1	State of Arkansas	A D:11		
2	86th General Assembly	A Bill		
3	Regular Session, 2007		HOUSE BILL 1069	
4				
5	By: Representatives Bond, S. Prater			
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8	For A	An Act To Be Entitle	ed	
9	AN ACT TO ESTABLISH THE ARKANSAS LONG-TERM CARE			
10	PARTNERSHIP PROGRAM; AND FOR OTHER PURPOSES			
11		G		
12		Subtitle		
13	ACT TO ESTABL	ISH THE ARKANSAS LON	G-TERM	
14		HIP PROGRAM.		
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17		SSEMBLY OF THE STATE	OF ARKANSAS:	
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19		· -	77 is amended to add an	
20	additional subchapter to read as follows:			
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22	The General Assembly finds that in order to alleviate the financial			
23	burden on the state's Medicaid program, the state must encourage better			
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25		t of long-term care s	services.	
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28	<u>-</u>		feetling acquired to be	
29		re facility" means a	facility required to be	
30 31		uo inguronoo" moong t	the game of in 0 22 07 20/.	
32	 		the same as in 8 23-97-304; ne following medically	
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34		necessary services that originate in a setting other than an acute care hospital and that are provided to individuals whose functional capacities are		
35		CO INCIVIOUALS WHOSE	c ranceronar capacities are	
36		an's services;		
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T	(b) Nursing Services;		
2	(C) Diagnostic services;		
3	(D) Therapeutic services including physical therapy,		
4	speech therapy, and occupational therapy;		
5	(E) Rehabilitative services;		
6	(F) Maintenance services;		
7	(G) Personal care services individually designed to assist		
8	with an individual's physical dependency needs related to bathing, bladder		
9	and bowel requirements, dressing, eating, personal hygiene, medications,		
10	mobility, incidental housekeeping, laundry, and shopping for personal		
11	maintenance items;		
12	(H) Transportation services;		
13	(I) Day care services;		
14	(J) Respite care services; and		
15	(K) Services provided by chiropractors, podiatrists, and		
16	<pre>optometrists.</pre>		
17			
18	20-77-1803. Arkansas Long-Term Care Partnership Program — Created.		
19	(a) The Arkansas Long-Term Care Partnership Program is created within		
20	the Department of Health and Human Services.		
21	(b) The Department of Health and Human Services in cooperation with		
22	the Insurance Commissioner shall submit applications to the United States		
23	Department of Health and Human Services necessary to obtain approval to:		
24	(1) Establish a process for precertification of long-term care		
25	insurance policies that meets all the requirements of the program;		
26	(2) Establish minimum requirements that long-term care insurance		
27	policies shall meet in order to qualify for pre-certification, including		
28	without limitation:		
29	(A) A conspicuous provision alerting consumers to the		
30	availability of consumer information and public education provided by the		
31	Department of Health and Human Services;		
32	(B) A guarantee that each insured has an option to cover		
33	home and community-based services in addition to nursing facility care;		
34	(C) Inflation protection;		
35	(D) Periodic reporting to include explanations of benefits		
36	and a record of insurance payments that count toward Medicaid resource		

1	exclusion; and		
2	(E) Reports to the program as the Department of Health and		
3	Human Services may require;		
4	(3) Include provisions for reciprocal agreements with other		
5	states to extend the Medicaid eligibility protections in subdivision (b)(4)		
6	of this section to purchasers of long-term care policies in those states, if		
7	at the time the long-term care policies were issued, the policies qualified		
8	for pre-certification in this state;		
9	(4) Include provisions that Medicaid eligibility determinations		
10	in the long-term care or related waiver categories for individuals who are		
11	the beneficiaries of precertified long-term care insurance policies shall		
12	include a resource disregard of one dollar (\$1.00) for every dollar of long-		
13	term care insurance benefits paid under the individual's prequalified long-		
14	term care insurance policy for long-term care services;		
15	(5) Include an outreach program to educate consumers about the		
16	need for long-term care, the availability of long-term care insurance, and		
17	the asset protections available under this subsection.		
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19	20-77-1804. Applicability.		
20	This subchapter does not supersede the obligations under the Long-Term		
21	Care Insurance Act of 2005, § 23-97-301 et seq.		
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23	20-77-1805. Continuity of asset protection.		
24	If this law is repealed, any Medicaid asset protection afforded under §		
25	20-77-1803 shall remain effective for the life of the individual receiving		
26	long-term care services under this subchapter.		
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