

INTERIM STUDY PROPOSAL 2021-058

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021

A Bill

HOUSE BILL 1919

4 By: Representatives Christiansen, Hudson, McClure

5
6 Filed with: Arkansas Legislative Council
7 pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

8 AN ACT TO REQUIRE NURSING HOMES TO DISCLOSE LIABILITY
9 INSURANCE STATUS WHEN POTENTIAL RESIDENTS SIGN
10 CONTRACTS FOR CARE; AND FOR OTHER PURPOSES.

Subtitle

11 TO REQUIRE NURSING HOMES TO DISCLOSE
12 LIABILITY INSURANCE STATUS WHEN POTENTIAL
13 RESIDENTS SIGN CONTRACTS FOR CARE.

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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 Title 20, Chapter 10, Subchapter 1, is
24 amended to add an additional section to read as follows:

25 20-10-113. Disclosure of liability insurance status.

26 (a) The intent of this section is to ensure transparency and
27 accountability before a resident or a resident's authorized representative
28 signs a nursing home contract for care or admission agreement.

29 (b) When a resident or a resident's authorized representative signs a
30 nursing home contract for care or admission agreement, the nursing home or an
31 ownership group of a nursing home shall disclose the nursing home's liability
32 insurance status regarding whether the nursing home is insured, self-insured,
33 or not insured.

34 (c) A nursing home's liability insurance status or declaration shall
35 be prominently displayed within the nursing home's admission agreement along

1 with all other information that is relevant and pertinent to the admission of
2 a new resident.

3 (d) Failure of a nursing home or an ownership group of a nursing home
4 to include liability insurance status or declaration information in the
5 admission agreement or contract for care shall result in a fine of fifteen
6 thousand dollars (\$15,000) for each reported offense.

7 (e) A nursing home or an ownership group of a nursing home with three
8 (3) or more documented offenses shall be subject to a review by the Office of
9 Long-Term Care or suspension or revocation of licensure.

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12 Referred requested by the Arkansas House of Representatives

13 Prepared by: MBM/KFW
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