

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
2 84th General Assembly
3 Regular Session, 2003

A Bill

SENATE BILL 898

4
5 By: Senator Faris
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For An Act To Be Entitled

9 AN ACT TO ALLOW PRIVATE CARE AGENCIES TO BE
10 ELIGIBLE TO PROVIDE MEDICAID REIMBURSED PERSONAL
11 CARE SERVICES SEVEN DAYS PER WEEK; AND FOR OTHER
12 PURPOSES.

Subtitle

13
14 AN ACT TO ALLOW PRIVATE CARE AGENCIES TO
15 BE ELIGIBLE TO PROVIDE MEDICAID
16 REIMBURSED PERSONAL CARE SERVICES SEVEN
17 DAYS PER WEEK; AND FOR OTHER PURPOSES.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. (a) For purposes of this section, "private care agencies"
24 means those providers who:

25 (1) Were licensed by the Department of Labor as of January 1,
26 1999;

27 (2) Were certified as ElderChoices Providers as of January 1,
28 1999;

29 (3) Furnish in-home staffing services for respite, chore
30 services, and homemaker services; and

31 (4) Are covered by liability insurance of not less than one
32 million dollars (\$1,000,000) covering their employees and independent
33 contractors while they are engaged in providing services, such as personal
34 care, respite, chore services, and homemaker services.

35 (b) The Department of Human Services, in its administration of the
36 Arkansas State Medicaid Program, shall establish Medicaid provider



1 participation requirements for personal care providers that will ensure:

2 (1) That sufficient providers are available to meet the required
3 needs of all eligible recipients of in-home services twenty-four (24) hours
4 per day and seven (7) days per week for personal care;

5 (2) That private care agencies are eligible to provide Medicaid
6 reimbursed personal care services seven (7) days per week;

7 (3) That private care agencies are qualified entities to provide
8 Medicaid reimbursed personal care services; and

9 (4) That the care provided by the private care agencies is
10 consistent with the rules and regulations of the Department of Health.

11 (d) The private care agencies shall comply with rules and regulations
12 promulgated by the Department of Health.

13 (e)(1) The Department of Health shall establish a separate licensure
14 category for the private care agencies for the provision of Medicaid
15 reimbursable personal care services on weekends.

16 (2) The Department of Health shall supervise the conduct of
17 private care agencies.

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