

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

SENATE BILL 175

5 By: Senator B. King
6

For An Act To Be Entitled

8 AN ACT TO REQUIRE MEDICAID PROVIDERS AND GOVERNMENT
9 OFFICIALS TO DISCLOSE OF CONFLICTS OF INTEREST; AND
10 FOR OTHER PURPOSES.
11

Subtitle

12 TO REQUIRE MEDICAID PROVIDERS AND
13 GOVERNMENT OFFICIALS TO DISCLOSE OF
14 CONFLICTS OF INTEREST.
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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 Title 20, Chapter 77, Subchapter 1, is
22 amended to add an additional section to read as follows:

23 20-77-132. Disclosure of conflicts of interest – Definitions.

24 (a) As used in this section:

25 (1) "Government official" means a person who is:

26 (A) Elected or appointed to hold public office;

27 (B) An employee of a person who is elected or appointed to
28 hold public office;

29 (C) Appointed to a board, commission, or committee of this
30 state; or

31 (D) An employee of a state agency, board, commission, or
32 committee of this state; and

33 (2) "Medicaid provider" means a person, business, or entity that
34 received payments or funding from the Arkansas Medicaid Program in the
35 previous calendar year and that:

36 (A) Received twenty-five thousand dollars (\$25,000) or



1 more in payments or funding from the Arkansas Medicaid Program in the
2 previous calendar year; or

3 (B) Is a hospital, insurance company, nursing home,
4 behavioral health treatment center, substance abuse treatment center, or
5 substance abuse crisis center.

6 (b)(1) Except as provided in subdivision (b)(3) of this section,
7 Medicaid providers and government officials shall file a disclosure statement
8 with the Department of Human Services no later than January 30 of each year
9 as provided for in this section.

10 (2) The disclosure statement shall identify the transactions
11 from the previous year that totaled two thousand dollars (\$2,000) or more in
12 the aggregate and were entered into by any two (2) of the following entities:

13 (A) A Medicaid provider;

14 (B) A government official;

15 (C) The spouse of the Medicaid provider or government
16 official; and

17 (D) The business in which the Medicaid provider or
18 government official, or the spouse of the Medicaid provider or government
19 official, is an officer, director, or stockholder owning more than ten
20 percent (10%) of the stock in the business.

21 (3) Disclosure under this section is not required if:

22 (A) The transaction is for patient services and the person
23 filing the disclosure statement or the spouse of the person filing the
24 disclosure statement is the patient;

25 (B) The transaction is for personal care services as
26 defined under 42 C.F.R. § 440.167 and the personal care services are provided
27 to the person filing the disclosure statement, the spouse of the person
28 filing the disclosure statement, or the minor child in the custody of the
29 person filing the disclosure statement; or

30 (C) The Medicaid provider or government official is the
31 parent or foster parent of a child who receives Medicaid, and the transaction
32 concerns the care and custody of the child.

33 (4) The disclosure statement shall be on a form prescribed by
34 the Department of Human Services.

35 (5) The department shall notify Arkansas Medicaid providers of
36 the duties created under this section no later than January 1, 2018.