

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

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: S3/8/17
A Bill

SENATE BILL 175

By: Senator B. King

For An Act To Be Entitled

AN ACT TO REQUIRE MEDICAID PROVIDERS AND GOVERNMENT OFFICIALS TO DISCLOSE OF CONFLICTS OF INTEREST; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE MEDICAID PROVIDERS AND GOVERNMENT OFFICIALS TO DISCLOSE OF CONFLICTS OF INTEREST.

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. Disclosure of conflicts of interest – Definitions.

(a) As used in this section:

(1) "Government official" means a person who is:

(A) Elected or appointed to hold public office;

(B) An employee of a person who is elected or appointed to hold public office;

(C) Appointed to a board, commission, or committee of this state; or

(D) An employee of a state agency, board, commission, or committee of this state; and

(2) "Medicaid provider" means a person, business, or entity that received payments or funding from the Arkansas Medicaid Program in the previous calendar year and that:

(A) Received twenty-five thousand dollars (\$25,000) or



more in payments or funding from the Arkansas Medicaid Program in the previous calendar year; or

(B) Is a hospital, insurance company, nursing home, behavioral health treatment center, substance abuse treatment center, or substance abuse crisis center.

(b)(1) Except as provided in subdivision (b)(3) of this section, Medicaid providers and government officials shall file a disclosure statement with the Department of Human Services no later than January 30 of each year as provided for in this section.

(2) The disclosure statement shall identify the transactions from the previous year that totaled two thousand dollars (\$2,000) or more in the aggregate and were entered into by any two (2) of the following entities:

(A) A Medicaid provider;

(B) A government official;

(C) The spouse of the Medicaid provider or government official; and

(D) The business in which the Medicaid provider or government official, or the spouse of the Medicaid provider or government official, is an officer, director, or stockholder owning more than ten percent (10%) of the stock in the business.

(3) Medicaid providers shall include in the disclosure statement a list containing the amount of money spent concerning any expense related to retaining and employing a lobbyist or lobbyists.

(4) Disclosure under this section is not required if:

(A) The transaction is for patient services and the person filing the disclosure statement or the spouse of the person filing the disclosure statement is the patient;

(B) The transaction is for personal care services as defined under 42 C.F.R. § 440.167 and the personal care services are provided to the person filing the disclosure statement, the spouse of the person filing the disclosure statement, or the minor child in the custody of the person filing the disclosure statement; or

(C) The Medicaid provider or government official is the parent or foster parent of a child who receives Medicaid, and the transaction concerns the care and custody of the child.

(5) The disclosure statement shall be on a form prescribed by

the Department of Human Services.

(6) The department shall notify Arkansas Medicaid providers of the duties created under this section no later than January 1, 2018.

/s/B. King