

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 85th General Assembly  
3 Regular Session, 2005

# A Bill

SENATE BILL 1059

4  
5 By: Senator Salmon  
6 By: Representative J. Martin

## For An Act To Be Entitled

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10 AN ACT TO AMEND TITLE 20, CHAPTER 10, SUBCHAPTER  
11 1 TO REQUIRE RESIDENTIAL CARE FACILITIES AND  
12 ASSISTED LIVING FACILITIES TO PROVIDE DISCLOSURE  
13 STATEMENTS TO PROSPECTIVE RESIDENTS; AND FOR  
14 OTHER PURPOSES.

## Subtitle

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17 AN ACT TO REQUIRE RESIDENTIAL CARE  
18 FACILITIES AND ASSISTED LIVING  
19 FACILITIES TO PROVIDE DISCLOSURE  
20 STATEMENTS TO PROSPECTIVE RESIDENTS.

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

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25 SECTION 1. Arkansas Code Title 20, Chapter 10, Subchapter 1 is amended  
26 to read as follows:

27 20-10-109. Disclosure statement for residential care and assisted  
28 living facilities.

29 (a) Each residential care and assisted living facility shall provide  
30 each prospective resident or prospective resident's representative with a  
31 comprehensive consumer disclosure statement before the prospective resident  
32 signs an admission agreement.

33 (b) The disclosure statement shall include, but not be limited to:

34 (1) Proof of current licensure through the Office of Long-Term  
35 Care;

36 (2) A list of services provided by the facility, including, but



1 not limited to:

2 (A) Any medication administration, assistance taking  
 3 medication, or reminders to take medication that the facility may by law or  
 4 regulation provide;

5 (B) Any assistance the facility provides with activities  
 6 of daily living, such as grooming, toileting, ambulation, and bathing;

7 (C) The availability of transportation; and

8 (D) Social activities inside and outside the facility;

9 (3) Staffing levels or ratios required by law, including, but  
 10 not limited to, those concerning:

11 (A) Registered nurses;

12 (B) Licensed nurses;

13 (C) Certified ~~nurse~~ nurse's aides or assistants; and

14 (D) Other staff;

15 (4) Whether staff members are required to be awake while on duty  
 16 and if not, the times when they may be asleep; and

17 (5) Information regarding the physical plant of the facility,  
 18 including, but not limited to:

19 (A) Whether the facility has an emergency generator and,  
 20 if so, the areas of the facility powered by a generator and the length of  
 21 time the generator will provide power;

22 (B) Whether the facility has sprinklers and, if so, the  
 23 areas of the facility that have sprinklers;

24 (C) Whether the facility has smoke detectors and, if so,  
 25 the areas in which smoke detectors are located; and

26 (D)(i) Whether the facility has an emergency evacuation  
 27 plan.

28 (ii) If the facility has an emergency evacuation  
 29 plan, a copy of the plan shall be provided to each prospective resident or  
 30 the prospective resident's representative before the signing of an admission  
 31 agreement.

32 (c) The facility shall update its disclosure statement no less than  
 33 annually.

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