

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.

Act 357 of the Regular Session

As Engrossed: S2/17/09 S2/19/09

A Bill

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

SENATE BILL 307

4
5 By: Senator T. Smith
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8 **For An Act To Be Entitled**

9 AN ACT TO EXEMPT FROM LICENSURE THOSE ADULT DAY
10 CARE CENTERS THAT CARE FOR IMPAIRED ADULTS FOR
11 PERIODS OF FOUR (4) OR LESS HOURS PER DAY; AND
12 FOR OTHER PURPOSES.
13

14 **Subtitle**

15 AN ACT TO EXEMPT FROM LICENSURE THOSE
16 ADULT DAY CARE CENTERS THAT CARE FOR
17 IMPAIRED ADULTS FOR PERIODS OF FOUR (4)
18 OR LESS HOURS PER DAY.
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code § 20-10-101(10), concerning the definition of
24 long-term care facility, is amended to read as follows:

25 (10)(A) "Long-term care facility" means a nursing home,
26 residential care facility, assisted living facility, post-acute head injury
27 retraining and residential care facility, or any other facility which
28 provides long-term medical or personal care.

29 (B) "Long-term care facility" does not include an adult
30 day care program that:

31 (i) Provides care and supervision to meet the needs
32 of twelve (12) or fewer functionally impaired adults at any time in a place
33 other than the adult's home;

34 (ii) Provides services to clients for periods of
35 four (4) hours or less per day for only one (1) day per week;



1 (iii) Designates an individual to act as the program
2 director to have responsibility for the operation of the program;

3 (iv) Posts a notice in eighteen-point type that:

4 (a) Is located at or near the main entrance to
5 the structure in which the program operates;

6 (b) Lists the name and contact information of
7 the program director;

8 (c) Lists the name and the contact telephone
9 number for the Adult Protective Services Unit of the Department of Human
10 Services; and

11 (d) Lists the name and the contact telephone
12 number for the Office of Long-Term Care of the Department of Human Services;

13 (v) Operates in a building or structure that is at
14 all times in compliance with safety code requirements as determined by the
15 local fire authority; and

16 (vi) Operates in accordance with the National
17 Alzheimer's Association Standards of Dementia Care Practices or similarly
18 nationally recognized standards for the treatment and care of individuals
19 with Alzheimer's or related dementia, as in existence on January 1, 2009.

20 SECTION 2. Arkansas Code § 20-10-224, concerning licenses for long-
21 term care facilities, is amended to add an additional subsection to read as
22 follows:

23 (n) The Department of Human Services shall not require a license for
24 an adult day care program that is excepted from the definition of long-term
25 care facility under § 20-10-101.

26
27 /s/ T. Smith

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29 **APPROVED: 3/10/2009**