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

Section 1. Arizona health care cost containment system; waiver application

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

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

Sec. 2. Exemption from rule making

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

Sec. 3. Emergency

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