

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: H3/21/13
A Bill

HOUSE BILL 1799

5 By: Representative Wardlaw
6

7 **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.
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14 **Subtitle**

15 TO AUTOMATE THE REVIEW OF ABUSE
16 REGISTRIES MAINTAINED BY THE DEPARTMENT
17 OF HUMAN SERVICES.
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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) Contingent upon the receipt of funding, appropriation,
27 and positions, create and maintain a program no later than July 1, 2016, that
28 automates the databases of the Child Maltreatment Central Registry created in
29 § 12-18-901, the Adult and Long-term Care Facility Resident Maltreatment
30 Central Registry created in § 12-12-1716, and the Certified Nursing
31 Assistant/Employment Clearance Registry maintained by the Office of Long-Term
32 Care of the Division of Medical Services of the Department of Human Services
33 under 42 C.F.R. 20 § 483.156 and § 20-10-203.

34 (B) The program created and maintained under subdivision
35 (a)(1)(A) of this section shall allow an entity or person required to conduct
36 a registry check under a registry listed in subdivision (a)(1)(A) of this



1 section to access all three (3) registries through a single web-based
2 process;

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

6 (3) Adopt rules to implement this section.

7 (b) Contingent upon the receipt of funding, appropriation, and
8 positions, the department shall initiate implementation of the program
9 described under subsection (a) of this section and establish a public
10 timeline for full implementation no later than July 1, 2014.

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

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25 /s/Wardlaw

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28 **APPROVED: 04/04/2013**