

Act 986 of the 1989 Regular Session.

Act 986

SB603

By: Sen. Wilson

"AN ACT TO SET NURSING HOME LICENSE FEES PER
PATIENT LICENSED BED; AND FOR OTHER PURPOSES."

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

SECTION 1. (A) Applicants for nursing home licensure, excluding nursing homes operated by the State of Arkansas, shall file applications under oath with the Office of Long Term Care of the Division of Economic and Medical Services of the Department of Human Services upon forms prescribed by the Office of Long Term Care, and effective July 1, 1989, shall pay an annual fee of Ten Dollars (\$10.00) per patient licensed bed which shall be paid into the State Treasury as special revenues. Fees are payable on or before the last day of July in one sum. Failure to pay when due shall result in a notice of delinquency from the Department of Human Services and a ten percent (10%) penalty assessed on the amount due on and after the last day of the month. Failure to pay within ninety (90) days shall be grounds for notice of revocation of the license of said facility.

Of the special revenues raised, thirty-six per cent (36%) of said funds shall be distributed to the Alcohol and Drug Safety Fund for use at the Benton Detoxification Services Center of the Office of Alcohol and Drug Abuse Prevention of the Department of Human Services. The remaining balance of the special revenues shall be distributed to the Aging and Adult Services Fund Account for use by the Aging and Adult Services Division of the Department of Human Services in programs for which there are no federal matching requirements.

(B) Applications shall be signed by the administrator of the facility. Applications shall set forth the full name and address of the nursing home for which licensure is sought and such additional information as the Office of Long Term care may require, including affirmative evidence of ability to comply with such reasonable standards, rules and regulations as may be lawfully prescribed hereunder. Applications for annual licensure renewal shall be postmarked no later than July 10 of each year. Licenses issued hereunder shall be effective on a fiscal year basis and shall expire on June 30 of each year. Licenses shall be issued only for the premises and persons named in the application and shall not be transferable. Licenses shall be posted in a conspicuous place on the licensed premises.

(C) Any person, partnership, association or corporation establishing, conducting, managing or operating any nursing home facility within the meaning of this Act without first obtaining a license as prescribed by law shall be guilty of a Class A misdemeanor, and upon conviction thereof shall be liable to a fine imposed pursuant to a Class A misdemeanor. Each day such nursing home facility shall operate after a first conviction shall be considered a Class D felony and on conviction thereof shall be liable to a fine imposed pursuant to a Class D felony.

APPROVED: March 27, 1989
