

Stricken language would be deleted from and underlined language would be added to present law.  
Act 50 of the Regular Session

State of Arkansas  
91st General Assembly  
Regular Session, 2017

As Engrossed: H1/11/17  
**A Bill**

HOUSE BILL 1033

By: Representatives A. Mayberry, Barker, Brown, Capp, Collins, Davis, Della Rosa, Farrer, D. Ferguson, C. Fite, L. Fite, Gazaway, M. Gray, Hammer, Henderson, G. Hodges, Maddox, Miller, Payton, Richmond, Rushing, Speaks, Sullivan, Warren, Watson, J. Williams, Wing, Womack, *D. Meeks, K. Ferguson*

By: Senators *Rapert, J. Hendren, Irvin, T. Garner, D. Wallace*

**For An Act To Be Entitled**

AN ACT TO AMEND INITIATED ACT 1 OF 2000, ALSO KNOWN AS THE TOBACCO SETTLEMENT PROCEEDS ACT, TO REDUCE THE DEVELOPMENTAL DISABILITIES WAITING LIST; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

**Subtitle**

TO AMEND INITIATED ACT 1 OF 2000, ALSO KNOWN AS THE TOBACCO SETTLEMENT PROCEEDS ACT, TO REDUCE THE DEVELOPMENTAL DISABILITIES WAITING LIST; AND TO DECLARE AN EMERGENCY.

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

*SECTION 1. Arkansas Code § 19-12-116(b), as enacted by Initiated Act 1 of 2000, also known as the Tobacco Settlement Proceeds Act, concerning the Medicaid expansion program, are amended to read as follows:*

*(b)(1) The Medicaid expansion program shall be a separate and distinct component of the ~~state Medicaid program~~ Arkansas Medicaid Program currently administered by the Department of Human Services and shall be established as follows:*

*~~(1)~~(A) expanding Medicaid coverage and benefits to pregnant women;*



~~(2)(B)~~ expanding inpatient and outpatient hospital reimbursements and benefits to adults aged nineteen (19) to sixty-four (64);

~~(3)(C)~~ expanding non-institutional coverage and benefits to adults aged ~~65~~ sixty-five (65) and over; and

~~(4)(D)~~ ~~creating and providing a limited benefit package to adults aged nineteen (19) to sixty four (64)~~ expanding medical assistance, home and community-based services, and employment supports for:

(i) Adults with intellectual and developmental disabilities who qualify for services; and

(ii) Children with intellectual and developmental disabilities, who qualify for services.

(2) All such expenditures shall be made in conformity with the ~~state Medicaid program~~ Arkansas Medicaid Program as amended and approved by the Centers for Medicare and Medicaid Services.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that thousands of citizens of Arkansas are on a waiting list to receive home and community-based services that they need to maintain quality of life; that the present Alternative Community Services Waiver Program, also known as the "Developmental Disabilities Waiver", does not have the capacity to provide assistance to these individuals; and that this act is immediately necessary to ensure the health and safety of the individuals with intellectual and developmental disabilities in the State of Arkansas. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

*/s/A. Mayberry*

**APPROVED: 01/26/2017**