

ARKANSAS SENATE
84th General Assembly - Regular Session, 2003
Amendment Form

JBC 03/25/03 (2)

Subtitle of Senate Bill No. 189

"AN ACT FOR THE DEPARTMENT OF HUMAN SERVICES - DIVISION OF MEDICAL
SERVICES APPROPRIATION FOR THE 2003-2005 BIENNIUM."

Amendment No. 2 to Senate Bill No. 189.

Amend Senate Bill No. 189 as engrossed, 03/20/03:

Delete Section 10 in its entirety

AND

Page 6, lines 21 and 22, strikethrough "NOT TO BE INCORPORATED INTO THE
ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW."

AND

Page 7, strikethrough lines 6 and 7

AND

Page 7, line 26, strikethrough "The KIDS FIRST"

AND

Page 7, strikethrough lines 27 through 36

AND

Page 8, strikethrough lines 1 through 6

AND

Page 8, delete line 7 in its entirety and substitute the following:
"effort to advance the KIDS FIRST Program statewide. Utilizing a
multidisciplinary collaboration of professionals, the Child Health and Family
Life Institute shall provide a statewide effort to explore, develop and
evaluate new and better ways to address medically, socially and economically
interrelated health and developmental needs of children with special health
care needs and their families. The Child Health and Family Life Institute's
priorities shall include, but are not limited to, wellness and prevention,



JKG233

screen and diagnosis, treatment and intervention, training and education and research and evaluation.

Arkansas Children's Hospital and the University of Arkansas for Medical Sciences-Department of Pediatrics shall make semi-annual reports to the Arkansas Legislative Council on all matters of funding, existing programs and services offered through the Child Health and Family Life Institute."

AND

Delete Section 16 in its entirety and substitute the following:

“ SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. MEDICAL SERVICES - STATE MEDICAID PROGRAM/PERSONAL CARE PROGRAM.

(a) It is the Legislative intent that the Department of Human Services in its administration of the Arkansas Medicaid Program set forth Medicaid provider participation requirements for "personal care providers" that will insure sufficient available providers to meet the required needs of all eligible recipients, to include insuring available in-home services twenty-four hours a day and seven days a week for personal care.

(b) For the purposes of this section, "private care agencies" are defined as those providers licensed by the Department of Labor ~~as of January 1, 1999~~, certified as ElderChoices Providers ~~as of January 1, 1999~~ and who furnish in-home staffing services for respite, chore services, and homemaker services, ~~and carrying~~ are covered by liability insurance of not less than one million dollars (\$1,000,000.00) covering their employees and independent contractors while they are engaged in providing services, such as personal care, respite, chore services, and homemaker services.

(c) The purpose of this section is to allow the private care agencies defined herein to be eligible to provide Medicaid reimbursed personal care services ~~on Saturdays and Sundays only~~ seven days a week, and does not supercede Department of Human Services rules establishing monthly benefit limits and prior authorization requirements.

(d) The availability of providers shall not require the Department of Human Services to reimburse for 24 hours per day of personal care services.

(e) The Arkansas Department of Human Services, Medical Services Division shall take such action as required by the ~~Health Care Financing Administration~~ Centers for Medicare and Medicaid Services to amend the Arkansas Medicaid manual to include, private care agencies ~~defined herein~~, as qualified entities to provide Medicaid reimbursed personal care services.

(f) The private care agencies ~~defined herein~~ shall comply with rules and regulations promulgated by the Arkansas Department of Health which shall establish a separate licensure category for the private care agencies ~~defined herein~~ for the provision of Medicaid reimbursable personal care services ~~on weekends~~ seven days a week.

(g) The Arkansas Department of Health shall supervise the conduct of the private care agencies defined herein.

(h) The purpose of this section is to insure the care provided by the private care agencies ~~defined herein~~, is consistent with the rules and regulations of the Arkansas Department of Health.

The provisions of this section shall be in effect only from ~~July 1, 2001~~ July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.”

AND

Page 10, line 31, insert "AND ELDERCHOICES" between "DDTCS" and "PROVIDERS."

AND

Page 10, delete lines 32 and 33 in their entirety and substitute the following: "of Developmental Day Treatment Clinic Services (DDTCS) and ElderChoices Services, or ~~its~~ their successor programs, who have out-of-state border city facilities may be licensed by the State of Arkansas and/or contract with the State to be reimbursed for"

AND

Appropriately renumber the sections of the bill.

The Amendment was read the first time, rules suspended and read the second time and _____

By: Joint Budget Committee

JKG/JKG - 032520031336

JKG233

Secretary