

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

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 468

By: Senator C. Penzo

For An Act To Be Entitled

AN ACT TO REQUIRE PERSONAL CARE PROVIDERS TO SUBMIT APPROPRIATE DOCUMENTATION TO THE ARKANSAS MEDICAID PROGRAM AND TO COMPLY WITH FEDERAL REQUIREMENTS FOR SAFETY AND OVERSIGHT; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE PERSONAL CARE PROVIDERS TO SUBMIT APPROPRIATE DOCUMENTATION TO THE ARKANSAS MEDICAID PROGRAM AND TO COMPLY WITH FEDERAL REQUIREMENTS.

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

SECTION 1. Arkansas Code § 20-77-115, concerning personal care reimbursement rates within the Arkansas Medicaid Program, is amended to add an additional subsection to read as follows:

(f)(1)(A) In order to receive the full reimbursement rate for personal care services established by the Department of Human Services, as set out in this section, a provider of personal care services shall provide to the Department of Human Services evidence that the provider pays contributions under:

- (i) The Federal Insurance Contributions Act, § 26 U.S.C. 21 et seq.;
- (ii) Federal and state unemployment insurance;
- (iii) Workers' compensation insurance; and
- (iv) Health insurance to or on behalf of the workers who provide personal care services.



(B) If a provider of personal care services does not provide the information in subdivision (f)(1)(A) of this section, the provider shall demonstrate its compensation and benefits model to the Department of Human Services, which shall include a detailed explanation of compensation and benefits provided to workers who provide personal care services.

(2) The Department of Human Services shall require all healthcare providers providing personal care services on behalf of the state to provide documentation that the provider of personal care services is compliant with federal requirements for safety and oversight, including requirements contained in rules and regulations promulgated by the Centers for Medicare & Medicaid Services.

(3) The Department of Human Services shall apply, if necessary, for any federal waiver, Medicaid state plan amendment, or other authorization necessary to implement this section.