

"AN ACT TO AMEND ARKANSAS CODE OF 1987, TITLE 20, CHAPTER 10, SUBCHAPTER THREE TO CHANGE THE MEMBERSHIP OF THE LONG-TERM CARE FACILITY ADVISORY BOARD; AND FOR OTHER PURPOSES.

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

SECTION 1. Arkansas Code 20-10-301(a) is hereby amended to read as follows:

"(a) (1) There is created the Long-Term Care Facility Advisory Board to be composed of ten (10) members to be selected as follows:

(A) One (1) member appointed by the Governor from the public at large;

(B) Two (2) members appointed by the Governor who shall be an owner or administrator of a long-term care nursing facility selected from a list of nominees prepared by the Arkansas Nursing Home Association;

(C) One (1) member appointed by the Governor who shall be a doctor of medicine nominated by the Arkansas Medical Society;

(D) One (1) member appointed by the Governor who shall be a registered nurse with experience in geriatric nursing from a list provided by the Gerontological Council of the Arkansas State Nurses Association;

(E) One (1) member who shall be the deputy director of the appropriate division as determined by the Director of the Department of Human Services or his appointed representative;

(F) One (1) member shall be over sixty (60) years old and represent the elderly. This person shall not be actively engaged in or retired from any occupation, profession, or industry to be regulated by the long-term care facility advisory board. The member shall be appointed by the Governor from the state at large and subject to confirmation by the Senate.

(G) One (1) member who shall be the Director of the Department of Health, or his appointed representative;

(H) One (1) member appointed by the Governor who shall be a provider licensed by the Office of Long-Term Care to provide residential care or adult day-care services; and

(I) One (1) member from the Arkansas Association of the Area Agencies on Aging to be selected by the Governor.

(2) All members shall be appointed after consultation with the appropriate professional societies.

(3) The deputy director of the appropriate division as determined by the Director of the Department of Human Services shall be an ex officio member and chairman of the board, voting only in case of a tie vote.

(4) Only a member appointed under (B) above may have a financial interest in, be retired from or be employed by any long-term care facility, provided further, a provider licensed by the Office of Long Term Care appointed under (H) above shall not have a financial interest in, be retired from or employed by any nursing home and the person appointed pursuant to (D) may be employed by a nursing home.

SECTION 2. Current members of the Long-Term Care Advisory Facility Board who fail to meet the requirements set forth herein, may serve out the remainder of their term but shall not be eligible for reappointment.

SECTION 3. All laws and parts of laws in conflict with this act are

hereby repealed.

SECTION 4. EMERGENCY. It is hereby found and determined by the General Assembly that during recent months, certain inadequacies in the continuum of health care for the older citizens of this State have been brought to the attention of the General Assembly; that this Act is necessary to assure each citizen of this State in need of long-term care that a high quality of care at affordable cost will be provided; that the older citizenry of this State deserve the best possible care; that the immediate passage of this Act is essential to the health, welfare and safety of the citizens of the State of Arkansas and to avoid irreparable harm upon the proper administration of an essential government program. Therefore, an emergency is hereby declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

APPROVED: 7/15/88

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