

REFERENCE TITLE: AHCCCS; retirees; eligible members

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2132

Introduced by
Representatives Farley, Sinema: Ableser, Bradley, Campbell CL, Lopes

AN ACT

AMENDING SECTION 36-2901, ARIZONA REVISED STATUTES; RELATING TO THE ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 36-2901, Arizona Revised Statutes, is amended to
3 read:
4 36-2901. Definitions
5 In this article, unless the context otherwise requires:
6 1. "Administration" means the Arizona health care cost containment
7 system administration.
8 2. "Administrator" means the administrator of the Arizona health care
9 cost containment system.
10 3. "Contractor" means a person or entity that has a prepaid capitated
11 contract with the administration pursuant to section 36-2904 to provide
12 health care to members under this article either directly or through
13 subcontracts with providers.
14 4. "Department" means the department of economic security.
15 5. "Director" means the director of the Arizona health care cost
16 containment system administration.
17 6. "Eligible person" means any person who is:
18 (a) Any of the following:
19 (i) Defined as mandatorily or optionally eligible pursuant to title
20 XIX of the social security act as authorized by the state plan.
21 (ii) Effective on October 1, 2002, defined in title XIX of the social
22 security act as an eligible pregnant woman, as a child under the age of six
23 years and whose family income does not exceed one hundred thirty-three per
24 cent of the federal poverty guidelines or as children who have not attained
25 nineteen years of age and whose family income does not exceed one hundred per
26 cent of the federal poverty guidelines.
27 (iii) Under twenty-one years of age and who was in the custody of the
28 department of economic security pursuant to title 8, chapter 5 or 10 when the
29 person became eighteen years of age.
30 (iv) Defined as eligible pursuant to section 36-2901.01.
31 (v) Defined as eligible pursuant to section 36-2901.04.
32 (b) A full-time officer or employee of this state or of a city, town
33 or school district of this state or other person who is eligible for
34 hospitalization and medical care under title 38, chapter 4, article 4.
35 (c) A full-time officer or employee of any county in this state or
36 other persons authorized by the county to participate in county medical care
37 and hospitalization programs if the county in which such officer or employee
38 is employed has authorized participation in the system by resolution of the
39 county board of supervisors.
40 (d) An employee of a business within this state.
41 (e) A dependent of an officer or employee who is participating in the
42 system.
43 (f) Not enrolled in the Arizona long-term care system pursuant to
44 article 2 of this chapter.

1 (g) Defined as eligible pursuant to section 1902(a)(10)(A)(ii)(XV) and
2 (XVI) of title XIX of the social security act and who meets the income
3 requirements of section 36-2929.

4 (h) A RETIRED PERSON WHO IS NOT COVERED PURSUANT TO SECTION 38-651 AND
5 WHO IS COVERED UNDER ANY OF THE FOLLOWING:

6 (i) THE ARIZONA STATE RETIREMENT SYSTEM.

7 (ii) THE PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM.

8 (iii) THE ELECTED OFFICIALS' RETIREMENT PLAN.

9 (iv) THE CORRECTIONS OFFICER RETIREMENT PLAN.

10 (v) AN OPTIONAL RETIREMENT PROGRAM AUTHORIZED PURSUANT TO SECTION
11 15-1451 OR 15-1628.

12 7. "Malice" means evil intent and outrageous, oppressive or
13 intolerable conduct that creates a substantial risk of tremendous harm to
14 others.

15 8. "Member" means an eligible person who enrolls in the system.

16 9. "Noncontracting provider" means a person who provides health care
17 to members pursuant to this article but not pursuant to a subcontract with a
18 contractor.

19 10. "Physician" means a person licensed pursuant to title 32, chapter
20 13 or 17.

21 11. "Prepaid capitated" means a mode of payment by which a health care
22 contractor directly delivers health care services for the duration of a
23 contract to a maximum specified number of members based on a fixed rate per
24 member notwithstanding:

25 (a) The actual number of members who receive care from the contractor.

26 (b) The amount of health care services provided to any member.

27 12. "Primary care physician" means a physician who is a family
28 practitioner, general practitioner, pediatrician, general internist, or
29 obstetrician or gynecologist.

30 13. "Primary care practitioner" means a nurse practitioner certified
31 pursuant to title 32, chapter 15 or a physician assistant certified pursuant
32 to title 32, chapter 25. This paragraph does not expand the scope of
33 practice for nurse practitioners as defined pursuant to title 32, chapter 15,
34 or for physician assistants as defined pursuant to title 32, chapter 25.

35 14. "Section 1115 waiver" means the research and demonstration waiver
36 granted by the United States department of health and human services.

37 15. "Special health care district" means a special health care district
38 organized pursuant to title 48, chapter 31.

39 16. "State plan" has the same meaning prescribed in section 36-2931.

40 17. "System" means the Arizona health care cost containment system
41 established by this article.