

State of Arizona
Senate
Fiftieth Legislature
First Special Session
2011

SENATE BILL 1001

AN ACT

DIRECTING THE ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM ADMINISTRATION TO
APPLY FOR A FEDERAL WAIVER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Arizona health care cost containment system: waiver
3 application

4 A. The Arizona health care cost containment system administration
5 shall apply to the secretary of the United States department of health and
6 human services for a waiver from the maintenance of eligibility requirements
7 of section 1902(gg)(1) and (2) and any other section of the social security
8 act necessary to implement a program consistent with subsection B of this
9 section. The waiver is to be effective through January 1, 2014, and shall
10 seek approval to reduce eligibility requirements for select title XIX
11 populations that were previously optional under title XIX of the social
12 security act before passage of the patient protection and affordable care act
13 (P.L. 111-148) as amended by the health care and education reconciliation act
14 of 2010 (P.L. 111-152) and including expansion populations covered under the
15 section 1115 waiver and the transitional medical assistance program covered
16 under the state plan.

17 B. On approval of the waiver request, the Arizona health care cost
18 containment system administration shall adopt rules regarding standards,
19 methods and procedures for determining eligibility necessary to implement a
20 program within the monies available from the Arizona tobacco litigation
21 settlement fund established by section 36-2901.02, Arizona Revised Statutes,
22 the proposition 204 protection account established by section 36-778, Arizona
23 Revised Statutes, and any other legislative appropriation and federal monies
24 made available for the support of the program. To the extent that monies
25 available for the program established pursuant to this subsection are
26 insufficient to fund all existing programs, the administration, subject to
27 approval by the secretary of the United States department of health and human
28 services, may suspend any programs or eligibility for any persons or
29 categories of persons established under title 36, chapter 29, Arizona Revised
30 Statutes.

31 Sec. 2. Exemption from rule making

32 For the purposes of this act, the Arizona health care cost containment
33 system administration is exempt from the rule making requirements of title
34 41, chapter 6, Arizona Revised Statutes, for two years after the effective
35 date of this act.

36 Sec. 3. Emergency

37 This act is an emergency measure that is necessary to preserve the
38 public peace, health or safety and is operative immediately as provided by
39 law.