

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

As Engrossed: S3/24/11

# A Bill

SENATE BILL 847

5 By: Senator Luker  
6

## For An Act To Be Entitled

8 AN ACT TO CONTROL THE MEDICAL COSTS FOR INMATES IN  
9 STATE, COUNTY, OR MUNICIPAL CORRECTIONAL FACILITIES;  
10 AND FOR OTHER PURPOSES.  
11

### Subtitle

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14 TO CONTROL THE MEDICAL COSTS FOR INMATES  
15 IN STATE, COUNTY, OR MUNICIPAL  
16 CORRECTIONAL FACILITIES.  
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18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 *SECTION 1. Arkansas Title 12, Chapter 27 is amended to add a new*  
22 *section to read as follows:*

23 *12-27-143. Payment rate for the state, a county, a city, or a law*  
24 *enforcement agency regarding payment to a health care provider for a person*  
25 *in custody – Exceptions.*

26 *(a) As used in this section:*

27 *(1) "Health care provider" means:*

28 *(A) A person licensed to practice any branch of the*  
29 *healing arts;*

30 *(B) A person who holds a temporary permit to practice any*  
31 *branch of the healing arts issued by a state board of healing arts;*

32 *(C) A person engaged in a postgraduate training program*  
33 *for the healing arts;*

34 *(D) A licensed physician assistant;*

35 *(E) A medical care facility;*

36 *(F) A licensed podiatrist;*



1 (G) A licensed optometrist;

2 (H) A registered nurse;

3 (I) An advanced nurse practitioner;

4 (J) A licensed professional nurse who is authorized to  
5 practice as a registered nurse anesthetist;

6 (K) A licensed practical nurse;

7 (L) A licensed physical therapist;

8 (M) A professional corporation, limited liability company,  
9 or partnership that is a health care provider as defined by this subsection;

10 (N) An Arkansas not-for-profit corporation organized for  
11 the purpose of rendering professional services by persons who are health care  
12 providers, or a psychiatric hospital;

13 (O) A licensed social worker;

14 (P) A mental health center;

15 (Q) A mental health clinic; or

16 (R) Any health care provider licensed by the appropriate  
17 regulatory body in another state; and

18 (2) "Medicaid rate" means the terms, conditions, and amounts a  
19 health care provider would be paid for a health care service rendered under a  
20 contract or provider agreement with the Department of Human Services.

21 (b)(1) Except as otherwise provided in this section:

22 (A) The State of Arkansas;

23 (B) The Department of Correction;

24 (C) The Department of Community Correction;

25 (D) A county;

26 (E) A city; or

27 (F) A county or city law enforcement agency;

28 (2) That makes a payment to a health care provider for health  
29 care services rendered to persons in custody shall not exceed:

30 (A) The lesser of the actual amount billed by such health  
31 care provider; or

32 (B) The medicaid rate.

33 (c) This section does not apply if a person in custody is covered  
34 under a:

35 (1) Current individual or group accident and health insurance  
36 policy;

