

ARKANSAS SENATE
89th General Assembly - Fiscal Session, 2014
Amendment Form

Subtitle of Senate Bill No. 111

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

Amendment No. 2 to Senate Bill No. 111

Amend Senate Bill No. 111 as engrossed, S2/18/14 (version: 02/18/2014 01:48:47 PM):

Delete Section 17 of the bill and substitute the following language as Section 17:

"SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW. HEALTH CARE INDEPENDENCE PROGRAM.

(a) As used in this section, "Health Care Independence Program" means the Health Care Independence Program established under the Health Care Independence Act of 2013, § 20-77-2401 et seq.

(b)(1) Determining the maximum number of employees, the maximum amount of appropriation, for what purposes an appropriation is authorized, and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly.

(2) The purposes under subdivision (b)(1) of this section are typically accomplished by:

(A) Identifying the purpose in the appropriation act;

(B) Delineating such maximums in the appropriation act for a state agency; and

(C) Delineating the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization Law, § 19-5-101 et seq.

(3) It is both necessary and appropriate that the General Assembly restrict the use of appropriations authorized in this act.

(c)(1)(A) Except as provided in subdivision (c)(2) of this section, on and after July 1, 2014, the Department of Human Services shall not allocate, budget, expend, or utilize appropriations under this act for services, coverage, or premium assistance for persons enrolled in the Health Care Independence Program.

(B) This subdivision (c)(1) does not prohibit the payment of expenses incurred before July 1, 2014, by persons participating in the Health Care Independence Program who were determined to be more effectively covered through the traditional Arkansas Medicaid Program.



(2)(A) The Department of Human Services shall take necessary action, including without limitation submitting and applying for a state plan amendment or waiver, or both, to allow individuals enrolled before July 1, 2014, to continue to participate in the Health Care Independence Program until March 1, 2015.

(B) If the Department of Human Services is unable to secure a continuation of the Health Care Independence Program under subdivision (c)(2)(A) of this section before July 1, 2014, subdivision (c)(1) of this section shall apply.

(C) If the Department of Human Services secures a continuation of the Health Care Independence Program under subdivision (c)(2)(A) of this section, then the department may allocate, budget, expend, or utilize appropriations under this act until March 1, 2015, for services, coverage, or premium assistance for persons enrolled before July 1, 2014, in the Health Care Independence Program.

(d) An appropriation authorized by this act is not subject to the provisions allowed through reallocation of resources or transfer of appropriation authority if the reallocation or transfer results in transferring an appropriation to any other appropriation authorized for the Department of Human Services to be allocated, budgeted, expended, or utilized for services, coverage, or premium assistance in the Health Care Independence Program that is prohibited by this section.

(e) Except as provided in subdivision (c)(2) of this section, the Department of Human Services shall submit and seek approval for appropriate state plan amendments or federal waivers, or both, to eliminate the eligibility for qualified family members and individuals as described under 42 C.F.R. § 435.119, as it existed on January 1, 2014.

(f) The Department of Human Services and the State Insurance Department shall study all possible options under state and federal law to provide services or coverage on and after July 1, 2014, or on and after March 1, 2015, if the Department of Human Services secures a continuation of the Health Care Independence Program under subdivision (c)(2)(A) of this section, for persons enrolled in the Health Care Independence Program, including without limitation:

- (1) Health savings accounts;
- (2) Medical care and services cost-sharing methods;
- (3) Medical sharing programs; and
- (4) Medical discount savings cards."

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

By: Senator J. Hendren

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Secretary