

*As Engrossed: 2/13/91 2/15/91*

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**

**A BILL ACT 623 OF 1991**  
**HOUSE BILL 1640**

4 **By: Representatives Thicksten, Mahony, Northcutt and McKissack**

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**For An Act To Be Entitled**

8 "AN ACT TO AMEND TITLE 20, CHAPTER 8, SUBCHAPTER 1 OF THE  
9 ARKANSAS CODE OF 1987 TO ADD A REPRESENTATIVE OF  
10 RESIDENTIAL CARE FACILITIES TO THE HEALTH SERVICES  
11 COMMISSION; AND FOR OTHER PURPOSES."

12

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

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15 SECTION 1. Arkansas Code §20-8-102 is hereby amended to read as  
16 follows:

17 "20-8-102. Health Services Commission - Creation - Members - Meetings.

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19 (a) There is established a Health Services Commission.

20 (b) The Health Services Commission shall be composed of the following  
21 membership to be appointed by the Governor and confirmed by the Senate:

22 (1) A practicing physician;

23 (2) A representative of the Department of Human Services;

24 (3) A member of the Arkansas Hospital Association;

25 (4) A member of the Arkansas Health Care Association;

26 (5) A member of the Arkansas Chapter of the American Association  
27 of Retired Persons;

28 (6) A member of the Arkansas Association of Home Health Agencies;

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30 (7) A consumer knowledgeable in business health insurance;

31 (8) A member of the Arkansas Association of Residential Care  
32 Facilities.

33 (c) All appointments shall be for three-year terms.

34 (d) The commission members shall serve without pay, but those members  
35 not employed by the State of Arkansas shall receive reimbursement for actual  
36 expenses incurred for attendance at meetings of the commission.

1 (e) The commission shall meet at least quarterly and at such other  
2 times as necessary to carry out its duties as set forth in this subchapter.  
3 The commission shall elect one (1) of its members as chairman and may, by  
4 appropriate adoption of bylaws and rules, provide for the time, place, and  
5 manner of calling its meetings."

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7 SECTION 2. The member appointed from the Association of Residential  
8 Care Facilities shall be appointed to a three (3) year term to commence April  
9 1991.

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11 SECTION 3. All provisions of this act of a general and permanent nature  
12 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
13 Revision Commission shall incorporate the same in the Code.

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15 SECTION 4. If any provision of this act or the application thereof to  
16 any person or circumstance is held invalid, such invalidity shall not affect  
17 other provisions or applications of the act which can be given effect without  
18 the invalid provision or application, and to this end the provisions of this  
19 act are declared to be severable.

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21 SECTION 5. All laws and parts of laws in conflict with this act are  
22 hereby repealed.

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24 SECTION 6. EMERGENCY. It is hereby found and determined by the  
25 Seventy-Eighth General Assembly that residential care facilities are now under  
26 the jurisdiction of the Health Service Commission; that representation on the  
27 commission by those covered by the commission is fundamental in a democratic  
28 society; that the immediate appointment of a representative on such commission  
29 is necessary to preserve the rights of those facilities being regulated by the  
30 commission. Therefore, an emergency is hereby declared to exist and this act  
31 being necessary for the immediate preservation of the public peace, health and  
32 safety shall be in full force and effect upon passage and approval.

33 /s/ Edward Thicksten et al

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35 APPROVED: 3-19-91

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