

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: H3/3/97

A Bill

SENATE BILL 348

5 By: Senators Beebe, Harriman, Dowd, Brown, Boozman, Hunter, Webb, Wyrick, Walters, Bell, Hoofman, Gordon, Gwatney, Fitch, J.
6 Hill, Bradford, Bearden, Ross, Roebuck, Russ, Kennedy, Mahony, Hopkins, Malone, Edwards, Lewellen, Argue, Todd, Walker, K. Smith
7 and Wilson
8 By: Representatives Thomas, Pollan, Northcutt, Schexnayder, Jones, Brown, Madison, Shoffner, Judy Smith, Bond, Roberts, Ammons,
9 D. Hudson, Wilkins, Walker, Ferrell, Horn, Hale, Rodgers, Ingram, Bennett, Bush, Lynn, Curran, Bryant, Milum, Mullenix, Magnus,
10 Wooldridge, Vess, Bisbee, Hausam, DeLay, Faris, and Ferguson

For An Act To Be Entitled

11
12 "AN ACT TO ESTABLISH THE ARKIDS FIRST PROGRAM TO PROVIDE
13 HEALTH CARE FOR CHILDREN UP TO TWO HUNDRED PERCENT OF THE
14 FEDERAL POVERTY GUIDELINE; AND FOR OTHER PURPOSES."

Subtitle

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16
17 "AN ACT TO ESTABLISH THE ARKIDS FIRST
18 PROGRAM."

19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21
22 SECTION 1. ARKids First Program.

23 This act shall be known and may be cited as the "ARKids First Program
24 Act."

25
26 SECTION 2. Purpose.

27 The purpose and intent of this program is to establish a two year pilot
28 program beginning in the 1997-1998 biennium to provide access to appropriate
29 health care services for eligible children in Arkansas.

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31 SECTION 3. Administration - Regulations.

32 The Department of Human Services shall be responsible for preparing and
33 submitting a waiver request to the Health Care Financing Administration to
34 create and administer the ARKids First program. The department shall
35 administer and promulgate rules for the ARKids First program in conformity
36 with a Medicaid waiver and in a manner that:

1 (1) Defines the population which may receive services provided or
2 reimbursed through this program by limiting the program to children eighteen
3 (18) years of age or less who are members of a family with a gross family
4 income not exceeding two hundred percent (200%) of the federal poverty
5 guideline who are not otherwise Medicaid eligible and for whom health care
6 coverage is unavailable.

7 (2) Provides for the automatic assignment of medical payments due as
8 set out in Arkansas Code 20-77-302 and 20-77-308 as a condition of eligibility
9 for benefits under the uninsured childrens program.

10 (3) Defines the services to be covered under the ARKids First program.
11 Providers of covered services shall be those providers enrolled as Medicaid
12 providers, and reimbursement shall be at the rates established by ARKids
13 First.

14 (4) Establishes a copayment for services received in the ARKids First
15 program as permitted by Medicaid waiver and determined through promulgated
16 rules.

17

18 SECTION 4. Funding.

19 (a) Funding for the uninsured childrens program shall be derived from
20 funds as may be provided by the General Assembly, copayments, and any federal
21 matching funds available to the program.

22 (b) It is further the intent of this act that funds appropriated by the
23 General Assembly for the purpose of funding the uninsured childrens program
24 be used where appropriate and practical to match federal funding sources to
25 enhance the total available funding for the operation of the uninsured
26 childrens program.

27 (c) The ARKids First program shall operate only if funds are available
28 for its operation.

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30 SECTION 5. Arkansas Code 20-77-601 through 20-77-607, the "Uninsured
31 Childrens Program Act" is repealed.

32 ~~§ 20-77-601. Title.~~

33 ~~This subchapter shall be known and may be cited as the "Uninsured~~
34 ~~Children's Program Act".~~

35 ~~§ 20-77-602. Purpose.~~

36 ~~The purpose and intent of this program is to provide access to~~

1 ~~appropriate primary health care services for eligible children in Arkansas.~~

2 ~~——— § 20-77-603. Administration - Regulations.~~

3 ~~——— (a) The Department of Human Services shall be responsible for~~

4 ~~administering the uninsured children's program and the department shall~~

5 ~~administer and promulgate regulations for the uninsured children's program in~~

6 ~~a manner that:~~

7 ~~——— (1) Establishes a specific definition of the population who shall be~~

8 ~~eligible for services provided or reimbursed through this program with the~~

9 ~~specific guideline that the program is limited to children who have gross~~

10 ~~family income equal to or less than one hundred eighty-five percent (185%) of~~

11 ~~the federal poverty guideline who are not covered by medicaid or any other~~

12 ~~health insurance program for the services offered by this program; and~~

13 ~~——— (2) Provides for the automatic assignment of medical payments due as set~~

14 ~~out in §§ 20-77-302, 20-77-304 - 20-77-308 as a condition of eligibility for~~

15 ~~benefits under the uninsured children's program.~~

16 ~~——— (b) The Department of Human Services shall have discretion to set age~~

17 ~~limits for participation in this program.~~

18 ~~——— § 20-77-604. Covered services and providers.~~

19 ~~——— Covered and noncovered services under the uninsured children's program~~

20 ~~shall be in accordance with regulations established by the Department of Human~~

21 ~~Services. Providers of covered services shall be the same as those providers~~

22 ~~enrolled as medicaid providers, and reimbursement shall be at the same rate~~

23 ~~and under the same conditions established for medicaid providers.~~

24 ~~——— § 20-77-605. Enrollment fee.~~

25 ~~——— The Department of Human Services may at its discretion establish an~~

26 ~~annual enrollment fee for participation in the uninsured children's program.~~

27 ~~The enrollment fee shall be established through promulgated regulations.~~

28 ~~——— § 20-77-606. Funding.~~

29 ~~——— (a) Funding for the uninsured children's program shall be derived from~~

30 ~~funds as may be provided by the General Assembly and any federal matching~~

31 ~~funds generated by the program.~~

32 ~~——— (b) It is further the intent of this subchapter that funds appropriated~~

33 ~~by the General Assembly for the purpose of funding the uninsured children's~~

34 ~~program be used where appropriate and practical to match federal funding~~

35 ~~sources to enhance the total available funding for the operation of the~~

36 ~~uninsured children's program.~~

1 ~~_____ (c) The uninsured children's program shall operate only if funds are~~
2 ~~available for its operation.~~

3 ~~_____ § 20-77-607. Disposition of funds.~~

4 ~~_____ (a) All funds derived from fees collected under § 20-77-605 are~~
5 ~~declared to be special revenues and shall be deposited in the State Treasury,~~
6 ~~there to be credited to the Department of Human Services Uninsured Children's~~
7 ~~Fund to be used for administration of the uninsured children's program.~~

8 ~~_____ (b) Subject to such rules and regulations as may be implemented by the~~
9 ~~Chief Fiscal Officer of the State, the disbursing officer for the Department~~
10 ~~of Human Services is authorized to transfer all unexpended funds relative to~~
11 ~~the fees collected in § 20-77-605, as certified by the Chief Fiscal Officer of~~
12 ~~the State, to be carried forward and made available for expenditure for the~~
13 ~~same purpose for any following fiscal year.~~

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15 SECTION 6. All provisions of this act of a general and permanent nature
16 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
17 Revision Commission shall incorporate the same in the Code.

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19 SECTION 7. If any provision of this act or the application thereof to
20 any person or circumstance is held invalid, such invalidity shall not affect
21 other provisions or applications of the act which can be given effect without
22 the invalid provision or application, and to this end the provisions of this
23 act are declared to be severable.

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25 SECTION 8. All laws and parts of laws in conflict with this act are
26 hereby repealed.

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29 */s/Senator Beebe, et al*

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