

**Hall of the House of Representatives**  
83rd General Assembly - Regular Session, 2001  
**Amendment Form**

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**Subtitle of House Bill No. 2597**

"AN ACT TO AMEND ARKANSAS CODE 20-10-228 TO ALLOW LONG-TERM CARE FACILITIES TO OBTAIN ACCESS TO INFORMATION RECEIVED OR GENERATED BY THE OFFICE OF LONG-TERM CARE THROUGH INSPECTIONS OR OTHERWISE."

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**Amendment No. 1 to House Bill No. 2597.**

Amend House Bill No. 2597 as originally introduced:

Delete the Title and substitute the following:

"AN ACT TO AMEND ARKANSAS CODE 20-10-210 AND 20-10-228 TO ALLOW LONG-TERM CARE FACILITIES TO OBTAIN ACCESS TO INFORMATION RECEIVED OR GENERATED BY THE OFFICE OF LONG-TERM CARE THROUGH INSPECTIONS, INVESTIGATIONS OR OTHERWISE; AND FOR OTHER PURPOSES. "

AND

Delete the Subtitle and substitute the following:

"AN ACT TO ALLOW LONG-TERM CARE FACILITIES TO OBTAIN ACCESS TO INFORMATION RECEIVED OR GENERATED BY THE OFFICE OF LONG-TERM CARE THROUGH INSPECTIONS, INVESTIGATIONS OR OTHERWISE. "

AND

Delete everything after the Enacting clause and substitute the following:

"SECTION 1. Arkansas Code 20-10-210 is amended to read as follows:  
20-10-210. Information received by Office of Long-Term Care confidential.

(a) Information received by the Office of Long-Term Care, through inspection or otherwise, shall not be disclosed publicly, in administrative appeals or otherwise, in such a manner as to identify long-term care facility residents, their families, or persons filing complaints against a long-term care facility, except in cases of civil or criminal litigation or as permitted in subsection (b) of this section.

(b) Information received or generated by the Office of Long-Term Care, including surveyor notes, documents, photographs, or other materials gathered, generated, or used by the surveyors in their survey or investigation of a complaint, shall be made available to the long-term care facility that is the subject of the survey or investigation, except that the

identity of any complainant shall not be disclosed.

SECTION 2. Arkansas Code 20-10-228 is amended to read as follows:

20-10-228. Information received by Department of Human Services confidential.

(a) Information received by the Department of Human Services, through inspection or otherwise, authorized under §§ 20-10-213 - 20-10-228, shall not be disclosed publicly in such a manner as to identify long-term care facility residents, their families, or persons filing complaints, except in a proceeding involving the question of licensing or revocation of a license or as permitted in § 20-10-210(b).

(b) However, in the case of a specific written request by the deputy director of the appropriate division as determined by the Director of the Department of Human Services for information concerning a certain long-term care facility, information obtained during recent inspections of the facility may be supplied in writing to the deputy director.

(1) This exception applies only to facilities providing care for recipients of public welfare and is not to be construed as permitting the exchange of such information on all homes in the state but is specifically limited to those for which the appropriate division as determined by the director has specific complaints.

(2) These complaints shall be forwarded to the department along with the request for information from the deputy director.

(3) Information received by the deputy director in the manner prescribed in this subsection (b) shall not be disclosed."

The Amendment was read \_\_\_\_\_  
By: Representative Jones  
MF/RTK - 031320010839  
RTK173

\_\_\_\_\_  
Chief Clerk