

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

# A Bill

HOUSE BILL 1033

5 By: Representative Dobbins  
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## For An Act To Be Entitled

9 AN ACT TO ALLOW QUALIFYING COLLEGE STUDENTS TO  
10 RECEIVE MEDICAL COVERAGE UNDER THE ARKIDS FIRST  
11 PROGRAM; AND FOR OTHER PURPOSES.  
12

## Subtitle

13 AN ACT TO ALLOW QUALIFYING COLLEGE  
14 STUDENTS TO RECEIVE MEDICAL COVERAGE  
15 UNDER THE ARKIDS FIRST PROGRAM.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 20-77-1104 is amended to read as follows:  
22 20-77-1104. Waiver - Rules.

23 (a)(1) The Department of Human Services has obtained a waiver from the  
24 Health Care Financing Administration to create and administer the ARKIDS  
25 First Program as set forth in subdivision (b)(1)(A)(i).

26 (2)(A) The Department of Human Services shall use its best  
27 efforts to obtain any necessary waivers from the Health Care Financing  
28 Administration to create and administer the ARKIDS First Program as set forth  
29 in subdivisions (b)(1)(A)(ii) and (b)(1)(A)(iii).

30 (B) If the Department of Human Services is unable to  
31 obtain a Medicaid waiver from the Health Care Financing Administration for  
32 administration of the program as set forth under subdivisions (b)(1)(A)(ii)  
33 and (b)(1)(A)(iii), the program as set forth under those subdivisions shall  
34 be administered using solely state funds.

35 (b) The department shall administer and promulgate rules for the  
36 program in conformity with a Medicaid waiver or waivers and in a manner that:



1 (1)(A) Defines the population which may receive services  
 2 provided or reimbursed through this program by limiting the program to:

3 (i) ~~children~~ Children eighteen (18) years of age or  
 4 younger without health care coverage who are members of a family with a gross  
 5 family income not exceeding two hundred percent (200%) of the federal poverty  
 6 guidelines;

7 (ii) Persons over eighteen (18) years of age but  
 8 less than twenty-one (21) years of age who are:

9 (a) Without health care coverage;

10 (b) Members of a family with a gross family  
 11 income not exceeding two hundred percent (200%) of the federal poverty  
 12 guidelines; and

13 (c) Enrolled as students in a public or  
 14 private college, university, technical institute, technical college or other  
 15 institution of higher education located in the state; or

16 (iii) Persons over twenty (20) years of age but less  
 17 than twenty-five (25) years of age who are:

18 (a) Without health care coverage;

19 (b) Members of a family with a gross family  
 20 income not exceeding two hundred percent (200%) of the federal poverty  
 21 guidelines; and

22 (c) Enrolled as students in a public or  
 23 private college, university, technical institute, technical college or other  
 24 institution of higher education located in the state.

25 (B) No person enrolled in the full Medicaid program may be  
 26 concurrently enrolled in the ARKids First Program except as required by  
 27 federal law;

28 (2) Defines health care coverage as health care insurance  
 29 regulated by the State Insurance Department, specifically including group and  
 30 employer-sponsored health insurance plans. The Department of Human Services  
 31 may by rule exclude other plans or coverage from the definition of health  
 32 care coverage;

33 (3) Provides for the automatic assignment of medical payments  
 34 due as set out in §§ 20-77-302 and 20-77-307 as a condition of eligibility  
 35 for benefits under the uninsured children's program;

36 (4)(A) Defines the services to be covered under the program,

1 which shall include parity for outpatient mental health care.

2 (B) As used in subdivision (4)(A) of this section, "parity  
3 for mental health care" means coverage for the diagnosis and mental health  
4 treatment of mental illnesses and the mental health treatment of those with  
5 developmental disorders under the same terms and conditions as provided for  
6 covered benefits offered under the program for the treatment of other medical  
7 illnesses or conditions and with no differences in the program in regard to  
8 any of the following:

- 9 (i) The duration or frequency of coverage;
- 10 (ii) The dollar amount of coverage; or
- 11 (iii) Financial requirements.

12 (C) Providers of covered services shall be those providers  
13 enrolled as Medicaid providers, and reimbursement shall be at the rates  
14 established by the program; and

15 (5) Establishes a copayment for services received in the program  
16 as permitted by Medicaid waiver and as determined through promulgated rules.

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