

Senate Engrossed

**FILED**

**KEN BENNETT**

**SECRETARY OF STATE**

State of Arizona  
Senate  
Fiftieth Legislature  
First Special Session  
2011

CHAPTER 1

# **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.

APPROVED BY THE GOVERNOR JANUARY 21, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JANUARY 21, 2011.