

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

As Engrossed: H1/31/03

# 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) To the extent the Department of Human Services is unable to obtain  
31 a Medicaid waiver or waivers from the Health Care Financing Administration  
32 necessary to allow the use of matching federal funds, the Department of Human  
33 Services shall have no obligation to allow enrollment as required by either  
34 subdivision (b)(1)(A)(ii) or subdivision (b)(1)(A)(iii) of this subsection.

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:



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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 nineteen (19) years of age or older 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;

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

16 (d) The persons was covered under the ARKids  
17 First Program as set forth in subdivision (b)(1)(A)(i) on the day prior to  
18 becoming age nineteen (19); or

19 (iii) Persons twenty-one (21) years of age or older  
20 but less than twenty-five (25) years of age who are:

21 (a) Without health care coverage;

22 (b) Members of a family with a gross family  
23 income not exceeding two hundred percent (200%) of the federal poverty  
24 guidelines;

25 (c) Enrolled as full-time students in a public  
26 or private college, university, technical institute, technical college or  
27 other institution of higher education located in the state; and

28 (d) The persons was covered under the ARKids  
29 First Program as set forth in subdivision (b)(1)(A)(ii) on the day prior to  
30 becoming age twenty-one (21).

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

34 (C)(i) Subdivisions (b)(1)(A)(ii) and (b)(1)(A)(iii) of  
35 this subsection shall only apply to students who enroll as students in a  
36 public or private college, university, technical institute, technical

1 college, or other institution of higher education no less than six (6) months  
 2 after graduation from high school, and who maintain a continuous enrollment  
 3 each consecutive semester thereafter with no periods of time in which the  
 4 person is not enrolled as a student, excluding regularly scheduled summer  
 5 breaks.

6 (ii) If a person is not enrolled as a students as  
 7 set forth in subdivision (b)(1)(C)(i) of this subsection, the person shall  
 8 not be entitled to health care coverage under the ARKids First program and  
 9 shall not be entitled to later resume coverage following a break in  
 10 eligibility.

11 (2) Defines health care coverage as health care insurance  
 12 regulated by the State Insurance Department, specifically including group and  
 13 employer-sponsored health insurance plans. The Department of Human Services  
 14 may by rule exclude other plans or coverage from the definition of health  
 15 care coverage;

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

19 (4)(A) Defines the services to be covered under the program,  
 20 which shall include parity for outpatient mental health care.

21 (B) As used in subdivision (4)(A) of this section, "parity  
 22 for mental health care" means coverage for the diagnosis and mental health  
 23 treatment of mental illnesses and the mental health treatment of those with  
 24 developmental disorders under the same terms and conditions as provided for  
 25 covered benefits offered under the program for the treatment of other medical  
 26 illnesses or conditions and with no differences in the program in regard to  
 27 any of the following:

28 (i) The duration or frequency of coverage;

29 (ii) The dollar amount of coverage; or

30 (iii) Financial requirements.

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

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

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*/s/ Dobbins*

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