

ARKANSAS SENATE
92nd General Assembly - Regular Session, 2019
Amendment Form

Subtitle of Senate Bill No. 468

TO AMEND THE REQUIREMENTS FOR A PERSONAL CARE SERVICE PROVIDER AND PRIVATE CARE AGENCY REGARDING VISITS TO A PATIENT'S HOME AND THE DISTANCE OF A PRIVATE CARE AGENCY OFFICE FROM A PATIENT'S HOME.

Amendment No. 1 to Senate Bill 468

Amend Senate Bill No. 468 as originally introduced:

Page 1, delete line 10, and substitute the following:

"SERVICE PROVIDER, PRIVATE CARE AGENCY, AND HOME HEALTHCARE SERVICES AGENCY REGARDING"

AND

Delete the subtitle in its entirety and substitute:

"TO AMEND THE REQUIREMENTS FOR A PERSONAL CARE SERVICE PROVIDER, PRIVATE CARE AGENCY, AND HOME HEALTHCARE SERVICES AGENCY REGARDING VISITS TO A PATIENT'S HOME AND THE DISTANCE OF AN OFFICE FROM THE PATIENT'S HOME."

AND

Page 1, delete line 33, and substitute the following:

"(2)(A) Adopt, promulgate, and enforce rules and standards as necessary to implement this subchapter.

(B) A rule adopted to implement this subchapter shall be amended or repealed by the board as in the interest of the public through the Arkansas Administrative Procedure Act, § 25-15-201 et seq.;

(3) Require that:"

AND

Page 2, delete line 3, and substitute the following:

"least annually.

(iii)(a) A qualified supervisor shall be a licensed



nurse or have completed two (2) years of full-time study at an accredited institution of higher education.

(b) An individual who has a high school diploma or general equivalency diploma may substitute one (1) year of full-time employment in a supervisory capacity in a healthcare facility or community-based agency for one (1) year at an institution of higher education; and"

AND

Page 2, delete line 8, and substitute the following:

"(4) Not require:"

AND

Page 2, delete lines 11 through 14, and substitute the following:

"(B) A branch office of a private care agency to be within a one-hundred-mile radius of a patient's home.

SECTION 2. Arkansas Code § 20-10-806(b), concerning the administration and rules of home healthcare services agencies, as amended by Acts 2019, No. 315, is amended to read as follows:

(b)(1) The State Board of Health shall adopt, promulgate, and enforce such rules and standards as may be necessary for the accomplishment of the purposes of this subchapter.

(2) The rules and standards shall be ~~modified~~, amended, or rescinded from time to time by the board as may be in the public interest, after first complying with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(3) Rules under this subchapter shall:

(A)(i) Require that a qualified supervisor shall establish the frequency of in-person supervisory visits as part of the patient's plan of care based on the specific needs of the patient and the recommendations of the registered nurse.

(ii) The frequency of in-person visits shall be at least annually.

(iii)(a) A qualified supervisor shall be a licensed nurse or have completed two (2) years of full-time study at an accredited institution of higher education.

(b) An individual who has a high school diploma or general equivalency diploma may substitute one (1) year of full-time employment in a supervisory capacity in a healthcare facility or community-based agency for one (1) year at an institution of higher education; and

(B) Not require:

(i) A registered nurse to visit a patient every sixty-two (62) days to supervise services; or

(ii) A branch office of a home healthcare services agency that only provides unskilled home healthcare services to be within a an one-hundred-mile radius of a patient's home.

SECTION 3. DO NOT CODIFY. Advisory Private Care Agency and Home Healthcare Services Agency Rule Working"

AND

Page 2, line 16, delete "Agency Rule Working" and substitute "Agency and Home Healthcare Services Agency Rule Working"

AND

Page 2, delete lines 21 through 23, and substitute the following:

"HomeCare Association of Arkansas;

(2) Three (3) members from a list of individuals provided by private care agencies; and

(3) Three (3) members from a list of individuals provided by home healthcare services agencies that provide unskilled home healthcare services."

AND

Page 2, line 30, delete "private care agencies" and substitute "private care agencies and home healthcare services agencies that provide unskilled home healthcare"

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

By: Senator B. Sample

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Secretary