

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1543

By: Representative Burch
By: Senator A. Clark

For An Act To Be Entitled

AN ACT TO CLARIFY THE LAW ON ELIGIBILITY FOR SERVICES PROVIDED BY THE ADULT PROTECTIVE SERVICES UNIT OF THE DEPARTMENT OF HUMAN SERVICES; AND FOR OTHER PURPOSES.

Subtitle

TO CLARIFY THE LAW ON ELIGIBILITY FOR SERVICES PROVIDED BY THE ADULT PROTECTIVE SERVICES UNIT OF THE DEPARTMENT OF HUMAN SERVICES.

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

SECTION 1. Arkansas Code § 9-20-108(c), concerning eligibility for services from the Department of Human Services, is amended to read as follows:

(c)(1) Eligibility for services from the department, including custody, for aliens and nonaliens shall be the same eligibility requirements for the Arkansas Medicaid Program.

(2) If an adult who is in the custody of the department does not meet the eligibility requirements for the Arkansas Medicaid Program due to exceeding income or resource limitations for eligibility at the time the department assumes custody of the adult or at any point after the department assumes custody of the adult, the court shall:

(A) Direct payment from the assets of the adult who is in the custody of the department if it is necessary to pay for services rendered or goods purchased by or on behalf of the adult; and



(B) Enter an order regarding the use or sale of the income or resources of the adult who is in the custody of the department that is necessary to provide for services rendered or goods purchased by or on behalf of the adult.

(3) The court shall not order the department to pay for services rendered or goods purchased by or on behalf of the adult who is in the custody of the department including without limitation placement for the adult.

APPROVED: 4/12/19