

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1828

5 By: Representative Ladyman
6 By: Senator D. Wallace
7

For An Act To Be Entitled

9 AN ACT TO CLARITY THAT THE DEPARTMENT OF HUMAN
10 SERVICES IS REQUIRED TO PROMULGATE RULES TO ESTABLISH
11 ELIGIBILITY FOR LONG-TERM CARE NURSING FACILITY
12 PLACEMENT; AND FOR OTHER PURPOSES.
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Subtitle

15 TO CLARITY THAT THE DEPARTMENT OF HUMAN
16 SERVICES IS REQUIRED TO PROMULGATE RULES
17 TO ESTABLISH ELIGIBILITY FOR LONG-TERM
18 CARE NURSING FACILITY PLACEMENT.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 20-77-127(a) and (b), concerning
25 eligibility for long-term care nursing facility placement, are amended to
26 read as follows:

27 (a) The eligibility determination regarding every applicant for long-
28 term care nursing facility placement shall be made according to the criteria
29 ~~exactly as set forth in~~ the rules promulgated by the Department of Human
30 Services.

31 ~~(1) The Office of Long-Term Care Procedures for Determination of~~
32 ~~Medical Need for Nursing Home Services, as it existed on January 1, 2013; and~~

33 ~~(2) The Medical Services Policy Manual of the Division of County~~
34 ~~Operations of the Department of Human Services, as it existed on January 1,~~
35 ~~2013.~~

36 (b) ~~The eligibility determination criteria established under~~



1 ~~subsection (a) of this section and any part of subsection (a) of this section~~
2 ~~shall not be modified, altered, amended, or changed before June 30, 2014. The~~
3 ~~department shall promulgate rules to establish eligibility determinations for~~
4 ~~long-term care nursing facility placement.~~

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7 **APPROVED: 4/26/21**
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