

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 1351

By: Representative Neal
By: Senator J. Woods

For An Act To Be Entitled

AN ACT CONCERNING THE MEDICAL CARE AFFORDED INMATES
OF THE DEPARTMENT OF CORRECTION; AND FOR OTHER
PURPOSES.

Subtitle

CONCERNING THE MEDICAL CARE AFFORDED
INMATES OF THE DEPARTMENT OF CORRECTION.

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

SECTION 1. Arkansas Code §12-29-401, concerning the medical care afforded inmates in the Department of Correction, is amended to add a new subsection to read as follows:

(e)(1) If an inmate in the Department of Correction or a person in the custody of the Department of Community Correction receives medical services that meet criteria for Medicaid coverage, the departments are authorized to apply for Medicaid coverage under this subsection.

(2)(A) The inmate or person may designate a representative for the purposes of filing a Medicaid application and complying with Medicaid requirements for determining and maintaining eligibility.

(B) However, the agency having custody of the inmate or person shall be the authorized representative for purposes of establishing and maintaining Medicaid eligibility under this subsection if:

(i) The inmate or person does not designate a representative within three (3) business days after request; or

(ii) The representative designated under subdivision



(e)(2)(A) of this section does not file a Medicaid application within three (3) business days after appointment and request.

(3) An authorized representative under this subsection:

(A) Shall have access to the information necessary to comply with Medicaid requirements; and

(B) May provide and receive information in connection with establishing and maintaining Medicaid eligibility, including confidential information.

(4)(A) The director of the Department of Correction or the Department of Community Correction or his or her designee may access information necessary to determine if a Medicaid application has been filed on behalf of the inmate or person.

(B) Disclosure under subdivision (e)(4)(A) of this section shall be to:

(i) Establish Medicaid eligibility;

(ii) Provide health care services; or

(iii) Pay for health care services.