

INTERIM STUDY PROPOSAL 2013-084

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

As Engrossed: H3/25/13 H4/1/13

**A Bill**

HOUSE BILL 1190

5  
6 By: Representatives Hammer, Harris

7 Filed with: Interim House Committee on Public Health, Welfare and Labor  
8 pursuant to A.C.A. §10-3-217.

9 **For An Act To Be Entitled**

10 AN ACT TO CLARIFY THE LAW REGARDING MEDICAID  
11 REIMBURSEMENTS FOR NURSING PROFESSIONALS AS PRIMARY  
12 CARE MEDICAID PROVIDERS; TO REQUIRE THAT ADVANCED  
13 NURSE PRACTITIONERS BE RECOGNIZED AS PRIMARY CARE  
14 PROVIDERS IN THE MEDICAID PROGRAM; TO ESTABLISH  
15 MEDICAID REIMBURSEMENT RATES FOR ADVANCED NURSE  
16 PRACTITIONERS; AND FOR OTHER PURPOSES.

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19 **Subtitle**

20 TO CLARIFY THE LAW REGARDING MEDICAID  
21 REIMBURSEMENTS FOR NURSING PROFESSIONALS.

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

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26 *SECTION 1. Arkansas Code Title 20, Chapter 77, Subchapter 1, is*  
27 *amended to add an additional section to read as follows:*

28 20-77-125. Advanced nurse practitioners.

29 (a) As used in this section, "charitable clinic" means a charitable  
30 nonprofit corporation or a facility organized as a not-for-profit corporation  
31 under §§ 4-28-201 – 4-28-206 and 4-28-209 – 4-28-224 that:

32 (1) Holds a valid exemption from federal income taxation issued  
33 under § section 501(a) of the Internal Revenue Code;

34 (2) Is listed as an exempt organization under § 501(c)(3) of the  
35 Internal Revenue Code; and

1           (3) Provides advice, counseling, diagnosis, treatment, surgery,  
2 care, or services relating to the preservation or maintenance of health on an  
3 outpatient basis for a period of less than twenty-four (24) consecutive hours  
4 to persons not residing or confined at the facility.

5           (b) The General Assembly intends that the savings to the Arkansas  
6 Medicaid Program achieved under subsection (c) of this section shall be used  
7 to assist hospitals in Arkansas in meeting the healthcare needs of the  
8 hospitals' communities and the overall Medicaid healthcare cost.

9           (c)(1) The Arkansas Medicaid Program shall recognize a qualifying  
10 advanced nurse practitioner as a primary care provider for all purposes.

11           (2) Purposes under subdivision (c)(1) of this section include  
12 without limitation:

13                   (A) Being recognized as the initial health care provider  
14 in the federal and state Comprehensive Primary Care initiative payment model;

15                   (B) Initially diagnosing;

16                   (C) Being included as the patient contact for a team of  
17 family practice professionals and the patient-centered medical home;

18                   (D) Maintaining patient's records;

19                   (E) Ordering laboratory tests and records management as  
20 needed for patient care;

21                   (F) Providing preventive and periodic examinations within  
22 primary care;

23                   (G) Referring a patient when necessary to a physician, a  
24 specialist or a hospital; and

25                   (H) Treating a patient to the extent of the advanced nurse  
26 practitioner's scope of practice.

27           (d)(1) The Arkansas Medicaid Program shall reimburse an advanced nurse  
28 practitioner not less than ninety percent (90%) of the physician  
29 reimbursement rate for services performed within the scope and licensure of  
30 the advanced nurse practitioner.

31           (2) However, the Arkansas Medicaid Program shall reimburse an  
32 advanced nurse practitioner who performs services at a charitable clinic for  
33 which the advanced nurse practitioner does not pay a fee for a collaborative  
34 agreement with a physician not less than eighty-five percent (85%) of the  
35 standard reimbursement rate.



1 Prepared by: MGF/VJF

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