

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 85th General Assembly  
3 Regular Session, 2005  
4

As Engrossed: S3/22/05

# A Bill

SENATE BILL 933

5 By: Senator J. Bookout  
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7

## For An Act To Be Entitled

8 AN ACT REGARDING MEDICAL CARE COSTS FOR  
9 OFFENDERS; AND FOR OTHER PURPOSES.  
10

### Subtitle

11 AN ACT REGARDING MEDICAL CARE COSTS FOR  
12 OFFENDERS.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 *SECTION 1. Arkansas Code § 12-29-401, pertaining to medical care for*  
20 *inmates, is amended to add a new subsection to read as follows:*

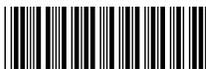
21 *(e)(1) As used in this subsection:*

22 *(A) "Arkansas Medicaid Program" means the program*  
23 *authorized under Title XIX of the federal Social Security Act, which provides*  
24 *for payments for medical goods or services on behalf of indigent families*  
25 *with dependent children and of aged, blind, or disabled individuals whose*  
26 *income and resources are insufficient to meet the cost of necessary medical*  
27 *services;*

28 *(B) "Health care services" includes, but is not limited*  
29 *to, medical and mental health care services, inpatient and outpatient*  
30 *hospital services, specialty procedures, professional services, durable and*  
31 *nondurable medical goods, and prescription drugs and medications; and*

32 *(C) "Inmate" means a person in the custody of the*  
33 *Department of Correction or the Department of Community Correction.*

34 *(2)(A) Beginning July 1, 2005, a person providing health care*  
35 *services to an inmate shall be paid for his or her services at a rate not to*  
36 *exceed the rate for which that service is reimbursed under the Arkansas*



1 Medicaid Program.

2 (B) However, if a contract between the person providing  
3 health care services and the Department of Correction, Department of  
4 Community Correction, or the Board of Corrections specifies payment rates for  
5 health care services provided after July 1, 2005, the contract rates shall  
6 apply.

7 (3) A person providing health care services shall not refuse to  
8 hospitalize, examine, or treat another person based on the reimbursement  
9 limitations of this section or the fact that the person requesting treatment  
10 or hospitalization is an inmate.

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12 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
13 General Assembly of the State of Arkansas that the cost of providing medical  
14 care to state inmates is significant; that this act will limit inmate medical  
15 costs to the reimbursement rates of the Medicaid program; that in order to  
16 effectively administer this act and funds budgeted for inmate medical care,  
17 that this act should become effective on July 1, 2005. Therefore, an  
18 emergency is declared to exist and this act being necessary for the  
19 preservation of the public peace, health, and safety shall become effective  
20 on July 1, 2005.

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22 /s/ J. Bookout  
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