

REFERENCE TITLE: AHCCCS; tobacco use prevention programs

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

HB 2293

Introduced by
Representative Konopnicki

AN ACT

AMENDING TITLE 36, CHAPTER 29, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-2923; 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. Title 36, chapter 29, article 1, Arizona Revised Statutes,
3 is amended by adding section 36-2923, to read:

4 36-2923. Tobacco use prevention and cessation fund

5 A. THE TOBACCO USE PREVENTION AND CESSATION FUND IS ESTABLISHED
6 CONSISTING OF MONIES DEPOSITED IN THE FUND PURSUANT TO SUBSECTION B OF THIS
7 SECTION. THE ADMINISTRATION SHALL ADMINISTER THE FUND. MONIES IN THE FUND
8 ARE CONTINUOUSLY APPROPRIATED.

9 B. NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE DEPARTMENT OF HEALTH
10 SERVICES SHALL TRANSFER _____ PER CENT OF THE TWENTY-THREE CENTS OF EACH
11 DOLLAR DEPOSITED IN THE HEALTH EDUCATION ACCOUNT PURSUANT TO SECTION 36-772,
12 SUBSECTION A TO THE TOBACCO USE PREVENTION AND CESSATION FUND.

13 C. THE ADMINISTRATION SHALL USE FUND MONIES FOR PROGRAMS TO PREVENT
14 AND END TOBACCO USE BY MEMBERS WHO ARE ELIGIBLE TO RECEIVE SERVICES PURSUANT
15 TO THIS CHAPTER.

16 Sec. 2. AHCCCS; tobacco use cessation medications; request for
17 federal matching monies

18 A. On or before October 15, 2007, the Arizona health care cost
19 containment system administration shall submit a state plan amendment
20 pursuant to title XIX of the social security act to the centers for medicare
21 and medicaid services requesting that it allow the administration to use
22 federal matching monies for tobacco use cessation counseling services and
23 medication for members who are eligible to receive services pursuant to title
24 36, chapter 29, Arizona Revised Statutes.

25 B. The state plan submitted pursuant to subsection A shall include a
26 request for coverage of all prescription and nonprescription medications that
27 have been approved by the federal food and drug administration for tobacco
28 use cessation.

29 Sec. 3. Requirements for enactment; three-fourths vote

30 Pursuant to article IV, part 1, section 1, Constitution of Arizona,
31 section 36-2923, Arizona Revised Statutes, as added by this act, is effective
32 only on the affirmative vote of at least three-fourths of the members of each
33 house of the legislature.