



Office of Legislative and Intergovernmental Affairs
Office of Rules Promulgation

P.O. Box 1437, Slot S295 · Little Rock, AR 72203-1437
501-320-6266 · Fax: 501-404-4619



December 11, 2019

Jessica Sutton, Administrator
Administrative Rules Review Section
Arkansas Legislative Council
Bureau of Legislative Research
#1 Capitol, 5th Floor
Little Rock, AR 72201

RECEIVED
DEC 11 2019
BUREAU OF
LEGISLATIVE RESEARCH

Re: Rules for Conducting Criminal Record Checks for Employees of Long Term Care Facilities

Dear Ms. Sutton:

Please find attached the following rule for the Department of Human Services that was filed with the Secretary of State's office on December 11, 2019, pursuant to Acts 2019, No. 893: Rules for Conducting Criminal Record Checks for Employees of Long Term Care Facilities. This rule puts forth the requirements of Criminal Record Checks for Employees of Long Term Care Facilities. The only change to the rule is to remove the word "regulation" and replace it with the word "rule", where appropriate.

If you have any questions or need additional information, please contact Mac Goldman, Office of Chief Counsel at 501-320-6383 or by emailing Mac.E.Goldman@dhs.arkansas.gov.

Sincerely,

A handwritten signature in black ink, appearing to be "J. Sharum".

Jerald Sharum
Director

JS:th

Attachments



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Re: Rules for the Arkansas Long Term Care Facility - Nursing Assistant Training Program

Dear Ms. Sutton:

Please find attached the following rule for the Department of Human Services that was filed with the Secretary of State's office on December 11, 2019, pursuant to Acts 2019, No. 893: Rules for the Arkansas Long Term Care Facility - Nursing Assistant. Training Program. This rule will allow the Division of Medical Services (DMS), Office of Long Term Care adhere to Act 893. The purpose of this rule is to provide training and competency evaluations programs for individuals who provide nursing or nursing-related services to residents in long term care facilities and who are not licensed health professionals or volunteers who provide services without monetary compensations. Changes to this rule will affect Section I, Section IV, Section V, Section VI, Section VII, Section VIII, Section X, Forms DMS-724, and DMS-755. The only change to the rule is to remove the word "regulation" and replace it with the word "rule", where appropriate.

If you have any questions or need additional information, please contact Mac Goldman, Office of Chief Counsel at 501-320-6383 or by emailing Mac.E.Golden@dhs.arkansas.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Sharum".

Jerald Sharum
Director

JS:tr

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Re: Better Beginnings Quality Rating Improvement System

Dear Ms. Sutton:

Please find attached the following rule for the Department of Human Services that was filed with the Secretary of State's office on December 11, 2019, pursuant to Acts 2019, No. 893: Better Beginnings Quality Rating Improvement System. This rule lays out the steps to help programs improve their day to day environment for children, and to establish proven administrative practices. The only change to the rule is to remove the word "regulation" and replace it with the word "rule", where appropriate.

If you have any questions or need additional information, please contact Mac Golden, Office of Chief Counsel at 501-320-6383 or by emailing Mac.E.Golden@dhs.arkansas.gov.

Sincerely,

A handwritten signature in cursive script that reads "Tonya Williams".

Tonya Williams
Director

TW:th

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Re: Rules for the Registration, Operation and Parking of Motor Vehicles on the Arkansas State Hospital Campus

Dear Ms. Sutton:

Please find attached the following rule for the Department of Human Services that was filed with the Secretary of State's office on December 11, 2019, pursuant to Acts 2019, No. 893: Rules for the registration, operation and parking of motor vehicles on the Arkansas State hospital campus. This rule establishes parking guidelines at the Arkansas State Hospital campus. The only change to the rule is to remove the word "regulation" and replace it with the word "rule", where appropriate.

If you have any questions or need additional information, please contact Mac Goldman, Office of Chief Counsel at 501-320-6383 or by emailing Mac.E.Goldman@dhs.arkansas.gov.

Sincerely,

A handwritten signature in black ink that reads "Jay Hill".

Jay Hill
Director

JH:th

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Re: Rules for the Licensure of Residential Long-Term Care Facilities

Dear Ms. Sutton:

Please find attached the following rule for the Department of Human Services that was filed with the Secretary of State's office on December 11, 2019, pursuant to Acts 2019, No. 893: Rules for the Licensure of Residential Long-Term Care Facilities. This rule outlines the requirements for licensure and maintenance of residential long-term care facilities. The only change to the rule is to remove the word "regulation" and replace it with the word "rule", where appropriate.

If you have any questions or need additional information, please contact Mac Golden, Office of Chief Counsel at 501-320-6383 or by emailing Mac.E.Golden@dhs.arkansas.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerald Sharum". The signature is fluid and cursive.

Jerald Sharum
Director

JS:em

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Re: Administrative Procedures of Nursing Home Quality Assurance Fee

Dear Ms. Sutton:

Please find attached the following rule for the Department of Human Services that was filed with the Secretary of State's office on December 11, 2019, pursuant to Acts 2019, No. 893: Administrative Procedures of Nursing Home Quality Assurance Fee. This rule lays out the administrative procedures of Nursing Home Quality Assurance Fees. The only change to the rule is to remove the word "regulation" and replace it with the word "rule", where appropriate.

If you have any questions or need additional information, please contact Mac Golden, Office of Chief Counsel at 501-320-6570 or by emailing Mac.E.Golden@dhs.arkansas.gov.

Sincerely,

A handwritten signature in cursive script that reads "Janet Mann".

Janet Mann
Director

JM:th

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Re: Rules Pertaining to Post-Acute Head Injuries Retraining and Residential Adult Care Facilities

Dear Ms. Sutton:

Please find attached the following rule for the Department of Human Services that was filed with the Secretary of State's office on December 11, 2019, pursuant to Acts 2019, No. 893: Rules Pertaining to Post-Acute Head Injuries Retraining and Residential Adult Care Facilities. This rule outlines the requirements for licensure and retraining for post-acute head injuries pertaining to residential and adult care facilities. The only change to the rule is to remove the word "regulation" and replace it with the word "rule", where appropriate.

If you have any questions or need additional information, please contact Mac Golden, Office of Chief Counsel at 501-320-6383 or by emailing Mac.E.Golden@dhs.arkansas.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Sharum".

Jerald Sharum
Director

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Re: Rules for Licensure of Nursing Home Administrators in Arkansas

Dear Ms. Sutton:

Please find attached the following rule for the Department of Human Services that was filed with the Secretary of State's office on December 11, 2019, pursuant to Acts 2019, No. 893: Rules for Licensure of Nursing Home Administrators in Arkansas. This rule will allow the Division of Medical Services (DMS), Office of Long Term Care adhere to Act 893. The Rules for Licensure of Nursing Home Administrators is to establish nursing home administrator's competency as well as criterion for the licensure of nursing home administrators. Changes to this rule will affect Authority, Preface, Sections I, II, III, IV, and Code of Ethics. The only change to the rule is to remove the word "regulation" and replace it with the word "rule", where appropriate.

If you have any questions or need additional information, please contact Mac Goldman, Office of Chief Counsel at 501-320-6383 or by emailing Mac.E.Goldman@dhs.arkansas.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Sharum", is written over a horizontal line.

Jerald Sharum
Director

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Re: Minimum Licensing Standards for Child Welfare Agencies - Residential

Dear Ms. Sutton:

Please find attached the following rule for the Department of Human Services that was filed with the Secretary of State's office on December 11, 2019, pursuant to Acts 2019, No. 893: Minimum Licensing Standards for Child Welfare Agencies - Residential. This rule establishes the minimum licensing standards for Child Welfare Agencies - Residential. The only change to the rule is to remove the word "regulation" and replace it with the word "rule", where appropriate.

If you have any questions or need additional information, please contact Mac Goldman, Office of Chief Counsel at 501-320-6383 or by emailing Mac.E.Goldman@dhs.arkansas.gov.

Sincerely,

A handwritten signature in cursive script that reads "Tonya Williams".

Tonya Williams
Director

TW:th

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Re: Minimum Licensing Standards for Child Welfare Agencies - Placement

Dear Ms. Sutton:

Please find attached the following rule for the Department of Human Services that was filed with the Secretary of State's office on December 11, 2019, pursuant to Acts 2019, No. 893: Minimum Licensing Standards for Child Welfare Agencies PLACEMENT. This rule will allow the Division of Child Care and Elderly Childhood Education (DCCECE) adhere to Act 893. The Child Welfare Licensing Act," Ark. Code Ann. § 9-28-401 et. seq., (the Act) is the legal authority under which the Child Welfare Agency Review Board establishes minimum licensing standards for child welfare agencies, as defined under the statute. The Placement types of Licenses listed in the rule are Foster Care, Therapeutic Foster Care, Therapeutic Foster Care – Sexual Rehabilitative Program, Adoption, and Placement Residential. The only change to the rule is to remove the word "regulation" and replace it with the word "rule", where appropriate.

If you have any questions or need additional information, please contact Mac Goldman, Office of Chief Counsel at 501-320-6383 or by emailing Mac.E.Goldman@dhs.arkansas.gov.

Sincerely,

A handwritten signature in cursive script that reads "Tonya Williams".

Tonya Williams
Director

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Re: Licensure Standards for Alcohol and Other Drug Abuse Treatment Programs

Dear Ms. Sutton:

Please find attached the following rule for the Department of Human Services that was filed with the Secretary of State's office on December 11, 2019, pursuant to Acts 2019, No. 893: Licensure Standards for Alcohol and Other Drug Abuse Treatment Programs. This rule puts forth the licensure standards for Alcohol and other Drug Abuse Treatment Programs. The only change to the rule is to remove the word "regulation" and replace it with the word "rule", where appropriate.

If you have any questions or need additional information, please contact Mac Golden, Office of Chief Counsel at 501-320-6570 or by emailing Mac.E.Golden@dhs.arkansas.gov.

Sincerely,

A handwritten signature in black ink that reads "Jay Hill".

Jay Hill
Director

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Re: Rules for Assisted Living Facilities Level II

Dear Ms. Sutton:

Please find attached the following rule for the Department of Human Services that was filed with the Secretary of State's office on December 11, 2019, pursuant to Acts 2019, No. 893: Rules for Assisted Living Facilities Level II. These rules will allow the Division of Medical Services (DMS), Office of Long Term Care adhere to Act 893. The Rules for Assisted Living Facilities Level II that will be affected by this change is Scope, Purpose, Definitions, Licensure, Administration, Admission, Discharge and Transfer, Services, Definitions, Physical Environment, Imposition of Remedies -- Authority, Informal Dispute Resolution (IDR), Appendix, and Authorization for Adult Maltreatment Central Registry. The purpose of this Rule is to establish standards for Level II assisted living facilities that provide services in a homelike environment for elderly and disabled persons. The only change to the rule is to remove the word "regulation" and replace it with the word "rule", where appropriate.

If you have any questions or need additional information, please contact Mac Golden, Office of Chief Counsel at 501-320-6383 or by emailing Mac.E.Golden@dhs.arkansas.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Sharum", is written over a horizontal line.

Jerald Sharum
Director

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Re: Rules for Nursing Homes

Dear Ms. Sutton:

Please find attached the following rule for the Department of Human Services that was filed with the Secretary of State's office on December 11, 2019, pursuant to Acts 2019, No. 893: Rules for Nursing Homes. This rule outlines the requirements for licensure and maintenance of nursing facilities. The only change to the rule is to remove the word "regulation" and replace it with the word "rule", where appropriate.

If you have any questions or need additional information, please contact Mac Golden, Office of Chief Counsel at 501-320-6570 or by emailing Mac.E.Golden@dhs.arkansas.gov.

Sincerely,

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Jerald Sharum
Director

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