

**Hall of the House of Representatives**  
91st General Assembly - Regular Session, 2017  
**Amendment Form**

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**Subtitle of House Bill No. 1432**

CONCERNING THE TRANSPORTATION OF MALTREATED ADULTS; AND TO DEFINE "IMPAIRMENT"  
UNDER THE ADULT MALTREATMENT CUSTODY ACT AND THE ADULT AND LONG-TERM CARE  
FACILITY RESIDENT MALTREATMENT ACT.

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**Amendment No. 1 to House Bill No. 1432**

Amend House Bill No. 1432 as originally introduced:

Page 1, delete lines 31 through 33, and substitute the following:  
"diagnosis, evaluation, or assessment."

SECTION 2. Arkansas Code § 9-20-114(e), concerning the transportation of a maltreated adult after emergency custody is exercised, is amended to read as follows:

(e)(1) If emergency custody is exercised under this section, the person exercising the custody or an authorized employee of the department may consent to having the maltreated adult transported by a law enforcement officer or by ~~ambulance~~ an emergency medical services provider if medically appropriate, even if the adult objects.

(2) No court order shall be required for transport by law enforcement or ambulance transport an emergency medical services provider.

(3) ~~If an ambulance driver or company or a law enforcement officer acts in good faith under this section, the immunity provisions of § 5-28-207 [repealed] shall apply~~ A law enforcement officer, an emergency medical services provider, and the employees of an emergency medical services provider are immune from criminal and civil liability for injury, death, or loss that allegedly arises from good faith action taken in accordance with this subsection.

(4) ~~The good faith of the ambulance driver or company or law enforcement officer shall be presumed~~ There is a presumption of good faith on the part of a law enforcement officer, an emergency medical services provider, and the employees of an emergency medical services provider that act in accordance with subdivisions (e)(1) and (2) of this section.

SECTION 3. Arkansas Code § 9-20-116(a), concerning probable cause"

AND



Appropriately renumber the sections of the bill

AND

Page 1, line 36, delete "The" and substitute "An authorized employee of the"

AND

Page 2, line 1, delete "ambulance" and substitute "an emergency medical services provider"

AND

Page 2, line 5, delete "ambulance" and substitute "an emergency medical services provider"

AND

Page 2, line 7, delete "ambulance driver, a company, or" and substitute "emergency medical services provider, the employees of an emergency medical services provider, and"

AND

Page 2, line 8, delete "is" and substitute "are"

AND

Page 2, delete lines 11 through 13, and substitute the following:

"(D) There is a presumption of good faith on the part of an emergency medical services provider, the employees of an emergency medical services provider, and a law enforcement officer that act in accordance with subdivisions (a)(3)(A) and (B) of this section."

AND

Page 2, line 19, delete "The" and substitute "An authorized employee of the"

AND

Page 2, line 20, delete "ambulance" and substitute "an emergency medical services provider"

AND

Page 2, line 24, delete "ambulance" and substitute "emergency medical services provider"

AND

Page 2, line 26, delete "ambulance driver, a company, or" and substitute "emergency medical services provider, the employees of a medical services"

provider, and"

AND

Page 2, line 27, delete "is" and substitute "are"

AND

Page 2, delete lines 30 through 32, and substitute the following:

"(D) There is a presumption of good faith on the part of an emergency medical services provider, the employees of an emergency medical services provider, and a law enforcement officer that act in accordance with subdivisions (b)(2)(A) and (B) of this section."

The Amendment was read \_\_\_\_\_

By: Representative Wing

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Chief Clerk