

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1684

By: Representative Lipton

For An Act To Be Entitled

"AN ACT TO REINSTATE ACT 416 OF 1977 WHICH WAS DELETED FROM
THE ARKANSAS CODE ANNOTATED BY THE CODE REVISION COMMISSION."

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

SECTION 1. (a) The Department of Human Services is hereby authorized to establish and maintain a Medical Care Program for the indigent sick; and the Director of the Department of Human Services is hereby authorized to promulgate rules and regulations to implement the said program so as to qualify for assistance under the Social Security Amendments of 1965, or other applicable federal law. The Director of the Department of Human Services is further authorized to enter into separate agreements with the University of Arkansas Health Sciences Campus (State Medical Center) and/or private institutions in order to provide maximum medical care for eligible indigent persons of this state.

(b) The Department of Human Services is authorized to establish a program to provide for nursing home care for all residents of this state who are determined to be qualified for and in need of nursing home care, as provided in this subsection. Such program shall consist of: (1) nursing home care for those persons eligible to receive medical care benefits under Title XIX of the Social Security Act [42 U.S.C. §1396 et seq.] in accordance with federal and state regulations promulgated therefor, within the maximum limitations provided under federal law or regulation for federal reimbursement for nursing home care under Title XIX of the Social Security Act [42 U.S.C. §1396 et seq.] and (2) a program of state financial assistance for nursing home care for persons who are not eligible for medical care benefits under Title XIX of the Social Security Act [42 U.S.C. §1396 et seq.] to the extent that the cost of the class of nursing home care for which such person is determined to be

qualified exceeds the ability of such person to pay for such care. Provided, however, that the Director of the Department of Human Services shall, in establishing the level of payment for services and benefits for nursing home care to be provided under the provisions of this subsection, promulgate appropriate rules and regulations to limit the cost of services to the state of Arkansas to funds available or estimated to be available to the Department of Human Services for such purpose during each fiscal year. Such regulations promulgated by the Director shall provide that all persons eligible within each class of eligibility shall receive equal consideration for benefits. The Director of the Department of Human Services is authorized to promulgate such additional rules and regulations as deemed to be necessary to prevent abuse of benefits under this act, yet make available to the residents of this state who are eligible, the full benefits of this act within the limitation of funds available therefor. The Director of the Department of Human Services, with the approval of the Governor and after obtaining the advice of the Legislative Council, may provide for an expanded, comprehensive program of nursing home care for residents of this state if he deems the same advisable or appropriate to take advantage of expanded federal programs or participation therein, within the limitation of funds that may be available to the Department therefor.

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

