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INTERIM STUDY PROPOSAL 2013-084

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H3/25/13 H4/1/13

A Bill

HOUSE BILL 1190

By: Representatives Hammer, *Harris*

Filed with: Interim House Committee on Public Health, Welfare and Labor
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO CLARIFY THE LAW REGARDING MEDICAID
*REIMBURSEMENTS FOR NURSING PROFESSIONALS AS PRIMARY
CARE MEDICAID PROVIDERS; TO REQUIRE THAT ADVANCED
NURSE PRACTITIONERS BE RECOGNIZED AS PRIMARY CARE
PROVIDERS IN THE MEDICAID PROGRAM; TO ESTABLISH
MEDICAID REIMBURSEMENT RATES FOR ADVANCED NURSE
PRACTITIONERS; AND FOR OTHER PURPOSES.*

Subtitle

TO CLARIFY THE LAW REGARDING MEDICAID
REIMBURSEMENTS FOR NURSING PROFESSIONALS.

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

SECTION 1. Arkansas Code Title 20, Chapter 77, Subchapter 1, is amended to add an additional section to read as follows:

20-77-125. Advanced nurse practitioners.

(a) As used in this section, "charitable clinic" means a charitable nonprofit corporation or a facility organized as a not-for-profit corporation under §§ 4-28-201 – 4-28-206 and 4-28-209 – 4-28-224 that:

(1) Holds a valid exemption from federal income taxation issued under § section 501(a) of the Internal Revenue Code;

(2) Is listed as an exempt organization under § 501(c)(3) of the Internal Revenue Code; and

1 (3) Provides advice, counseling, diagnosis, treatment, surgery,
2 care, or services relating to the preservation or maintenance of health on an
3 outpatient basis for a period of less than twenty-four (24) consecutive hours
4 to persons not residing or confined at the facility.

5 (b) The General Assembly intends that the savings to the Arkansas
6 Medicaid Program achieved under subsection (c) of this section shall be used
7 to assist hospitals in Arkansas in meeting the healthcare needs of the
8 hosptials' communities and the overall Medicaid healthcare cost.

9 (c)(1) The Arkansas Medicaid Program shall recognize a qualifying
10 advanced nurse practitioner as a primary care provider for all purposes.

11 (2) Purposes under subdivision (c)(1) of this section include
12 without limitation:

13 (A) Being recognized as the initial health care provider
14 in the federal and state Comprehensive Primary Care initiative payment model;

15 (B) Initially diagnosing;

16 (C) Being included as the patient contact for a team of
17 family practice professionals and the patient-centered medical home;

18 (D) Maintaining patient's records;

19 (E) Ordering laboratory tests and records management as
20 needed for patient care;

21 (F) Providing preventive and periodic examinations within
22 primary care;

23 (G) Referring a patient when necessary to a physician, a
24 specialist or a hospital; and

25 (H) Treating a patient to the extent of the advanced nurse
26 practitioner's scope of practice.

27 (d)(1) The Arkansas Medicaid Program shall reimburse an advanced nurse
28 practitioner not less than ninety percent (90%) of the physician
29 reimbursement rate for services performed within the scope and licensure of
30 the advanced nurse practitioner.

31 (2) However, the Arkansas Medicaid Program shall reimburse an
32 advanced nurse practitioner who performs services at a charitable clinic for
33 which the advanced nurse practitioner does not pay a fee for a collaborative
34 agreement with a physician not less than eighty-five percent (85%) of the
35 standard reimbursement rate.

1 Prepared by: MGF/VJF
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