

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.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H2/24/09

A Bill

HOUSE BILL 1419

5 By: Representative Wells
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For An Act To Be Entitled

9 AN ACT TO PROTECT NURSING HOME RESIDENTS FROM THE
10 THREAT OF FIRE; TO PROHIBIT TAMPERING WITH SMOKE
11 DETECTORS AND FIRE EXTINGUISHERS IN NURSING HOMES
12 WHEN AN EMERGENCY HAS BEEN SOUNDED; AND FOR OTHER
13 PURPOSES..

Subtitle

16 TO PROTECT NURSING HOME RESIDENTS FROM
17 THE THREAT OF FIRE; TO PROHIBIT
18 TAMPERING WITH SMOKE DETECTORS AND FIRE
19 EXTINGUISHERS IN NURSING HOMES WHEN AN
20 EMERGENCY HAS BEEN SOUNDED.
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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 Title 20, Chapter 10, Subchapter 1 is amended
26 to add an additional section to read as follows:

27 20-10-112. Fire safety in nursing home.

28 (a) As used in this section:

29 (1) "Firefighter" means a member of a fire department of a city
30 of the first class, or a city of the second class, or a town, or an
31 unincorporated rural area of this state who actively engages in the fighting
32 of fires on either a regular or voluntary basis; and

33 (2)(A) "Nursing home" means an institution that is primarily
34 engaged in providing health care and health care services on a twenty-four-
35 hour basis to individuals who because of their mental or physical condition
36 require health care and health care services that can be made available to



1 them only through institutional care.

2 (B) "Nursing home" does not include an intermediate care
3 facility for the mentally retarded, a hospital, or an assisted living
4 facility.

5 (b) A person shall not tamper with, disable, silence, or destroy a
6 smoke alarm device or fire alarm device located in a nursing home while the
7 smoke alarm device or fire alarm device is sounding or otherwise indicating a
8 smoke or fire emergency.

9 (c) If a smoke alarm device or fire alarm device sounds or otherwise
10 indicates a smoke or fire emergency in a nursing home, only a firefighter may
11 silence the smoke alarm device or fire alarm device.

12 (d)(1) A nursing home that pleads guilty or nolo contendere to or is
13 found guilty of violating this section shall be punished by a fine of not
14 more than one thousand dollars (\$1,000).

15 (2) An employee of a nursing home who pleads guilty or nolo
16 contendere to or is found guilty of violating this section shall be punished
17 by a fine of not more than two hundred fifty dollars (\$250).

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19 /s/ Wells
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