

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.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

A Bill

HOUSE BILL 1517

5 By: Representative Lendall
6
7

For An Act To Be Entitled

9 AN ACT TO AMEND UNCODIFIED INITIATED ACT 1 OF 2000,
10 THE TOBACCO SETTLEMENT PROCEEDS ACT; TO PROVIDE MONEYS
11 FOR PRESCRIPTION DRUGS FOR THE ELDERLY; TO PROVIDE
12 MEDICAID COVERAGE FOR POOR ADULTS; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15 AN ACT TO AMEND THE TOBACCO SETTLEMENT
16 PROCEEDS ACT; TO PROVIDE MONEYS FOR
17 PRESCRIPTION DRUGS FOR THE ELDERLY; TO
18 PROVIDE MEDICAID COVERAGE FOR POOR
19 ADULTS.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Uncodified Initiated Act 1 of 2000, Section 4, Subsection
26 (d), regarding disbursements from the Tobacco Settlement Cash Holding Fund, is
27 amended to read as follows:

28 (d) After the Initial MSA Disbursement has been transferred as set
29 forth in Section 4(c), the State Board of Finance, beginning with MSA
30 Disbursements for years 2001 and thereafter, shall receive all amounts due to
31 the State from the MSA Escrow. In calendar year 2001, there shall first be
32 deposited to the Arkansas Healthy Century Trust Fund from the MSA
33 Disbursements attributable to calendar year 2001, the amount necessary to
34 bring the principal amount of the Arkansas Healthy Century Trust Fund to one-
35 hundred million dollars (\$100,000,000). The remainder of any MSA Disbursements
36 attributable to calendar year 2001 shall be deposited into the Tobacco

1 Settlement Program Fund and distributed pursuant to Section 8 of this Act.
2 Beginning in 2002, and for each annual MSA Disbursement thereafter, all MSA
3 Disbursements shall be immediately deposited in the Tobacco Settlement Cash
4 Holding Fund and then distributed, as soon as practical after receipt, as
5 follows:

6 (1) The first ~~five million dollars (\$5,000,000)~~ four million
7 dollars (\$4,000,000) received as an MSA Disbursement in each calendar year
8 beginning in 2002 shall be transferred from the Tobacco Settlement Cash
9 Holding Fund to the Tobacco Settlement Debt Service Fund; and

10 (2) After the transfer described in Section 4(d)(1), the amounts
11 remaining in the Tobacco Settlement Cash Holding Fund shall be transferred to
12 the Tobacco Settlement Program Fund.

13
14 SECTION 2. Uncodified Initiated Act 1 of 2000, Section 6, Subsection
15 (b), regarding capital projects to be funded by tobacco settlement funds, is
16 amended to read as follows:

17 (b) The Capital Improvement Projects to be financed shall be:

18 (1) University of Arkansas for Medical Sciences, Biosciences
19 Research Building; provided, however, that no more than two million, two
20 hundred thousand dollars (\$2,200,000.00) of the annual transfer to the Tobacco
21 Settlement Debt Service Fund shall be allocated in any one year to pay Debt
22 Service Requirements for this project, and provided further that no more than
23 twenty-five million dollars (\$25,000,000) in principal amount of Tobacco
24 Settlement Revenue Bonds may be issued for this project;

25 (2) Arkansas State University Biosciences Research Building;
26 provided, however, that no more than one million, eight hundred thousand
27 dollars (\$1,800,000.00) of the annual transfer to the Tobacco Settlement Debt
28 Service Fund shall be allocated in any one year to pay Debt Service
29 Requirements for this project, and provided further that no more than twenty
30 million dollars (\$20,000,000) in principal amount of Tobacco Settlement
31 Revenue Bonds may be issued for this project; and

32 ~~(3) School of Public Health; provided, however, that no more than~~
33 ~~one million dollars (\$1,000,000) of the annual transfer to the Tobacco~~
34 ~~Settlement Debt Service Fund shall be allocated in any one year to pay Debt~~
35 ~~Service Requirements for this project, and provided further that no more than~~
36 ~~fifteen million dollars (\$15,000,000) in principal amount of Tobacco~~

1 Settlement Revenue Bonds may be issued for this project; and
2 ~~(4)(3)~~ only such other capital improvement projects related
3 to the provision of health care services, health education, or health-related
4 research as designated by legislation enacted by the Arkansas General
5 Assembly; provided that the deposits to the Tobacco Settlement Debt Service
6 Fund are adequate to pay Debt Service Requirements for such additional
7 projects.

8
9 SECTION 3. Uncodified Initiated Act 1 of 2000, Section 10, Subsection
10 (c), allocating monies within the Targeted State Needs Program, is amended to
11 read as follows:

12 (c)(1) All moneys deposited to the Targeted State Needs Program Account
13 except for investment earnings shall be used for the purposes set forth in
14 Section 14 hereof, or such other purposes as may be appropriated in law.

15 (2) Of the amounts deposited to the Targeted State Needs Program
16 Account, less the amount provided in subdivision (c)(2) or this section, the
17 first one million dollars (\$1,000,000) shall be used to fund the Medicaid
18 Prescription and Adult Poverty Program.

19 (3) Of the amounts deposited to the Targeted State Needs Program
20 Account, the following proportions shall be used to fund the programs
21 established in Section 14 of this Act:

22 ~~(1)(A)~~ Arkansas School of Public Health Medicaid
23 Prescription and Adult Poverty Program thirty-three per cent (33%);

24 ~~(2)(B)~~ Area Health Education Center located in Helena -
25 twenty-two per cent (22%);

26 ~~(3)(C)~~ Donald W. Reynolds Center on Aging twenty-two per
27 cent (22%); and

28 ~~(4)(D)~~ Minority Health Initiative administered by the
29 Minority Health Commission - twenty-three per cent (23%).
30

31 SECTION 4. Uncodified Initiated Act 1 of 2000, Section 14 is amended to
32 read as follows:

33 SECTION 14. ESTABLISHMENT AND ADMINISTRATION OF THE TARGETED STATE
34 NEEDS PROGRAMS.

35 (a) The University of Arkansas for Medical Sciences is hereby
36 instructed to establish the Targeted State Needs Programs described in this

1 section, and to administer such programs in accordance with law.

2 (b) The targeted state needs programs to be established are as follows:

3 ~~(1) Arkansas School of Public Health;~~

4 ~~(2)(1) Area Health Education Center (located in Helena);~~

5 ~~(3)(2) Donald W. Reynolds Center on Aging; and~~

6 ~~(4)(3) Minority Health Initiative administered by the Minority~~
7 Health Commission.

8 ~~(c)(1) Arkansas School of Public Health. The Arkansas School of Public~~
9 ~~Health is hereby established as a part of the University of Arkansas for~~
10 ~~Medical Sciences for the purpose of conducting activities to improve the~~
11 ~~health and healthcare of the citizens of Arkansas. These activities should~~
12 ~~include, but not be limited to the following functions: faculty and course~~
13 ~~offerings in the core areas of public health including health policy and~~
14 ~~management, epidemiology, biostatistics, health economics, maternal and child~~
15 ~~health, environmental health, and health and services research; with courses~~
16 ~~offered both locally and statewide via a variety of distance learning~~
17 ~~mechanisms.~~

18 ~~(2) It is intended that the Arkansas School of Public Health~~
19 ~~should serve as a resource for the General Assembly, the Governor, state~~
20 ~~agencies, and communities. Services provided by the Arkansas School of Public~~
21 ~~Health should include, but not be limited to the following: consultation and~~
22 ~~analysis, developing and disseminating programs, obtaining federal and~~
23 ~~philanthropic grants, conducting research, and other scholarly activities in~~
24 ~~support of improving the health and healthcare of the citizens of Arkansas.~~

25 ~~(d)(c) Area Health Education Center. The first Area Health Education~~
26 ~~Centers were founded in 1973 as the primary educational outreach effort of the~~
27 ~~University of Arkansas for Medical Sciences. It is the intent of this Act that~~
28 ~~UAMS establish a new Area Health Education Center to serve the following~~
29 ~~counties: Crittenden, Phillips, Lee, St. Francis, Chicot, Monroe, and Desha.~~
30 ~~The new AHEC shall be operated in the same fashion as other facilities in the~~
31 ~~UAMS AHEC program including training students in the fields of medicine,~~
32 ~~nursing, pharmacy and various allied health professions, and offering medical~~
33 ~~residents specializing in family practice. The training shall emphasize~~
34 ~~primary care, covering general health education and basic medical care for the~~
35 ~~whole family. The program shall be headquartered in Helena with offices in~~
36 ~~Lake Village and West Memphis.~~

1 ~~(e)~~(d) Donald W. Reynolds Center on Aging. It is the intent of this Act
 2 that UAMS establish, in connection with the Donald W. Reynolds Center on Aging
 3 and its existing AHEC program, healthcare programs around the state offering
 4 interdisciplinary educational programs to better equip local healthcare
 5 professionals in preventive care, early diagnosis and effective treatment for
 6 the elderly population throughout the state. The satellite centers will
 7 provide access to dependable healthcare, education, resource and support
 8 programs for the most rapidly growing segment of the State's population. Each
 9 center's program is to be defined by an assessment of local needs and
 10 priorities in consultation with local healthcare professionals.

11 ~~(f)~~(e) Minority Health Initiative. It is the intent of this Act that
 12 the Arkansas Minority Health Commission establish and administer the Arkansas
 13 Minority Health Initiative for screening, monitoring, and treating
 14 hypertension, strokes, and other disorders disproportionately critical to
 15 minority groups in Arkansas. The program should be designed:

16 (1) To increase awareness of hypertension, strokes, and other
 17 disorders disproportionately critical to minorities by utilizing different
 18 approaches that include but are not limited to the following: advertisements,
 19 distribution of educational materials and providing medications for high risk
 20 minority populations;

21 (2) To provide screening or access to screening for hypertension,
 22 strokes, and other disorders disproportionately critical to minorities but
 23 will also provide this service to any citizen within the state regardless of
 24 racial/ethnic group;

25 (3) To develop intervention strategies to decrease hypertension,
 26 strokes and other disorders noted above, as well as associated complications,
 27 including: educational programs, modification of risk factors by smoking
 28 cessation programs, weight loss, promoting healthy lifestyles, and treatment
 29 of hypertension with cost-effective, well-tolerated medications, as well as
 30 case management for patients in these programs; and

31 (4) To develop and maintain a database that will include:
 32 biographical data, screening data, costs, and outcomes.

33 ~~(g)~~(f) The Minority Health Commission will receive quarterly updates on
 34 the progress of these programs and make recommendations or changes as
 35 necessary.

36 ~~(h)~~(g) The programs described in this section shall be administered

1 pursuant to a strategic plan encompassing the elements of a mission statement,
2 defined program(s), and program goals with measurable objectives and
3 strategies to be implemented over a specific timeframe. Evaluation of each
4 program shall include performance based measures for accountability which will
5 measure specific health related results.

6 ~~(i)~~(h) Each of the programs adopted pursuant to this section shall be
7 subject to the monitoring and evaluation procedures described in Section 18 of
8 this Act.

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10 SECTION 5. Uncodified Initiated Act 1 of 2000 is amended by adding the
11 following two additional sections:

12 SECTION 24. CREATION OF MEDICAID PRESCRIPTION AND ADULT POVERTY PROGRAM
13 ACCOUNT.

14 (a) There is created a trust fund on the books of the Treasurer of
15 State, Auditor of State and Chief Fiscal Officer of the State within the
16 Tobacco Settlement Program Fund maintained by the State Board of Finance an
17 account to be known as the "Medicaid Prescription and Adult Poverty Program
18 Account." The account shall be used by the Arkansas Department of Human
19 Services for such purposes and in such amounts as may be appropriated in law.
20 These funds shall not be used to replace or supplant other funds available in
21 the Department of Human Services Grants Fund Account. The funds appropriated
22 for this program shall not be expended, except in conformity with federal and
23 state laws, and then, only after the Arkansas Department of Human Services
24 obtains the necessary approvals from the federal Health Care Financing
25 Administration.

26 (b) On each July 1, there shall be transferred from the Tobacco
27 Settlement Program Fund to the Medicaid Prescription and Adult Poverty Program
28 Account the amount specified in Section 10(c)(2)(A).

29 (c) All moneys deposited to the Medicaid Prescription and Adult Poverty
30 Program Account except for investment earnings shall be used for the purposes
31 set forth in Section 25 hereof, or such other purposes as may be appropriated
32 in law.

33 (d) Moneys remaining in the Medicaid Prescription and Adult Poverty
34 Program Account at the end of the first fiscal year of a biennium shall be
35 carried forward and used for the purposes provided by law. Such amounts that
36 remain at the end of a biennium shall be transferred to the Tobacco Settlement

1 Program Fund pursuant to Section 8(e) of this Act.

2
3 SECTION 25. ESTABLISHMENT AND ADMINISTRATION OF MEDICAID PRESCRIPTION
4 AND ADULT POVERTY PROGRAM.

5 (a) It is the intent of this act that the Department of Human Services
6 should establish the Medicaid prescription and adult poverty program described
7 in this section, and to administer the program in accordance with law.

8 (b)(1) The Medicaid prescription and adult poverty program shall be a
9 separate and distinct component of the Medicaid program currently administered
10 by the Department of Human Services and shall be established as follows:

11 (A) Expanding Medicaid coverage for prescription drugs for
12 persons aged sixty-five (65) and over with income at or below one hundred
13 percent (100%) of the federal poverty level; and

14 (B) Creating and providing a benefit package to adults aged
15 nineteen (19) to sixty-four (64).

16 (2) All such expenditures shall be made in conformity with the
17 State Medicaid Plan as amended and approved by the Health Care Financing
18 Administration.

19 (c)(1) The programs defined in this section shall be administered
20 pursuant to a strategic plan encompassing the elements of a mission statement,
21 defined programs, and program goals with measurable objectives and strategies
22 to be implemented over a specific timeframe.

23 (2) Evaluation of each program shall include performance-based
24 measures for accountability which will measure specific health related
25 results.

26 (d) Each of the programs adopted pursuant to this section shall be
27 subject to the monitoring and evaluation procedures described in Section 18 of
28 this act.

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