

State of Arkansas
93rd General Assembly
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As Engrossed: S2/23/21

SCR 5

By: Senator L. Eads
By: Representative Lundstrum

SENATE CONCURRENT RESOLUTION

TO ENCOURAGE THE GOVERNOR TO *AMEND ARKANSAS'S
MEDICAID ELIGIBILITY RULES* TO PROVIDE ACCESS TO
COVERAGE FOR MIGRANT MEN, WOMEN, AND CHILDREN FROM
THE COMPACT OF FREE ASSOCIATION ISLANDS.

Subtitle

*TO ENCOURAGE THE GOVERNOR TO AMEND
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PROVIDE ACCESS TO COVERAGE FOR MIGRANT
MEN, WOMEN, AND CHILDREN FROM THE COMPACT
OF FREE ASSOCIATION ISLANDS.*

WHEREAS, shortly after World War II, the United States of America assumed administration of the Trust Territory of the Pacific Islands under a United Nations strategic trusteeship that provided for control over development of the economies and international relations of the islands; and

WHEREAS, the areas of the Trust Territory of the Pacific Islands includes three (3) groups of islands that have become the sovereign nations of the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia; and

WHEREAS, these three (3) nations are also known as the "Compact of Free Association islands"; and

WHEREAS, the United States Atomic Energy Commission established the



Pacific Proving Grounds in what is now the Republic of the Marshall Islands, one (1) of the three (3) Pacific island groups formerly under the trusteeship; and

WHEREAS, sixty-seven (67) atmospheric nuclear weapons were tested in the Marshall Islands between the years of 1946 and 1958 on a number of islands that were inhabited and on some islands that had not been evacuated; and

WHEREAS, many residents that were in the vicinity of the nuclear weapons test proving grounds and their descendants continue to exhibit medical conditions that may have resulted from exposure to the nuclear fallout that occurred and is still measurable on some islands; and

WHEREAS, under the Compact of Free Association treaty between the United States and the three (3) island nations of the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia, citizens of the Compact of Free Association islands may freely enter the United States without visas to study, lawfully reside, and work; and

WHEREAS, many citizens of the Compact of Free Association islands have served honorably in the United States Armed Services, serving in times of peace and conflict, and have shed blood in the defense of our nation; and

WHEREAS, Arkansas' relationship with the citizens of the Compact of Association islands has benefitted all the people of Arkansas through their economic impact of approximately one hundred twenty-three million dollars (\$123,000,000); and

WHEREAS, prior to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193, migrants from the Compact of Free Association islands were eligible for the traditional Arkansas Medicaid Program and other federally funded programs; and

WHEREAS, while eligibility for federally funded programs has been incrementally restored for other legal immigrants to be considered qualified

immigrants, migrants from the Compact of Free Association islands have continued to be excluded; and

WHEREAS, under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021, United States Congress has restored Medicaid eligibility for migrants from the Compact of Free Association islands; and

WHEREAS, it is necessary to amend Arkansas's Medicaid *eligibility rules to reflect this change in federal law and to formally allow migrants from the Compact of Free Association islands to participate in the Arkansas Medicaid Program*; and

WHEREAS, currently, the vast majority of Marshallese migrants reside in Hawaii and Arkansas; and

WHEREAS, migrants from the Compact of Free Association islands continue to suffer from the effects of nuclear contamination and have high rates of cancer as well as chronic conditions, including without limitation obesity, diabetes, and cardiovascular disease; and

WHEREAS, the State of Arkansas incurs additional and significant uncompensated care costs for healthcare services provided to migrants from the Compact of Free Association islands,

NOW THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ARKANSAS, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

THAT the Senate of the Ninety-Third General Assembly, the House of Representatives concurring, encourage the Governor *to amend Arkansas's Medicaid eligibility rules to reflect recent changes in federal law and allow access to coverage for migrant men, women, and children from the Compact of Free Association islands.*

BE IT FURTHER RESOLVED THAT upon adoption of this resolution, an appropriate copy be provided by the Secretary of the Senate to the office of

the Governor and the Secretary of the Department of Human Services.

/s/L. Eads