

As Engrossed: 3/10/93

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Mahony**

A Bill

HOUSE BILL 1629

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE §20-10-213 TO EXCLUDE GROUP
9 HOMES OPERATED BY PROVIDERS LICENSED BY THE DEVELOPMENTAL
10 DISABILITIES SERVICES DIVISION OF THE DEPARTMENT OF HUMAN
11 SERVICES FROM THE DEFINITION OF A LONG-TERM CARE FACILITY;
12 AND FOR OTHER PURPOSES."

Subtitle

14 "TO AMEND ARKANSAS CODE §20-10-213 TO EXCLUDE SPECIFIED
15 GROUP HOMES FROM THE DEFINITION OF LONG-TERM CARE
16 FACILITY."
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18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code § 20-10-213 is hereby amended to read as
22 follows:

23 "20-10-213. Definitions for §§ 20-10-214 - 20-10-228.

24 As used in §§ 20-10-214 - 20-10-228, unless the context otherwise
25 requires:

26 (1) Federal act means the Hospital Survey and Construction Act,
27 Public Law 79-725, as amended;

28 (2) Surgeon General means the Surgeon General of the United States
29 Public Health Service;

30 (3) Institution means a place for the diagnosis, treatment, or care
31 of two (2) or more persons, not related to the proprietor, suffering from
32 illness, injury, or deformity, or where obstetrical care or care of the aged,
33 blind, or disabled is rendered over a period exceeding twenty-four (24) hours.
34 The term institutional also includes an outpatient surgery center, and
35 alcohol/drug abuse treatment center. No establishment operated by the federal

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1 government or an agency thereof is within this definition;

2 (4) Long-term care facility means and shall be construed to include
3 any building, structure, agency, institution, or other place for the
4 reception, accommodation, board, care, or treatment of two (2) or more
5 unrelated individuals who, because of age, illness, blindness, disease, or
6 physical or mental infirmity, are unable sufficiently or properly to care for
7 themselves, and where for that reception, accommodation, board, care, or
8 treatment a charge is made. However, the term long-term care facility shall
9 not include:

10 (A) The offices of private physicians and surgeons;

11 (B) Boarding homes;

12 (C) Hospitals;

13 (D) Recuperation centers;

14 (E) Supervised or supported living apartments, group homes,
15 family homes or developmental day treatment clinics *for individuals with*
16 *developmental disabilities* and operated by providers licensed by the
17 Developmental Disabilities Services Division of the Department of Human
18 Services; or

19 (F) Institutions operated by the federal government;

20 (5) Medical facility means a diagnostic or diagnostic and treatment
21 center, rehabilitation facility, or a nursing home as these terms are defined
22 in the federal act, and any other medical facility for which federal aid may
23 be authorized under federal law;

24 (6) Advisory board means the Long-Term Care Advisory Board;

25 (7) Director means the Director of the Office of Long-Term Care;

26 (8) Department means the Department of Human Services;

27 (9) Office means the Office of Long-Term Care."
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29 SECTION 2. All provisions of this act of a general and permanent nature
30 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
31 Revision Commission shall incorporate the same in the Code.
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33 SECTION 3. If any provision of this act or the application thereof to
34 any person or circumstance is held invalid, such invalidity shall not affect
35 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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4 SECTION 4. All laws and parts of laws in conflict with this act are
5 hereby repealed.

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/s/Jodie Mahony

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