

HOUSE AMENDMENT 2 TO hb1787.

deleting Section 1 and substituting therefor the following:

"Section 1. Legislative Findings and Intent.

It is the intent of this act to provide for the protection, safety and quality of care of elderly and disabled Arkansans by allowing only long-term care facilities that have been licensed, inspected and regulated by the state to operate."

and

by deleting Section 2 and substituting therefor the following:

"Section 2. Arkansas Code 20-10-213(4) is amended to read as follows:

_(4) _Long-term care facility_ means and shall be construed to include any building, structure, agency, institution, or other place for the reception, accommodation, board, care, or treatment of three (3) or more unrelated individuals who, because of age, illness, blindness, disease, or physical or mental infirmity, are unable to sufficiently or properly to care for themselves, and where for that reception, accommodation, board care, or treatment a charge is made. However, the term "long-term care facility" shall not include:

(A) The offices of private physicians and surgeons;

(B) Boarding homes, provided that 50 percent or more of the residents of the boarding home at any given time are not receiving personal care, as defined by Arkansas Medicaid regulations. If this threshold is met, the boarding home shall be classified as a residential care facility. This provision does not change the prohibition on boarding homes providing direct care to residents.

(C) Hospitals;

(D) Recuperation centers;

(E) Supervised or supported living apartments, group homes, family homes, or developmental day treatment clinics for individuals with developmental disabilities operate by providers licensed by the Developmental Disabilities Services Division of the Department of Human Services; or

(F) Institutions operated by the federal government; or

(G) Separate living arrangements that do not involve monitoring the activities of the residents while on the premises of the institution or facility to ensure the residents' health, safety, or well-being, and that do not involve the institution or facility being aware of the residents' general whereabouts. "