

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: H4/5/19

A Bill

HOUSE BILL 1975

5 By: Representative Boyd
6 By: Senator Flippo
7

For An Act To Be Entitled

9 AN ACT TO ESTABLISH THE MEDICAID REIMBURSEMENT RATE
10 REVIEW ACT OF 2019; TO PROVIDE FOR ANNUAL MEDICAID
11 REIMBURSEMENT RATE REVIEWS OF MEDICAID REIMBURSEMENT
12 RATES AND METHODOLOGIES; TO DECLARE AN EMERGENCY; AND
13 FOR OTHER PURPOSES.
14

Subtitle

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16 TO ESTABLISH THE MEDICAID REIMBURSEMENT
17 RATE REVIEW ACT OF 2019; TO PROVIDE FOR
18 ANNUAL MEDICAID REIMBURSEMENT RATE
19 REVIEWS OF MEDICAID REIMBURSEMENT RATES
20 AND METHODOLOGIES; AND TO DECLARE AN
21 EMERGENCY.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code Title 20, Chapter 77, is amended to add an
28 additional subchapter to read as follows:

29 Subchapter 29 – Medicaid Reimbursement Rate Review Act of 2019

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31 20-77-2901. Title.

32 This subchapter shall be known and may be cited as the “Medicaid
33 Reimbursement Rate Review Act of 2019.”
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35 20-77-2902. Reimbursement rate review.

36 (a) The Department of Human Services shall establish a systematic



1 approach to review Medicaid reimbursement rates for all types of Medicaid
2 providers on a regular, periodic schedule.

3 (b) The Medicaid reimbursement rate review shall:

4 (1) Ensure that Medicaid reimbursement rates under the service
5 categories reported to the Centers for Medicare and Medicaid Services by the
6 department are reviewed at least once every four (4) years;

7 (2) Prioritize types of Medicaid providers;

8 (3) Consider:

9 (A) The availability and access to care in each geographic
10 region of the state; and

11 (B) The substantiality of Medicaid reimbursement rates
12 while attracting a sufficient number of healthcare providers to deliver
13 quality services; and

14 (4) Reward efficiency and quality of care.

15 (c) The department may require the submission of cost reports,
16 Medicaid provider surveys, and other materials and data in order to complete
17 the Medicaid reimbursement rate review.

18 (d) In advance of any Medicaid reimbursement rate review, the
19 department shall report the Medicaid provider types to be reviewed in a
20 quarterly report to:

21 (1) The Legislative Council;

22 (2) The Bureau of Legislative Research; and

23 (3) Arkansas Legislative Audit.

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25 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
26 General Assembly of the State of Arkansas that increases in the minimum wage
27 have put Medicaid providers at risk of being unable to continue to provide
28 healthcare services with current Medicaid reimbursement rates; that a
29 reimbursement rate review in response to the increases in the minimum wage
30 should be implemented as soon as possible in order to allow Medicaid
31 providers to continue to provide services to Medicaid beneficiaries; that
32 this act requires the Department of Human Services to implement a
33 reimbursement rate review methodology and procedure; that this act requires
34 the department to establish a Medicaid reimbursement rate review; that the
35 establishment of the Medicaid reimbursement rate review may require the
36 department to promulgate rules or submit a state plan amendment or waiver, or

1 both; and that this act is immediately necessary because the department needs
2 to be able to promulgate rules or submit a state plan amendment request or
3 waiver request, or both, at the earliest possible date to ensure certainty in
4 the reimbursement rates of the Arkansas Medicaid Program. Therefore, an
5 emergency is declared to exist, and this act being immediately necessary for
6 the preservation of the public peace, health, and safety shall become
7 effective on:

8 (1) The date of its approval by the Governor;

9 (2) If the bill is neither approved nor vetoed by the Governor,
10 the expiration of the period of time during which the Governor may veto the
11 bill; or

12 (3) If the bill is vetoed by the Governor and the veto is
13 overridden, the date the last house overrides the veto.

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15 /s/Boyd
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