

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.
Act 2002 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

A Bill

SENATE BILL 1059

5 By: Senator Salmon
6 By: Representative J. Martin
7
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For An Act To Be Entitled

10 AN ACT TO AMEND TITLE 20, CHAPTER 10, SUBCHAPTER
11 1 TO REQUIRE RESIDENTIAL CARE FACILITIES AND
12 ASSISTED LIVING FACILITIES TO PROVIDE DISCLOSURE
13 STATEMENTS TO PROSPECTIVE RESIDENTS; AND FOR
14 OTHER PURPOSES.

Subtitle

16 AN ACT TO REQUIRE RESIDENTIAL CARE
17 FACILITIES AND ASSISTED LIVING
18 FACILITIES TO PROVIDE DISCLOSURE
19 STATEMENTS TO PROSPECTIVE RESIDENTS.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code Title 20, Chapter 10, Subchapter 1 is amended
26 to read as follows:

27 20-10-109. Disclosure statement for residential care and assisted
28 living facilities.

29 (a) Each residential care and assisted living facility shall provide
30 each prospective resident or prospective resident's representative with a
31 comprehensive consumer disclosure statement before the prospective resident
32 signs an admission agreement.

33 (b) The disclosure statement shall include, but not be limited to:

34 (1) Proof of current licensure through the Office of Long-Term
35 Care;



1 (2) A list of services provided by the facility, including, but
2 not limited to:

3 (A) Any medication administration, assistance taking
4 medication, or reminders to take medication that the facility may by law or
5 regulation provide;

6 (B) Any assistance the facility provides with activities
7 of daily living, such as grooming, toileting, ambulation, and bathing;

8 (C) The availability of transportation; and

9 (D) Social activities inside and outside the facility;

10 (3) Staffing levels or ratios required by law, including, but
11 not limited to, those concerning:

12 (A) Registered nurses;

13 (B) Licensed nurses;

14 (C) Certified ~~nurse~~ nurse's aides or assistants; and

15 (D) Other staff;

16 (4) Whether staff members are required to be awake while on duty
17 and if not, the times when they may be asleep; and

18 (5) Information regarding the physical plant of the facility,
19 including, but not limited to:

20 (A) Whether the facility has an emergency generator and,
21 if so, the areas of the facility powered by a generator and the length of
22 time the generator will provide power;

23 (B) Whether the facility has sprinklers and, if so, the
24 areas of the facility that have sprinklers;

25 (C) Whether the facility has smoke detectors and, if so,
26 the areas in which smoke detectors are located; and

27 (D)(i) Whether the facility has an emergency evacuation
28 plan.

29 (ii) If the facility has an emergency evacuation
30 plan, a copy of the plan shall be provided to each prospective resident or
31 the prospective resident's representative before the signing of an admission
32 agreement.

33 (c) The facility shall update its disclosure statement no less than
34 annually.

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APPROVED: 04/11/2005