

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H2/11/99

A Bill

Act 484 of 1999
HOUSE BILL 1014

5 By: Representative Lendall
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For An Act To Be Entitled

"THE ALZHEIMER'S SPECIAL CARE STANDARDS ACT."

Subtitle

"THE ALZHEIMER'S SPECIAL CARE STANDARDS
ACT."

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
16

17 SECTION 1. This act shall be known and may be cited as "The Alzheimer's
18 Special Care Standards Act".
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20 SECTION 2. The legislature finds and declares that:

21 (a) Certain nursing homes and related facilities, adult congregate
22 living facilities, adult day care centers, hospices, and adult foster homes
23 claim to provide special care units and services for persons who have
24 Alzheimer's disease;

25 (b) It is in the public interest to provide for the protection of
26 consumers regarding the accuracy and authenticity of such claims; and

27 (c) The provisions of this act are intended to require such facilities
28 to actually provide the care they claim to offer, require records of such
29 claims to be kept, require the appropriate state licensing agency to examine
30 the performance, and provide penalties as the agency deems appropriate.
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32 SECTION 3. For the purposes of this act, 'Alzheimer's Special Care
33 Unit/Program means any nursing facility, residential care/assisted living
34 facility, adult congregate living facility, home health agency, adult day care
35 center, hospice, or adult foster home that secures, segregates or provides a
36 special program or special unit for residents with a diagnosis of probable

1 Alzheimer's disease or a related disorder; and that advertises, markets or
2 otherwise promotes the facility as providing specialized Alzheimer' dementia
3 care services.

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5 SECTION 4. (a) Any facility which offers to provide or provides care
6 for person with Alzheimer's disease by means of an Alzheimer's Special Care
7 Unit/Program shall be required to disclose the form of care or treatment
8 provided that distinguish it as being especially applicable to, or suitable
9 for, such persons. The disclosure shall be made to the Office of Long-Term
10 Care and to any person, or the person's guardian or relative, seeking
11 placement within an Alzheimer's Special CareUnit/Program. The Office of Long-
12 Term Care shall examine all such disclosures in the agency's records as part
13 of the facility's license renewal procedure, and verify their accuracy.

14 (b) The information disclosed shall explain the additional care
15 provided in each of the following areas:

16 (1) Treatment Philosophy: The Alzheimer's Special
17 CareUnit/Program's written statement of its overall treatment philosophy and
18 mission which reflects the needs of residents afflicted with dementia;

19 (2) Screening, Admission and Discharge procedures, Assessment,
20 Care Planning and Implementation and Staffing Patterns and Training ratios
21 unique to the unit;

22 (3) Physical Environment and design features appropriate to
23 support the functioning of cognitively impaired adult residents;

24 (4) Residents' Activities: the frequency and types of resident
25 activities;

26 (5) Family Role in Care: the involvement of families and the
27 availability of family support programs;

28 (6) Program Costs; the costs of care and any additional fees
29 unique to the Alzheimer's Special CareUnit/Program.

30 (c) If the facility advertising, marketing or otherwise promoting the
31 facility as providing specialized Alzheimer/dementia care services does not
32 meet those specific standards established by the Office of Long-Term Care, the
33 Office of Long-Term Care shall instruct the facility to cease such
34 advertising, marketing, or promoting.

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36 SECTION 5. The Office of Long-Term Care shall establish and promulgate

1 minimum standards for the care and treatment of persons with Alzheimer's
2 disease and other dementia in such Alzheimer's Special Care units.

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4 SECTION 6. All provisions of this Act of a general and permanent nature
5 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
6 Revision Commission shall incorporate the same in the Code.

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8 SECTION 7. If any provision of this Act or the application thereof to
9 any person or circumstance is held invalid, such invalidity shall not affect
10 other provisions or applications of the Act which can be given effect without
11 the invalid provision or application, and to this end the provisions of this
12 Act are declared to be severable.

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14 SECTION 8. All laws and parts of laws in conflict with this Act are
15 hereby repealed.

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17 /s/ Lendall

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20 APPROVED: 3/9/1999