

ARKANSAS SENATE
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of Senate Bill No. 320

"AN ACT TO AMEND THE CHILD WELFARE AGENCY ACT."

Amendment No. 1 to Senate Bill No. 320.

Amend Senate Bill No. 320 as originally introduced:

Delete everything after the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 9-28-407(a), concerning licenses required and issued by the Child Welfare Agency Review Board, is amended to read as follows:

(a)(1) It shall be unlawful for any person, partnership, group, corporation, association, or other entity or identifiable group of entities having a coordinated ownership of controlling interest, to operate or assist in the operation of a child welfare agency which has not been licensed by the Child Welfare Agency Review Board from licensing pursuant to this subchapter.

(2) This license shall be required in addition to any other license required by law for all entities that fit the definition of a child welfare agency and are not specifically exempted, except that no nonpsychiatric residential treatment facility or agency licensed or exempted pursuant to this subchapter shall be deemed to fall within the meaning of § 20-10-101 (8) for any purpose.

(3) Any child welfare agency licensed or permitted by the board as of ~~1999~~ March 1, 2003 is exempted from ~~the requirements of law:~~

(A) ~~To obtain a~~ Obtaining any license or permit from the Office of Long-Term Care of the Division of Medical Services of the Department of Human Services; and

(B) ~~To obtain a~~ Obtaining any permit from the Health Services Permit Agency ~~and~~ or the Health Services Permit Commission to operate at the capacity licensed by the board as of March 1, 2003; and

(C) Obtaining any permit from the Health Services Permit Agency or the Health Services Permit Commission to operate any future expanded capacity serving only non Arkansas residents unless a permit is required by federal law or regulation.

(4) Any further expansion of capacity by a licensee of the board shall require a license or permit from the Office of Long Term Care of the Division of Medicaid Services or the Department of Human Services and the Health Services Permit Agency unless the bed expansion is exempted under subdivisions (a)(3)(A), (B), and (C) of this section.



SECTION 2. Arkansas Code § 20-8-107, concerning approval of expansion or services at health care facilities by the Health Services Permit Commission, is amended to add an additional subsection to read as follows:

(c) In no event shall the requirements of this subchapter apply to any facility licensed or approved as of March 1, 2003, by the Child Welfare Agency Review Board, pursuant to § 9-28-401 and as specifically exempted by § 9-28-407(a)(3)."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Wooldridge
LDH/MHF - 031920030912
MHF423

Secretary