

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013

# A Bill

HOUSE BILL 1799

4  
5 By: Representative Wardlaw

## For An Act To Be Entitled

8 AN ACT TO AUTOMATE THE REVIEW OF ABUSE REGISTRIES  
9 MAINTAINED BY THE DEPARTMENT OF HUMAN SERVICES; TO  
10 STREAMLINE THE PROCESS FOR REQUESTING AN ABUSE  
11 REGISTRY CHECK; AND FOR OTHER PURPOSES.

## Subtitle

14 TO AUTOMATE THE REVIEW OF ABUSE  
15 REGISTRIES MAINTAINED BY THE DEPARTMENT  
16 OF HUMAN SERVICES.

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19  
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 38, Subchapter 1, is  
23 amended to add an additional section to read as follows:

24 20-38-113. Automated abuse registry checks.

25 (a) The Department of Human Services shall:

26 (1)(A) No later than July 1, 2014, create and maintain a program  
27 that automates the databases of the Child Maltreatment Central Registry  
28 created in § 12-18-901, the Adult and Long-term Care Facility Resident  
29 Maltreatment Central Registry created in § 12-12-1716, and the Certified  
30 Nursing Assistant/Employment Clearance Registry maintained by the Office of  
31 Long-Term Care of the Division of Medical Services of the Department of Human  
32 Services pursuant to 42 C.F.R. 20 § 483.156 and § 20-10-20.

33 (B) The program created and maintained under subdivision  
34 (a)(1)(A) of this section shall allow an entity or person required to conduct  
35 a registry check under a registry listed in subdivision (a)(1)(A) of this  
36 section to access all three (3) registries through a single web-based



1 process;

2 (2) Streamline the process of requesting a registry check so  
3 that all forms authorizing the release of confidential information under a  
4 registry listed in subdivision (a)(1)(A) of this section are consistent; and

5 (3) Adopt rules to implement this section.

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7 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General  
8 Assembly that the process for conducting abuse registry checks for vulnerable  
9 citizens does not provide timely access to the release of registry  
10 information for the protection of those citizens; and that this act is  
11 necessary because the lapse in time that creates an threat to vulnerable  
12 citizens will be remedied through registry information made more accessible  
13 through automation. Therefore, an emergency is hereby declared to exist, and  
14 this act being necessary for the preservation of the public peace, health and  
15 safety shall be in full force and effect from and after July 1, 2013.