page 5, line 10, add "to" between "adherence" and "the"

AND

Page 5, line 31, delete "withdrawal" and substitute "withdraw"

AND

Page 6, line 9, delete "The burden of proof regarding recoupment" and substitute "Burdens of proof"

AND

Page 6, line 29, delete "(j)" and substitute "(h)"

AND

Page 7, line 33, delete "(A)" and substitute "(A)"

AND

Page 7, line 34, delete "and" and substitute "and or"

AND

Page 7, delete lines 35 and 36

AND

Page 8, line 16, delete "explain" and substitute "state"