

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/13/15
A Bill

HOUSE BILL 1311

By: Representatives Gates, Ballinger, Womack, Vaught, B. Smith, Rushing, Richmond, Lemons,
Ladyman, Copeland, Brown, Bentley

For An Act To Be Entitled

AN ACT TO END ENROLLMENT IN THE HEALTH CARE
INDEPENDENCE PROGRAM; TO TERMINATE COVERAGE UNDER THE
HEALTH CARE INDEPENDENCE PROGRAM ON DECEMBER 31,
2016; TO RESTORE MEDICAID WAIVER PROGRAMS PREVIOUSLY
ENDED DUE TO THE HEALTH CARE INDEPENDENCE PROGRAM; TO
DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO END ENROLLMENT IN THE HEALTH CARE
INDEPENDENCE PROGRAM; TO RESTORE MEDICAID
WAIVER PROGRAMS PREVIOUSLY ENDED DUE TO
THE HEALTH CARE INDEPENDENCE PROGRAM; AND
TO DECLARE AN EMERGENCY.

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

SECTION 1. DO NOT CODIFY. TEMPORARY LANGUAGE. Health Care
Independence Program Enrollment Termination – Restoration of Previous
Medicaid Waiver Programs.

(a)(1) Except as provided in subdivision (a)(2) of this section, on
and after December 31, 2016, or an earlier date if legislation is enacted to
end the Health Care Independence Program earlier, the Department of Human
Services shall terminate services, coverage, or premium assistance to persons
enrolled in the Health Care Independence Program.

(2) Subdivision (a)(1) of this section does not prohibit the
payment of expenses incurred before December 31, 2016, or an earlier date if



legislation is enacted to end the Health Care Independence Program earlier by persons participating in the program who were determined to be more effectively covered through the traditional Arkansas Medicaid Program.

(3) A person enrolled in the Health Care Independence Program shall continue to receive coverage under the traditional Medicaid program if the person was previously eligible for the traditional Medicaid program or a Medicaid waiver program in this state before October 1, 2013.

(b) The department shall not accept applications on and after July 1, 2016, for enrollment into the Arkansas Health Care Independence Program established by the Health Care Independence Act of 2013, §§ 20-77-2401 et seq., in an effort to wind down the program to help the transition process.

(c) The department shall submit and seek approval for appropriate state plan amendments or federal waivers, or both, to eliminate the eligibility for qualified family members and individuals as described under 42 C.F.R. § 435.119, as it existed on January 1, 2015.

(d) Subject to the approval of the General Assembly and the Governor, the department may seek approval for appropriate state plan amendments or federal waivers, or both, to restore Medicaid programs that were ended due to the implementation of the Health Care Independence Program.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the Health Care Independence Program, as implemented, is not consistent with the intent of the General Assembly and does not best serve the citizens of Arkansas; that the citizens of Arkansas and private insurance companies need immediate direction about the law creating the Health Care Independence Program before investing time, funds, personnel, and other resources in the Health Care Independence Program policies; and that this act is necessary because now is the optimal time to end the Health Care Independence Program before further funds are expended. 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/Gates