

2 State of Arkansas
3 90th General Assembly
4 Regular Session, 2015

A Bill

HOUSE BILL 1409

5
6 By: Representative Sabin

7 Filed with: House Committee on Public Health, Welfare, and Labor
8 pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

9
10 AN ACT TO INCLUDE CLASS B HOME HEALTH AGENCIES AS
11 PRIVATE CARE AGENCIES; TO DECLARE AN EMERGENCY; AND
12 FOR OTHER PURPOSES.

Subtitle

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15 TO INCLUDE CLASS B HOME HEALTH AGENCIES
16 AS PRIVATE CARE AGENCIES; AND TO DECLARE
17 AN EMERGENCY.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code § 20-10-2302 is amended to read as follows:

24 As used in this subchapter, "private care agency" means a provider
25 that:

26 (1) ~~is~~ is licensed by the Department of Labor or is licensed by
27 the Division of Health Facilities Services of the Department of Health as a
28 Class B home health agency; and

29 (2) Is certified as an ElderChoices provider ~~and that;~~

30 ~~(1)-(3)~~ (3) Furnishes in-home staffing services for personal care
31 services that include without limitation respite services, chore services,
32 and homemaker services; and

33 ~~(2)-(4)~~ (4) Retains liability insurance of not less than one million
34 dollars (\$1,000,000) to cover its employees and independent contractors while
35 its employees and independent contractors are engaged in providing personal

1 care services that include without limitation respite services, chore
2 services, and homemaker services.

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4 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
5 General Assembly of the State of Arkansas that the licensure for a private
6 care agency is only allowed to one (1) type of business organization
7 structure, restricting the type and amount of healthcare providers; that
8 allowing a Class B home health agency to qualify as a private care agency
9 will vary the type of business organization structures, but will not vary the
10 rules of service delivery or the healthcare services offered; and that this
11 act is immediately necessary to increase the amount of healthcare services
12 available to be delivered to the citizens of Arkansas. Therefore, an
13 emergency is declared to exist, and this act being immediately necessary for
14 the preservation of the public peace, health, and safety shall become
15 effective on:

16 (1) The date of its approval by the Governor;

17 (2) If the bill is neither approved nor vetoed by the Governor,
18 the expiration of the period of time during which the Governor may veto the
19 bill; or

20 (3) If the bill is vetoed by the Governor and the veto is
21 overridden, the date the last house overrides the veto.

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24 Referred by the Arkansas House of Representatives

25 Prepared by: VJF
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