

**Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.**

INTERIM STUDY PROPOSAL 2007-141

State of Arkansas  
86th General Assembly  
Regular Session, 2007

# A Bill

SENATE BILL 863

By: Senator B. Pritchard

Referred to  
Public Health, Welfare And Labor Committee - Senate  
by the Arkansas Senate  
on 03/30/2007

## For An Act To Be Entitled

AN ACT TO PROVIDE FUNDING FOR COMMUNITY HEALTH CENTERS; TO AMEND SECTIONS OF THE ARKANSAS CODE RESULTING FROM INITIATED ACT 1 OF 2000; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT TO PROVIDE FUNDING FOR COMMUNITY HEALTH CENTERS; TO AMEND SECTIONS OF THE ARKANSAS CODE RESULTING FROM INITIATED ACT 1 OF 2000.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 19-12-102(13), concerning the definition of the Medicaid Expansion Program Account, resulting from Initiated Act 1 of 2000, is amended to read as follows:

(13) "Medicaid Expansion Program Account" shall mean the account by that name created pursuant to § 19-12-112 to be funded from the Tobacco Settlement Program Fund ~~and used by the Arkansas Department of Human Services for the purposes set forth in this chapter.~~

SECTION 2. Arkansas Code § 19-12-112(a), resulting from Initiated Act

1 of 2000 and concerning creation of the Medicaid Expansion Program Account,  
is amended to read as follows:

(a)(1) There is hereby created a trust fund on the books of the  
Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State,  
within the Tobacco Settlement Program Fund maintained by the State Board of  
Finance, an account to be known as the Medicaid Expansion Program Account.

~~Such account~~ (2) The account shall be used by:

(A)(i) By the Department of Health and Human Services for  
such purposes and in such amounts as may be appropriated in law.

(ii) These funds shall not be used to replace or  
supplant other funds available in the Department of Human Services Grants  
Fund Account.

(iii) The funds appropriated for this program shall  
not be expended, except in conformity with federal and state laws, and then  
only after the department obtains the necessary approvals from the federal  
Health Care Financing Administration; and

(B) As appropriated by the General Assembly for use in  
providing primary medical, dental, and mental health services and  
preventative health services to the uninsured and medically underserved  
Arkansans by community-owned and governed nonprofit organizations deemed  
federally qualified health centers under 42 U.S.C. § 254b, as in effect on  
January 1, 2007.

SECTION 3. Arkansas Code § 19-12-119, resulting from Initiated Act 1  
of 2000, is amended to read as follows:

19-12-119. Use of funds for the Medicaid Expansion Program Account.

(a) In addition to the purposes enumerated in ~~§ 19-12-116~~ §§ 19-12-112  
and 19-12-116 for the Medicaid expansion program, the funds made available to  
the Medicaid Expansion Program Account may also be used to supplement current  
general revenues as approved by the Governor and the Chief Fiscal Officer of  
the State for the Arkansas Medicaid Program.

(b) None of the funds shall be used for this additional purpose if the  
usage will reduce the funds made available by the General Assembly for the  
Meals-on-Wheels program and the senior prescription drug program.

SECTION 4. Arkansas Code § 19-5-1121, resulting from Initiated Act 1

1 of 2000, is amended to read as follows:

2 (b)(1) This fund shall consist of those moneys transferred from the  
3 Tobacco Settlement Program Fund as provided in § 19-12-108 and interest  
4 earnings.

5 (2) The fund shall be used ~~by the:~~

6 (A) By the Department of Health and Human Services for  
7 those purposes as set out in § 19-12-112; and

8 (B) As appropriated by the General Assembly for use in  
9 providing primary medical, dental, and mental health services and  
10 preventative health services to the uninsured and medically underserved  
11 Arkansans by community-owned and governed nonprofit organizations deemed  
12 qualified health centers under 42 U.S.C. § 254b, as in effect on January 1,  
13 2007.

14  
15 SECTION 5. Arkansas Code Title 19, Chapter 5, Subchapter 12 is amended  
16 to add a new section as follows:

17 19-5-1230. Community Health Centers of Arkansas Fund.

18 (a) There is created on the books of the Treasurer of State, the  
19 Auditor of State, and the Chief Fiscal Officer of the State a fund to be  
20 known as the "Community Health Centers of Arkansas Fund".

21 (b) The fund shall consist of any revenues as may be authorized by  
22 law.

23 (c) The funds transferred to the Community Health Centers of Arkansas  
24 Fund shall be distributed by the Disbursing Officer of the Department of  
25 Finance and Administration to be used for primary medical, dental, mental  
26 health, pharmacy, and preventative services for uninsured and medically  
27 underserved Arkansans.

28  
29 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the  
30 General Assembly of the State of Arkansas that many Arkansans are in need of  
31 primary medical, dental, and mental health treatment and preventative health  
32 services and are not covered by health insurance or eligible for Medicaid or  
33 Medicare; that qualified community health centers provide needed care for  
34 many of these citizens but are in need of funding in order to continue  
35 offering necessary medical services; that this act will permit the use of  
36 available funds for those services; and that this act is necessary in order

1 to provide needed funding for the next fiscal biennium. Therefore, an  
2 emergency is declared to exist and this act being necessary for the  
3 preservation of the public peace, health, and safety shall become effective  
4 on July 1, 2007.  
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