

ARKANSAS SENATE
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of Senate Bill No. 945

"THE ADULT AND LONG-TERM CARE FACILITY RESIDENT MALTREATMENT ACT."

Amendment No. 1 to Senate Bill No. 945.

Amend Senate Bill No. 945 as originally introduced:

Page 1, delete lines 33 through 36

AND

Page 2, delete lines 1 through 3 and substitute the following:

“(3) Provide for a civil action, if appropriate, to protect maltreated adults and residents of long-term care facilities; and
(4) Encourage the cooperation of state law enforcement officials, courts, and state agencies in the investigation, assessment, and prosecution of maltreated adults and residents of long-term care facilities.”

AND

Page 2, delete lines 11 and 12 and substitute the following:

“person would believe subjects an endangered or impaired person, regardless of age, ability to comprehend, or disability, to ridicule or”

AND

Page 6, delete line 21 and substitute the following:

“result of a civil action under this”

AND

Page 7, delete lines 19 through 36

AND

Page 8, delete lines 1 through 6 and substitute the following:

“(d)(1) A report of an allegation of suspected adult or long-term care facility resident maltreatment shall be accepted if the allegation, if true, would constitute adult or long-term care facility resident maltreatment and as long as sufficient identifying information is provided to identify and



locate the victim.

(2) Reports to the hotline when the allegations, even if true, would not constitute adult or long-term care facility resident maltreatment shall be screened out.

(e)(1) The hotline shall accept a report if the victim or offender is present in Arkansas or if the incident occurred in Arkansas.

(2) If the incident occurred in another state, the hotline shall screen out the report and transfer the report to the hotline of the state in which the incident occurred.

(3) Upon request from an adult or long-term care facility resident maltreatment investigator in another state, the department shall complete courtesy interviews with the victim, offender, or any witness of adult maltreatment who reside in Arkansas.

(f) Upon registration of a hotline report of suspected adult or long-term care facility resident maltreatment, the hotline shall refer the matter immediately to the appropriate investigating agency as outlined in this subchapter."

AND

Page 11, delete lines 4 through 7 and substitute the following:

"(B) All cases of suspected adult maltreatment of an endangered or impaired adult if a family member is named as the suspected offender, regardless of whether or not the endangered or impaired adult resides in a long-term care facility."

AND

Page 14, delete lines 18 through 24 and substitute the following:

"(i)(a) The person identified as the offender.
(b) However, in cases of unfounded self-neglect, no notice is required;
(ii) The person identified as the maltreated person;
(iii) The legal guardian of the maltreated person;
or
(iv) The natural or legal guardian of a long-term care facility resident under eighteen (18) years of age;"

AND

Page 19, delete lines 8 through 15 and substitute the following:

"services needed by the maltreated person; and
(13) Any applicable licensing or registering authority."

AND

Page 20, delete lines 23 through 30 and substitute the following:

"having services needed by the maltreated person; and
(H) Any applicable licensing or registering authority."

AND

Page 21, delete line 13 and substitute the following:
"or grand jury; and"

AND

Page 21, delete lines 15 through 20 and substitute the following:
"services needed by the person."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Salmon

MGF/JGH - 03-14-2005 11:40

MGF434

Secretary