

**Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.**

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

# A Bill

**Act 465 of 2001**  
SENATE BILL 370

5 By: Senator Fitch  
6 By: Representatives Minton, Salmon  
7

## **For An Act To Be Entitled**

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9  
10 AN ACT TO AMEND ARKANSAS CODE 20-10-213 TO REDEFINE  
11 THE TERM LONG TERM CARE FACILITY; AND FOR OTHER  
12 PURPOSES.  
13

## **Subtitle**

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15 AN ACT TO AMEND ARKANSAS CODE 20-10-213  
16 TO REDEFINE THE TERM LONG TERM CARE  
17 FACILITY.  
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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 20-10-213(4) is amended to read as follows:

23 (4)(A) "Long-term care facility" means and shall be construed to  
24 include any building, structure, agency, institution, or other place for the  
25 reception, accommodation, board, care, or treatment of three (3) or more  
26 unrelated individuals who, because of age, illness, blindness, disease, or  
27 physical or mental infirmity, are unable to sufficiently or properly care for  
28 themselves and where for that reception, accommodation, board, care, or  
29 treatment a charge is made.

30 (B) However, the term "long-term care facility" shall not  
31 include:

32 (i) The offices of private physicians and surgeons;  
33 (ii) Boarding homes provided that fifty percent (50%)  
34 or more of the residents of the boarding home at any given time are not  
35 receiving personal care as defined by Arkansas Medicaid regulations. If this  
36 threshold is met, the boarding home shall be classified as a residential care

1 facility. This provision does not change the prohibition on boarding homes  
2 providing direct care to residents;

3 (iii) Hospitals;

4 (iv) Recuperation centers;

5 (v) Supervised or supported living apartments, group  
6 homes, family homes, or developmental day treatment clinics for individuals  
7 with developmental disabilities operated by providers licensed by the Division  
8 of Developmental Disabilities Services;

9 (vi) Institutions operated by the federal government;

10 ~~or~~

11 (vii) Separate living arrangements that do not  
12 involve monitoring the activities of the residents while on the premises of  
13 the institution or facility to ensure the residents' health, safety, or well-  
14 being and that do not involve the institution or facility's being aware of the  
15 residents' general whereabouts; or

16 (viii) Hospices.

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19 APPROVED: 2/28/2001  
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