

.As Engrossed: 4/4/95

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Senator Bearden**

A Bill

ACT 1321 OF 1995
SENATE BILL 738

For An Act To Be Entitled

8 *"AN ACT TO PROVIDE THAT UPON THE DISSOLUTION OF ANY*
9 *CORPORATION CURRENTLY LICENSED TO PROVIDE HOME HEALTH CARE*
10 *SERVICES, REGULATORY AGENCIES MAY TRANSFER THE*
11 *CORPORATION'S PERMITS OF APPROVAL AND LICENSES TO A*
12 *SHAREHOLDER OF THE CORPORATION; AND FOR OTHER PURPOSES."*

Subtitle

15 *"AN ACT TO PROVIDE THAT UPON THE*
16 *DISSOLUTION OF ANY CORPORATION CURRENTLY*
17 *LICENSED TO PROVIDE HOME HEALTH CARE*
18 *SERVICES, REGULATORY AGENCIES MAY*
19 *TRANSFER THE CORPORATION'S PERMITS OF*
20 *APPROVAL AND LICENSES TO A SHAREHOLDER*
21 *OF THE CORPORATION."*

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

26 *SECTION 1. Upon the dissolution of any corporation which on the*
27 *effective date of this act is licensed to provide home health care services,*
28 *the Health Department, the Health Services Agency, the Health Services*
29 *Commission, and any other agency involved may transfer the dissolved*
30 *corporation's licenses and permits of approval to a stockholder of the*
31 *dissolved corporation and that stockholder may continue to perform home health*
32 *care services under the transferred license and permit of approval.*

34 *SECTION 2. All provisions of this act of a general and permanent nature*
35 *are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code*
36 *Revision Commission shall incorporate the same in the Code.*

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SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 5. EMERGENCY. It is hereby found and determined by the General Assembly that home health care services should be dealt with by the private sector obtaining licenses or permits of approval from any agency of the state; that this act so provides; and this act should go into effect as soon as possible in order to maximize home health care services throughout this state. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

/s/Bearden

APPROVED: 4-14-95

