

1 **State of Arkansas**
2 **78th General Assembly**
3 **Second Extraordinary, 1992**
4 **By: Senator Hoofman**

A Bill

Call Item 2

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO PROVIDE FOR FINANCIAL RELIEF TO THE ARKANSAS
9 DEPARTMENT OF HUMAN SERVICES FOR THE MEDICAID PROGRAM FOR
10 THE REMAINDER OF THE BIENNIAL PERIOD ENDING JUNE 30, 1993;
11 AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT TO PROVIDE FINANCIAL RELIEF TO THE ARKANSAS STATE
15 MEDICAID PROGRAM BY FUND TRANSFER."

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

19 SECTION 1. In order to provide supplemental funds during the fiscal
20 year ending June 30, 1993 for the Arkansas Medicaid program as operated by the
21 Department of Human Services and to do so from monies which were unanticipated
22 by the various state agencies and programs when they completed their financial
23 plans for the current fiscal year due to the release of the escrow account in
24 Pledger v. Brunner and Lay, Inc. 308 Ark. 512 (1992) and from general revenues
25 collected this year which are in excess of the amount forecasted, the State
26 Treasurer shall transfer the sum of \$17,333,263 or so much thereof and at such
27 times as may be certified as being necessary by the Chief Fiscal Officer, from
28 the General Revenue Fund Account of the State Apportionment Fund to the Grants
29 Fund Account of the Department of Human Services Fund. The funds so
30 transferred shall be used to supplement other funds as may be made available
31 for the Arkansas Medicaid program and shall not be used to supplant such other
32 funds nor shall the funds so transferred be used for any other purpose.

34 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General
35 Assembly that any funds disbursed under the authority of the appropriations

1 contained in this Act shall be in compliance with the stated reasons for which
2 this Act was adopted, as evidenced by the Agency Requests, Executive
3 Recommendations and Legislative Recommendations contained in the budget
4 manuals prepared by the Department of Finance and Administration, letters, or
5 summarized oral testimony in the official minutes of the Arkansas Legislative
6 Council or Joint Budget Committee which relate to its passage and adoption.

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8 SECTION 5. CODE. All provisions of this Act of a general and permanent
9 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
10 Code Revision Commission shall incorporate the same in the Code.

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12 SECTION 6. SEVERABILITY. If any provision of this Act or the
13 application thereof to any person or circumstance is held invalid, such
14 invalidity shall not affect other provisions or applications of the Act which
15 can be given effect without the invalid provision or application, and to this
16 end the provisions of this Act are declared to be severable.

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18 SECTION 7. GENERAL REPEALER. All laws and parts of laws in conflict
19 with this Act are hereby repealed.

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21 SECTION 8. EMERGENCY CLAUSE. It is hereby found and determined by the
22 Seventy-Eighth General Assembly meeting in extraordinary session, that the
23 State of Arkansas must provide adequate health care to its indigent citizens,
24 that if immediate measures are not taken, many Arkansans will be irreversibly
25 emotionally and physically damaged by the removal of health care measures as
26 provided under provisions of title XIX of the Social Security Act, for the
27 state Medicaid Program and that it is in the interests of the people of the
28 State of Arkansas to provide for these measures. Therefore, an emergency is
29 hereby declared to exist and this Act being necessary for the immediate
30 preservation of the public peace, health and safety shall be in full force and
31 effect from and after its passage and approval.

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