

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023

# A Bill

SENATE BILL 468

4  
5 By: Senator C. Penzo  
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## For An Act To Be Entitled

8 AN ACT TO REQUIRE PERSONAL CARE PROVIDERS TO SUBMIT  
9 APPROPRIATE DOCUMENTATION TO THE ARKANSAS MEDICAID  
10 PROGRAM AND TO COMPLY WITH FEDERAL REQUIREMENTS FOR  
11 SAFETY AND OVERSIGHT; AND FOR OTHER PURPOSES.  
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## Subtitle

14 TO REQUIRE PERSONAL CARE PROVIDERS TO  
15 SUBMIT APPROPRIATE DOCUMENTATION TO THE  
16 ARKANSAS MEDICAID PROGRAM AND TO COMPLY  
17 WITH FEDERAL REQUIREMENTS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 20-77-115, concerning personal care  
24 reimbursement rates within the Arkansas Medicaid Program, is amended to add  
25 an additional subsection to read as follows:

26 (f)(1)(A) In order to receive the full reimbursement rate for personal  
27 care services established by the Department of Human Services, as set out in  
28 this section, a provider of personal care services shall provide to the  
29 Department of Human Services evidence that the provider pays contributions  
30 under:

31 (i) The Federal Insurance Contributions Act, § 26  
32 U.S.C. 21 et seq.;

33 (ii) Federal and state unemployment insurance;

34 (iii) Workers' compensation insurance; and

35 (iv) Health insurance to or on behalf of the workers  
36 who provide personal care services.



1                   (B) If a provider of personal care services does not  
2 provide the information in subdivision (f)(1)(A) of this section, the  
3 provider shall demonstrate its compensation and benefits model to the  
4 Department of Human Services, which shall include a detailed explanation of  
5 compensation and benefits provided to workers who provide personal care  
6 services.

7                   (2) The Department of Human Services shall require all  
8 healthcare providers providing personal care services on behalf of the state  
9 to provide documentation that the provider of personal care services is  
10 compliant with federal requirements for safety and oversight, including  
11 requirements contained in rules and regulations promulgated by the Centers  
12 for Medicare & Medicaid Services.

13                   (3) The Department of Human Services shall apply, if necessary,  
14 for any federal waiver, Medicaid state plan amendment, or other authorization  
15 necessary to implement this section.

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