

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 74

5 By: Senator J. Boyd
6 By: Representatives Rose, Gramlich, L. Johnson
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE AUTHORITY OF A SURROGATE UNDER
10 THE ARKANSAS HEALTHCARE DECISIONS ACT; AND FOR OTHER
11 PURPOSES.
12
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Subtitle

15 TO AMEND THE AUTHORITY OF A SURROGATE
16 UNDER THE ARKANSAS HEALTHCARE DECISIONS
17 ACT.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 20-6-106, concerning the authority of a
23 surrogate within the Arkansas Healthcare Decisions Act, is amended to add an
24 additional subsection to read as follows:

25 (d)(1) A surrogate may apply for public benefits, such as Medicare and
26 Medicaid, for the principal and have access to information regarding the
27 principal's income, assets, and banking and financial records to the extent
28 required to make an application.

29 (2) The authority under subdivision (d)(1) of this section
30 includes without limitation the ability to assist with, submit, and execute
31 applications for benefits, redetermination of eligibility, and other ongoing
32 related communications.

33 (3) The authority under subdivision (d)(1) of this section shall
34 terminate when revoked by a principal who no longer lacks decisional
35 capacity, upon appointment or availability of a power of attorney or guardian
36 with such authority, or upon the death of the principal.

