

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017

HCR 1012

4  
5 By: Representative J. Williams  
6 By: Senator L. Eads

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8 **HOUSE CONCURRENT RESOLUTION**

9 TO ENCOURAGE THE GOVERNOR TO SUBMIT A STATE PLAN  
10 AMENDMENT TO THE CENTERS FOR MEDICARE AND MEDICAID  
11 SERVICES TO PROVIDE ACCESS TO COVERAGE FOR MIGRANT  
12 CHILDREN AND PREGNANT WOMEN FROM THE COMPACT OF FREE  
13 ASSOCIATION ISLANDS.

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16 **Subtitle**

17 TO ENCOURAGE THE GOVERNOR TO SUBMIT A  
18 STATE PLAN AMENDMENT TO THE CENTERS FOR  
19 MEDICARE AND MEDICAID SERVICES TO PROVIDE  
20 ACCESS TO COVERAGE FOR MIGRANT CHILDREN  
21 AND PREGNANT WOMEN FROM THE COMPACT OF  
22 FREE ASSOCIATION ISLANDS.

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

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

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



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2           WHEREAS, the United States Atomic Energy Commission established the  
3 Pacific Proving Grounds in what is now the Republic of the Marshall Islands,  
4 one (1) of the three (3) Pacific island groups formerly under the  
5 trusteeship; and  
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7           WHEREAS, sixty-seven (67) atmospheric nuclear weapons were tested in  
8 the Marshall Islands between the years of 1946 and 1958 on a number of  
9 islands that were inhabited and on some islands that had not been evacuated;  
10 and  
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12           WHEREAS, many residents that were in the vicinity of the nuclear  
13 weapons test proving grounds and their descendants continue to exhibit  
14 medical conditions that may have resulted from exposure to the nuclear  
15 fallout that occurred and is still measurable on some islands; and  
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17           WHEREAS, under the Compact of Free Association treaty between the  
18 United States and the three (3) island nations of the Republic of Palau, the  
19 Republic of the Marshall Islands, and the Federated States of Micronesia,  
20 citizens of the Compact of Free Association islands may freely enter the  
21 United States without visas to study, lawfully reside, and work; and  
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23           WHEREAS, prior to the Personal Responsibility and Work Opportunity  
24 Reconciliation Act of 1996, Pub. L. 104-193, migrants from the Compact of  
25 Free Association islands were eligible for the traditional Arkansas Medicaid  
26 Program and other federally funded programs; and  
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28           WHEREAS, however, as a consequence of the Personal Responsibility and  
29 Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193, across the  
30 nation eligibility for Medicaid assistance and other federally funded  
31 programs was restricted to certain qualified immigrants excluding migrants  
32 from the Compact of Free Association islands; and  
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34           WHEREAS, while eligibility for federally funded programs has been  
35 incrementally restored for other legal immigrants to be considered qualified  
36 immigrants, migrants from the Compact of Free Association islands have

1 continued to be excluded; and

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3 WHEREAS, the Children's Health Insurance Program Reauthorization Act of  
4 2009, Pub. L. No. 111-3, also known as CHIPRA, allows states the option to  
5 obtain federal matching dollars to cover certain lawfully residing children  
6 and pregnant women; and

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8 WHEREAS, when this option is exercised, those covered include without  
9 limitation migrant children and pregnant women from the Compact of Free  
10 Association islands; and

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12 WHEREAS, thirty-one (31) states and the District of Columbia have  
13 adopted provisions to allow lawfully residing children and pregnant women to  
14 access Medicaid and CHIP benefits under this federal law; and

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16 WHEREAS, Arkansas has not yet adopted or implemented this option  
17 authorized under the federal law; and

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19 WHEREAS, according to the United States Bureau of the Census, the  
20 Marshallese population in the United States from 2000 to 2010 has tripled;  
21 and

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

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

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

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35 NOW THEREFORE,

36 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST GENERAL

1 ASSEMBLY OF THE STATE OF ARKANSAS, THE SENATE CONCURRING THEREIN:

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3 THAT the House of Representatives of the Ninety-First General Assembly,  
4 the Senate concurring, encourage the Governor to submit a state plan  
5 amendment to the Centers for Medicare and Medicaid Services to provide access  
6 to coverage for migrant children and pregnant women from the Compact of Free  
7 Association islands.

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9 BE IT FURTHER RESOLVED THAT upon adoption of this resolution an  
10 appropriate copy be provided by the Chief Clerk of the House of  
11 Representatives to the office of the Governor and the Director of the  
12 Department of Human Services.

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