

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

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

HOUSE BILL 1300

By: Representatives Miller, Farrer, Payton, Rye

By: Senator B. King

For An Act To Be Entitled

AN ACT TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO PRIORITIZE SPENDING WITH THE DEPARTMENT OF HUMAN SERVICES AND THE ARKANSAS MEDICAID PROGRAM TO FULLY FUND HOME- AND COMMUNITY-BASED SERVICES FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO PRIORITIZE SPENDING WITH THE DEPARTMENT AND THE ARKANSAS MEDICAID PROGRAM TO FULLY FUND HOME- AND COMMUNITY-BASED SERVICES FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES.

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

WHEREAS, the State of Arkansas has spent three billion one hundred sixty-six million dollars (\$3,166,000,000) in federal funds for Health Care Independence Program, also known as the Private Option, which provides healthcare coverage for able-bodied individuals; and

WHEREAS, starting in 2017, the State of Arkansas will begin spending state funds on the Arkansas Works Program created by Identical Acts 2016 (2nd Ex. Sess.), Nos. 1 and 2, which provides healthcare coverage for able-bodied individuals, and is projected to spend approximately six hundred fifty-six



million dollars (\$656,000,000) in state funds over the next five (5) years on the program, as estimated by The Stephen Group; and

WHEREAS, the Alternative Community Services Waiver Program, commonly known as the "Developmental Disabilities Waiver", has a waiting list of approximately three thousand (3,000) individuals with developmental disabilities; and

WHEREAS, the individuals on the waiting list for the Alternative Community Services Waiver Program have waited on the list for upwards of ten (10) years in hopes of receiving home- and community-based services to enable the individuals to stay in a loving and caring environment within their home; and

WHEREAS, the waiting list for services to individuals with developmental disabilities should be eliminated to enable the children with developmental disabilities and adults with developmental disabilities to live life to the fullest capacity possible,

NOW THEREFORE,

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

SECTION 1. Arkansas Code Title 20, Chapter 77, Subchapter 1, is amended to add an additional section to read as follows:

20-77-132. Prioritized spending for individuals with developmental disabilities.

(a) The Department of Human Services shall analyze and reprioritize spending within the department and the Arkansas Medicaid Program to best serve the following purposes in the most cost-effective manner:

(1) Eliminate the waiting list for the Alternative Community Services Waiver Program, also known as the "Developmental Disabilities Waiver"; and

(2) Fully fund home- and community-based services for individuals with developmental disabilities who are on the waiting list.

(b) The department shall strive to achieve the purposes of subsection (a) of this section as quickly as possible but no later than on or before

three (3) years after the effective date of this section unless the department determines that an adequate number of providers for individuals with developmental disabilities does not exist within the state.