Hall of the House of Representatives
94th General Assembly - Regular Session, 2023
Amendment Form

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Subtitle of House Bill No. 1554

TO ADD DEFINITIONS TO THE MEDICAID FAIRNESS ACT TO ENSURE THAT ALL RULE

ENFORCEMENT ACTIONS ARE APPEALABLE.

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Amendment No. 1 to House Bill 1554

Amend House Bill No. 1554 as originally introduced:

Delete everything after the enacting clause and substitute the following:
    "SECTION 1. Arkansas Code Title 20, Chapter 77, Subchapter 17, is amended to add an additional section to read as follows:
    20-77-1719. Certification enforcement actions.
    (a) For purposes of this section, "enforcement action" means one (1) of the following actions taken by the Division of Provider Services and Quality Assurance of the Department of Human Services under its certification authority:
        (1) A directive to submit a corrective action plan; or
        (2) A citation or other finding of a violation that does not have a direct monetary consequence to the provider.
    (b)(1) A Medicaid provider that is certified by the division may challenge an enforcement action by filing a reconsideration request setting forth the reasons the violation is incorrect.
        (2)(A) The division shall make an administrative reconsideration determination within sixty (60) calendar days of receipt of the request.
            (B) An administrative reconsideration determination is not an order as defined in the Arkansas Administrative Procedure Act, § 25-15-201 et seq.
        (3)(A) If there is a failure to meet the timelines specified in this section, an adverse decision based on the enforcement action shall not be enforced against the Medicaid provider unless the division shows good cause for the failure to meet the timelines.
            (B) Good cause for failure to meet the timelines includes without limitation that the division has referred the matter to the Office of Medicaid Inspector General or the Medicaid Fraud Control Unit of the Attorney General's office for investigation."

The Amendment was read _____
By: Representative L. Johnson
JMB/JMB - 03-28-2023 14:37:09
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                                                                  Chief Clerk