

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

A Bill

SENATE BILL 112

4
5 By: Senators DeLay, Baker, Hunter
6 By: Representatives Files, Parks, D. Elliott, Minton, Green, Bledsoe, Prater, Hutchinson

For An Act To Be Entitled

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10 AN ACT TO MAKE AN APPROPRIATION FOR ADDITIONAL
11 REIMBURSEMENT FOR LONG TERM CARE FACILITIES FOR THE
12 DEPARTMENT OF HUMAN SERVICES - DIVISION OF MEDICAL
13 SERVICES FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003;
14 AND FOR OTHER PURPOSES.

Subtitle

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18 AN ACT FOR THE DEPARTMENT OF HUMAN
19 SERVICES - DIVISION OF MEDICAL SERVICES-
20 ADDITIONAL LONG TERM CARE FACILITY
21 REIMBURSEMENTS APPROPRIATION FOR THE
22 2001-2003 BIENNIUM.

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

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27 SECTION 1. APPROPRIATION - LONG TERM CARE REIMBURSEMENT. There is hereby
28 appropriated, to the Department of Human Services - Division of Medical
29 Services, to be payable from the paying account as determined by the Chief
30 Fiscal Officer of the State, for additional reimbursement for long-term care
31 facilities by the Department of Human Services - Division of Medical Services
32 for the biennial period ending June 30, 2003, the following:

ITEM	FISCAL YEARS	
NO.	2001-2002	2002-2003

(01) ADDITIONAL NURSING HOME REIMBURSEMENTS \$ 60,000,000 \$ 80,000,000

SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LONG TERM CARE FUNDING TRANSFER. The Office of the Treasurer of State shall, from time to time as requested by the Department of Human Services and as approved by the Chief Fiscal Officer of the State, transfer the sum of not to exceed fifteen million dollars (\$15,000,000) prior to June 30, 2002 and the sum of not to exceed twenty million dollars (\$20,000,000) during the fiscal year ending June 30, 2003 from the Medicaid Expansion Program Account of the Tobacco Settlement Program Fund to the paying account from which the appropriation in this act is made payable. These funds shall be used to defray the state share of the additional reimbursements to long term care facilities due to the implementation of a revised cost reimbursement methodology as approved by the Health Care Financing Administration. To the extent as may be required, the Chief Fiscal Officer of the State is authorized to borrow funds from the Budget Stabilization Trust Fund to the Medicaid Expansion Program Account for cash flow management purposes. Such loans shall be repaid by June 30, 2003.

The provisions of this section shall be in effect only from July 1, 2001 through June 30, 2003.

SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations

1 and Legislative Recommendations contained in the budget manuals prepared by
2 the Department of Finance and Administration, letters, or summarized oral
3 testimony in the official minutes of the Arkansas Legislative Council or Joint
4 Budget Committee which relate to its passage and adoption.

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6 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
7 Assembly, that the Constitution of the State of Arkansas prohibits the
8 appropriation of funds for more than a two (2) year period; that the
9 effectiveness of this Act on July 1, 2001 is essential to the operation of the
10 agency for which the appropriations in this Act are provided, and that in the
11 event of an extension of the Regular Session, the delay in the effective date
12 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
13 administration and provision of essential governmental programs. Therefore, an
14 emergency is hereby declared to exist and this Act being necessary for the
15 immediate preservation of the public peace, health and safety shall be in full
16 force and effect from and after July 1, 2001.

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