

Hall of the House of Representatives

89th General Assembly - Fiscal Session, 2014

Amendment Form

JBC 02/25/2014 (2)

Subtitle of House Bill No. 1129

AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - ADMINISTRATION APPROPRIATION FOR
THE 2014-2015 FISCAL YEAR.

Amendment No. 1 to House Bill No. 1129

Amend House Bill No. 1129 as originally introduced:

Insert the additional SECTIONS immediately following SECTION 19 of the bill to read as follows:

" SECTION 20. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES AND DIVISION OF BEHAVIORAL HEALTH SERVICES – REGULATORY MORATORIUM.

The Department of Human Services:

(1) Shall continue implementation of the Attention Deficient Hyperactivity Disorder episode of care, commonly referred to as the "ADHD episode of care", and the Oppositional Defiant Disorder episode of care, commonly referred to as the "ODD episode of care".

(2) Shall not implement a new behavioral health episode of care until June 30, 2015; and

(3) Will implement system changes, including only behavioral health care tiers, Section 1915(i) option programs, and health homes, at the later of:

(A) Ninety (90) days after the publication of proposed program rates; or

(B) January 1, 2015.

SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES AND DIVISION OF BEHAVIORAL HEALTH SERVICES – OUTCOME MEASURES TESTING MORATORIUM.

The Department of Human Services shall:

(1) Complete and submit by May 31, 2014, a report to the House Committee on Public Health, Welfare, and Labor and to the Senate Committee on Public Health, Welfare, and Labor providing facts and information regarding:

(A) The cost to the state and to the affected providers of requiring the administration of the outcomes-based system mandated by Arkansas Code § 20-47-705, commonly referred to as the "Youth Outcome Questionnaire";



(B) The benefits realized as a result of requiring the administration of the Youth Outcome Questionnaire; and

(C) The clinical rationale for requiring the Youth Outcome Questionnaire for all clients receiving behavioral health services;

(2) Require all behavioral health providers that are required to complete the Youth Outcome Questionnaire to additionally submit the cost data for program administration by April 1, 2014; and

(3) Make recommendations concerning continued implementation of the Youth Outcome Questionnaire to the House Committee on Public Health, Welfare, and Labor and to the Senate Committee on Public Health, Welfare, and Labor based on communication with the behavioral health providers and other interested parties.

SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
DEPARTMENT OF HUMAN SERVICES, DIVISION OF MEDICAL SERVICES AND DIVISION OF BEHAVIORAL HEALTH SERVICES - SCOPE.

Sections 20 and 21 of this act are effective until June 30, 2015.

SECTION 23. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code § 23-61-803(c), concerning the Arkansas Health Insurance Marketplace Board of Directors, is amended to read as follows:

(c) The Arkansas Health Insurance Marketplace shall operate subject to the supervision and control of the Board of Directors of the Arkansas Health Insurance Marketplace. The board shall consist of the following members to be appointed on or before July 1, 2013:

(1)(A) Three (3) members appointed by the Governor.

(B) One (1) member appointed by the Governor shall be a representative of insurance agents or brokers licensed to sell health insurance in the State of Arkansas.

(C) Two (2) members appointed by the Governor shall be consumer representatives;

(2)(A) Three (3) members appointed by the President Pro Tempore of the Senate.

(B) One (1) of the members appointed by the President Pro Tempore of the Senate shall be a representative of a health insurer.

(C) One (1) of the members appointed by the President Pro Tempore of the Senate shall be a representative of small employers;

(3)(A) Three (3) members appointed by the Speaker of the House of Representatives.

(B) One (1) of the members appointed by the Speaker of the House of Representatives shall be a representative of a health insurer.

(C) One (1) member appointed by the Speaker of the House of Representatives shall be a member of a health-related profession licensed in the State of Arkansas;

(4) The Insurance Commissioner or his or her designee as an ex officio nonvoting member; and

(5) The Director of the Department of Human Services or his or her designee as an ex officio nonvoting member."

AND

Delete SECTION 22 of the bill in its entirety and substitute the following:

" SECTION 22. EMERGENCY CLAUSE. (a) It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2014, is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2014, could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and Sections 1 through 19 and 24 through 25 of this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2014.

(b) It is found and determined by the General Assembly of the State of Arkansas that a clarification of voting procedures is necessary to implement the intent of the General Assembly in establishing the Arkansas Health Insurance Marketplace Board of Directors; the maintenance of an appropriate balance to determine the proper course for the Arkansas Health Insurance Marketplace is immediately necessary; that the citizens of this state will be best served by the change in voting procedures of the board required by this act; that the reporting provisions of this act are essential for the assessment and administration of the outcomes-based system mandated by Arkansas Code § 20-47-705 and episodes of care; that in order to meet the deadlines established by this act, the affected providers and state agencies need as much time as possible to assemble and report the required information; and that Sections 20 through 23 of this act are immediately necessary for the administration of important programs and to provide information necessary to make reasoned and prudent decisions concerning the provision of health care for the citizens of this state. Therefore, an emergency is declared to exist, and Sections 20 through 23 of this act, being immediately necessary for the preservation of the public peace, health, and safety, shall become effective on:

(1) The date of this act's approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

AND

Appropriately renumber all SECTION numbers of the bill.

The Amendment was read _____

By: Joint Budget Committee
By: Senator J. Dismang
JKG/JKG - 02-25-2014 11:46:33
JKG171

Chief Clerk