

Act 380 of the 1989 Regular Session.

Act 380

HB1109

By: Representative Mahony

"AN ACT RELATING TO CERTIFICATES OF NEED OR PERMITS THAT HAVE BEEN ISSUED TO CONSTRUCT INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED WITH FIFTEEN OR FEWER BEDS; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Any nonprofit corporation that on January 1, 1989 holds a certificate of need or permit, as provided for in Arkansas Code Title 20, Chapter 8, Supchapter 1, for an intermediate care facility for the mentally retarded with fifteen (15) or fewer beds may transfer the certificate of need or permit to an affiliated nonprofit corporation if the transfer is made before January 1, 1990, and if the current holder of the certificate of need or permit contracts to oversee the construction of the facility and is responsible for ensuring the operation of the facility for at least one year. Any transfer of a certificate of need or permit pursuant to this section shall be made without consideration.

SECTION 2. Any certificate of need or permit under Arkansas Code Title 20, Chapter 8, Subchapter 1, for an intermediate care facility for the mentally retarded with fifteen (15) or fewer beds shall continue to be effective, and the project shall not be subject to the time limitation for commencing construction under Arkansas Code 20-8-109(c). The project shall be instituted or commenced on or before six (6) months after the date the initial regulations of the Department of Human Services for licensure of the facilities become effective.

SECTION 3. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: March 7, 1989

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