

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1033

5 By: Representatives A. Mayberry, Barker, Brown, Capp, Collins, Davis, Della Rosa, Farrer, D. Ferguson,
6 C. Fite, L. Fite, Gazaway, M. Gray, Hammer, Henderson, G. Hodges, Maddox, Miller, Payton,
7 Richmond, Rushing, Speaks, Sullivan, Warren, Watson, J. Williams, Wing, Womack
8 By: Senators J. Hendren, Irvin, T. Garner, D. Wallace

For An Act To Be Entitled

11 AN ACT TO AMEND INITIATED ACT 1 OF 2000, ALSO KNOWN
12 AS THE TOBACCO SETTLEMENT PROCEEDS ACT, TO REDUCE THE
13 DEVELOPMENTAL DISABILITIES WAITING LIST; TO DECLARE
14 AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

18 TO AMEND INITIATED ACT 1 OF 2000, ALSO
19 KNOWN AS THE TOBACCO SETTLEMENT PROCEEDS
20 ACT, TO REDUCE THE DEVELOPMENTAL
21 DISABILITIES WAITING LIST; AND TO DECLARE
22 AN EMERGENCY.

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

27 SECTION 1. Arkansas Code § 19-12-116(a) and (b), as enacted by
28 Initiated Act 1 of 2000, also known as the Tobacco Settlement Proceeds Act,
29 concerning the Medicaid Expansion Program, are amended to read as follows:

30 (a) It is the intent of this chapter that the Department of Human
31 Services should establish the Medicaid ~~expansion program~~ Expansion Program
32 described in this section, and to administer ~~such the~~ program in accordance
33 with law.

34 (b) (1) The Medicaid ~~expansion program~~ Expansion Program shall be a
35 separate and distinct component of the ~~state Medicaid program~~ Arkansas
36 Medicaid Program currently administered by the Department of Human Services



1 and shall be established as follows:

2 ~~(1)(A)~~ expanding Medicaid coverage and benefits to pregnant
3 women;

4 ~~(2)(B)~~ expanding inpatient and outpatient hospital
5 reimbursements and benefits to adults aged nineteen (19) to sixty-four (64);

6 ~~(3)(C)~~ expanding non-institutional coverage and benefits to
7 adults aged ~~65~~ sixty-five (65) and over; and

8 ~~(4)(D)~~ ~~ereating and providing a limited benefit package to~~
9 ~~adults aged nineteen (19) to sixty four (64)~~ expanding medical assistance,
10 home and community-based services, and employment supports for:

11 (i) Adults with intellectual and developmental
12 disabilities who qualify for services; and

13 (ii) Children with intellectual and developmental
14 disabilities, who qualify for services.

15 (2) All such expenditures shall be made in conformity with the
16 ~~state Medicaid program~~ Arkansas Medicaid Program as amended and approved by
17 the Centers for Medicare and Medicaid Services.

18
19 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
20 General Assembly of the State of Arkansas that thousands of citizens of
21 Arkansas are on a waiting list to receive home and community-based services
22 that they need to maintain quality of life; that the present Alternative
23 Community Services Waiver Program, also known as the "Developmental
24 Disabilities Waiver", does not have the capacity to provide assistance to
25 these individuals; and that this act is immediately necessary to ensure the
26 health and safety of the individuals with intellectual and developmental
27 disabilities in the State of Arkansas. Therefore, an emergency is declared to
28 exist, and this act being immediately necessary for the preservation of the
29 public peace, health, and safety shall become effective on:

30 (1) The date of its approval by the Governor;

31 (2) If the bill is neither approved nor vetoed by the Governor,
32 the expiration of the period of time during which the Governor may veto the
33 bill; or

34 (3) If the bill is vetoed by the Governor and the veto is
35 overridden, the date the last house overrides the veto.

36