

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: H3/25/13

A Bill

HOUSE BILL 1935

5 By: Representative Wardlaw
6

For An Act To Be Entitled

8 AN ACT TO ADDRESS LONG-TERM CARE ELIGIBILITY
9 REQUIREMENTS; AND FOR OTHER PURPOSES.
10

Subtitle

11 TO ADDRESS LONG-TERM CARE ELIGIBILITY
12 REQUIREMENTS.
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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 Title 20, Chapter 77, Subchapter 125, is*
20 *amended to add an additional section to read as follows:*

21 *20-77-125. Eligibility for long-term care.*

22 *(a) The eligibility determination regarding every applicant for long-*
23 *term care nursing facility placement shall be made according to the criteria*
24 *exactly as set forth in:*

25 *(1) The Office of Long Term Care Procedures for Determination of*
26 *Medical Need for Nursing Home Services, as it existed on January 1, 2013; and*

27 *(2) The Medical Services Policy Manual of the Division of County*
28 *Operations of the Department of Human Services, as it existed on January 1,*
29 *2013.*

30 *(b) The eligibility determination criteria established under*
31 *subsection (a) of this section and any part of subsection (a) of this section*
32 *may be amended only by an act of the General Assembly, a referendum, or an*
33 *initiated measure.*

34 *(c) On and after the effective date of this section, if an individual*
35 *is medically and financially eligible for placement in a long-term care*
36 *nursing facility, the individual shall not be denied placement or removed*



1 from the facility nor shall payment be denied or reduced, based on a
2 subsequent level of care determination inconsistent with the criteria set
3 forth in the Office of Long Term Care Procedures for Determination of Medical
4 Need for Nursing Home Services, as it existed on January 1, 2013.

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/s/Wardlaw