

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.

1 State of Arkansas *As Engrossed: H3/13/03 H3/24/03 H3/28/03 S4/11/03*

2 84th General Assembly

# A Bill

3 Regular Session, 2003

HOUSE BILL 2236

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5 By: Representatives Penix, Walters, *Bright, Key, Rosenbaum, R. Smith*

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## For An Act To Be Entitled

9 AN ACT TO REQUIRE CONTINUOUS QUALITY IMPROVEMENT  
10 PROGRAMS AS A CONDITION FOR LONG-TERM CARE  
11 FACILITIES TO PARTICIPATE IN AN INSURANCE POOL;  
12 TO REQUIRE EDUCATION FOR NURSE AIDES IN LONG-TERM  
13 CARE FACILITIES; AND FOR OTHER PURPOSES.

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## Subtitle

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AN ACT TO IMPROVE THE QUALITY OF CARE IN  
17 LONG-TERM CARE FACILITIES.

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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. Arkansas Code Title 20, Chapter 10, Subchapter 1 is amended  
23 to add additional sections to read as follows:

24 20-10-109. Continuous quality improvement programs.

25 (a)(1) Any nursing facility participating in the state Medicaid  
26 program shall demonstrate a commitment to providing a high degree of quality  
27 of care for its residents as a condition for participation in the fund.

28 (2)(A) The provider shall demonstrate the required commitment  
29 through participation in a continuous quality improvement program.

30 (B)(i) No additional state general revenue shall be used to pay  
31 for the program.

32 (ii) All costs for the program shall be paid by the  
33 facilities participating in the program.

34 (3) A continuous quality improvement program shall include at  
35 least four (4) of the following:

36 (A) Customer satisfaction surveys;



- 1                           (B) Physical restraints;  
2                           (C) Staff satisfaction surveys;  
3                           (D) Pressure ulcers;  
4                           (E) Staff turnover;  
5                           (F) Office of Long-Term Care survey inspections;  
6                           (G) Nutrition and hydration; and  
7                           (H) One (1) or more quality indicators included in the  
8                           Centers for Medicare and Medicaid Services Nursing Home Quality Indicators.

9                   (b) A provider shall demonstrate continuous active participation in a  
10                   continuous quality improvement program in a manner satisfactory to the  
11                   governing body of the insurance pool.

12  
13                   20-10-110. Nurses aide training.

14                   (a) All nursing facilities required to have nurses aides and  
15                   participation in the state Medicaid program shall require all nurses aides  
16                   to:

17                           (1) Complete two (2) hours of orientation, which shall be  
18                           specific to the facility in which the nurse aide is employed, and including  
19                           the Heimlich maneuver; and

20                           (2) Satisfy one (1) of the following:

21   (A) Complete a state-approved training and competency  
22   evaluation program; or

23   (B) Demonstrate competence through satisfactory  
24   participating in a state-approved nurses aide training and competency  
25   evaluation program that includes at least sixteen (16) hours of training in  
26   the following subjects before any direct contact with the resident:

27   (i) Communication and interpersonal skills;

28   (ii) Infection control;

29   (iii) Safety and emergency procedures;

30   (iv) Promoting residents' independence; and

31   (v) Respecting residents' rights.

32                   (b) The provisions of subsection (a) shall not apply to nurse aides  
33                   from an employment agency who are working at the facility in a temporary  
34                   capacity, if they work at the facility for a total of less than thirty (30)  
35                   days per quarter per person.

36    /s/ Penix