Stricken language would be deleted from and underlined language would be added to present law. Act 1054 of the Regular Session

1	State of Arkansas	As Engrossed: \$3/12/15 A Bill	
2	90th General Assembly		GENIATE DILL 012
3	Regular Session, 2015		SENATE BILL 912
4	Dyu Constan Hastan		
5	By: Senator Hester		
6 7		For An Act To Be Entitled	
7 8	AN ACT TO PROHIBIT ADVERTISEMENT OF THE RESULTS OF A		S OF A
9	SURVEY, INSPECTION, OR INVESTIGATION OF A LONG-TERM		
10	CARE FACILITY; AND FOR OTHER PURPOSES.		
10			
12			
13		Subtitle	
14	TO F	PROHIBIT ADVERTISEMENT OF THE RESULTS	
15	OF A	A SURVEY, INSPECTION, OR INVESTIGATION	I
16		A LONG-TERM CARE FACILITY.	
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19	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARKA	NSAS:
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21	SECTION 1. Ark	ansas Code Title 20, Chapter 10, Subc	hapter l, is
22	amended to add an add	itional section to read as follows:	
23	<u>20-10-112. Res</u>	ults of a survey, inspection, or inve	<u>stigation</u>
24	<u>prohibited in adverti</u>	sements.	
25	<u>(a) Except as</u>	otherwise provided in this section, t	<u>he results of a</u>
26	survey, inspection, o	r investigation of a long-term care f	acility conducted
27	<u>by any state or feder</u>	al department or agency, including an	<u>y statement of</u>
28	deficiencies, all fin	dings and deficiencies cited in a sta	tement of
29	deficiencies, all pro	posed and implemented plans of correc	tion, and all
30	<u>statements of intervi</u>	ews with individuals in connection wi	<u>th any inspection</u>
31	<u>or investigation, sha</u>	ll not be used in an advertisement, u	<u>nless the</u>
32	advertisement include	s all of the following:	
33	<u>(1) The</u>	date the survey, inspection, or invest	<u>tigation was</u>
34	<pre>conducted;</pre>		
35		atement that a facility is required to	-
36	<u>correction in respons</u>	e to a statement of deficiencies, if a	<u>applicable;</u>



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1	(3) If a finding or deficiency cited in the statement of		
2	deficiencies has been corrected, a statement that the finding or deficiency		
3	has been corrected and the date that the finding or deficiency was corrected;		
4	and		
5	(4) A statement that the advertisement is not authorized or		
6	endorsed by the Office of Long-Term Care of the Division of Medical Services		
7	of the Department of Human Services, or any other government agency.		
8	(b) This section does not prohibit the results of a survey,		
9	inspection, or investigation conducted under this section from being used in		
10	an administrative proceeding or a criminal investigation or prosecution.		
11	(c) The information required in subsection (a) of this section shall:		
12	(1) Be in the same font and size as the other language on or in		
13	the advertisement; and		
14	(2) Appear as prominent as other language used in the		
15	<u>advertisement.</u>		
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17	/s/Hester		
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20	APPROVED: 04/04/2015		
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