

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

As Engrossed: H2/16/23

# A Bill

SENATE BILL 188

5 By: Senator Irvin  
6 By: Representatives Schulz, L. Johnson  
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## For An Act To Be Entitled

9 AN ACT TO CLARIFY THAT THE DIVISION OF PROVIDER  
10 SERVICES AND QUALITY ASSURANCE OF THE DEPARTMENT OF  
11 HUMAN SERVICES CERTIFIES AND REGULATES LONG-TERM CARE  
12 FACILITIES AND SERVICES; AND FOR OTHER PURPOSES.  
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## Subtitle

15 TO CLARIFY THAT THE DIVISION OF PROVIDER  
16 SERVICES AND QUALITY ASSURANCE OF THE  
17 DEPARTMENT OF HUMAN SERVICES CERTIFIES  
18 AND REGULATES LONG-TERM CARE FACILITIES  
19 AND SERVICES.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code § 20-10-2302, is amended to read as follows:  
26 20-10-2302. Definition.

27 As used in this subchapter, "private care agency" means a provider that  
28 is certified by the Division of ~~Aging, Adult, and Behavioral Health Services~~  
29 Provider Services and Quality Assurance of the Department of Human Services  
30 as a provider of home- and community-based health services and that:

31 (1) Furnishes in-home staffing services for personal and  
32 attendant care services; and

33 (2) Retains liability insurance of not less than one million  
34 dollars (\$1,000,000) to cover its employees and independent contractors while  
35 its employees and independent contractors are engaged in providing personal  
36 and attendant care services.



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SECTION 2. Arkansas Code § 20-33-213(a)(2)(A), concerning the definition of "service provider", is amended to read as follows:

(A) A home- and community-based health services provider certified by the Division of Provider Services and Quality Assurance ~~Department of Human Services~~;

SECTION 3. Arkansas Code § 20-38-101(9)(E), concerning the definition of "service provider" is amended to read as follows:

(E) A home- and community-based health services provider certified by the ~~Division of Aging, Adult, and Behavioral Health Services~~ Provider Services and Quality Assurance ~~of the Department of Human Services~~;

*/s/ Irvin*

**APPROVED: 2/27/23**