

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

HOUSE BILL 1409

5 By: Representative Sabin
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For An Act To Be Entitled

8 AN ACT TO INCLUDE CLASS B HOME HEALTH AGENCIES AS
9 PRIVATE CARE AGENCIES; TO DECLARE AN EMERGENCY; AND
10 FOR OTHER PURPOSES.
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Subtitle

13 TO INCLUDE CLASS B HOME HEALTH AGENCIES
14 AS PRIVATE CARE AGENCIES; AND TO DECLARE
15 AN EMERGENCY.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 20-10-2302 is amended to read as follows:

22 As used in this subchapter, "private care agency" means a provider
23 that:

24 (1) is licensed by the Department of Labor or is licensed by
25 the Division of Health Facilities Services of the Department of Health as a
26 Class B home health agency; and

27 (2) Is certified as an ElderChoices provider and that;

28 ~~(1)~~(3) Furnishes in-home staffing services for personal care
29 services that include without limitation respite services, chore services,
30 and homemaker services; and

31 ~~(2)~~(4) Retains liability insurance of not less than one million
32 dollars (\$1,000,000) to cover its employees and independent contractors while
33 its employees and independent contractors are engaged in providing personal
34 care services that include without limitation respite services, chore
35 services, and homemaker services.
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1 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
2 General Assembly of the State of Arkansas that the licensure for a private
3 care agency is only allowed to one (1) type of business organization
4 structure, restricting the type and amount of healthcare providers; that
5 allowing a Class B home health agency to qualify as a private care agency
6 will vary the type of business organization structures, but will not vary the
7 rules of service delivery or the healthcare services offered; and that this
8 act is immediately necessary to increase the amount of healthcare services
9 available to be delivered to the citizens of Arkansas. Therefore, an
10 emergency is declared to exist, and this act being immediately necessary for
11 the preservation of the public peace, health, and safety shall become
12 effective on:

13 (1) The date of its approval by the Governor;

14 (2) If the bill is neither approved nor vetoed by the Governor,
15 the expiration of the period of time during which the Governor may veto the
16 bill; or

17 (3) If the bill is vetoed by the Governor and the veto is
18 overridden, the date the last house overrides the veto.

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