

Hall of the House of Representatives
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of House Bill No. 2812

"AN ACT TO CLARIFY DEFINITIONS FOR PROVIDERS OF INDIGENT ASSISTANCE."

Amendment No. 1 to House Bill No. 2812.

Amend House Bill No. 2812 as originally introduced:

Page 1, line 23, delete "federal or" and substitute "federal law or regulation or"

AND

Page 1, delete line 25 and substitute the following:
"process for psychiatric residential"

AND

Page 1, line 26, delete the comma

AND

Page 1, delete lines 27 through 32 and substitute the following:
"(b) The scope of any survey or audit shall be limited to determining whether a facility is in compliance with applicable federal and state regulations."

AND

Page 2, delete lines 7 through 12 and substitute the following:
"(4) "Program provider" means any"

AND

Page 2, line 15, delete "(6)" and substitute "(5)(A)"

AND

Page 2, delete lines 16 through 19 and substitute the following:
"involuntary confinement of a resident in locked isolation.
(B) In no event shall verbal direction be construed as



seclusion;

(6) "Serious injury" means any significant impairment of the"

AND

Page 2, line 21, delete "qualified personnel" and substitute "qualified medical personnel"

AND

Page 2, line 29, delete "(8)" and substitute "(7)"

AND

Page 2, line 31, delete "(9)" and substitute "(8)"

AND

Page 2, delete lines 32 and 33 and substitute the following:
"the purpose of inflicting death or serious injury to the resident as determined by the provider's qualified medical"

Page 2, line 35, delete "(10)" and substitute "(9)"

AND

Page 3, delete lines 1 and 2 and substitute the following:
"(10) "Survey team" means an individual or individuals employed by or under contract with the Department of Human Services or its divisions; and"

AND

Page 3, line 3, delete "(12)(A)" and substitute "(11)(A)"

AND

Page 3, delete lines 6 and 7 and substitute the following:
"from leaving."

AND

Page 3, delete line 9 and substitute the following:
"seclusion. (C) In no event shall verbal direction be construed as time out."

AND

Page 3, delete line 11 and substitute the following:
"any psychiatric residential treatment"

AND

Page 3, line 12, delete the comma

AND

Page 3, delete lines 16 through 36 and substitute the following:

"(a) The survey team shall:
(1) Conduct an exit conference during every survey;
(2) Allow electronic signatures and dates and dictated dates to
serve as service delivery documentation;
(3) To the extent possible, conduct patient interviews in a
manner that does not disrupt"

AND

Page 4, line 2, delete "(9)" and substitute "(4)"

AND

Page 4, line 5, delete "(10)" and substitute "(9)(A)"

AND

Page 4, delete line 7 and substitute the following:

"summary of incident and accident reports instead of the actual reports.
(B) The requirements of subdivision (a)(10)(A) of this
section shall not prevent the department from accessing all records related
to the survey within any time frames established by federal law or
regulation."

AND

Page 4, line 8, delete "(c)" and substitute "(b)"

AND

Page 4, line 12, delete "(d)" and substitute "(c)"

AND

Page 4, line 16, delete "(e)" and substitute "(d)"

AND

Page 4, delete lines 17 and 18 and substitute the following:

"the department complies with the Arkansas Administrative Procedure Act, §
25-15-201 et seq. and § 20-77-107 in regard to all surveys of program
providers."

The Amendment was read _____
By: Representative Flowers
MGF/JGH - 03-29-2005 10:30 _____
MGF527 Chief Clerk