

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Senator Kinard

SENATE BILL 264

"AN ACT TO AMEND SECTION 4 OF ACT 968 OF 1985 [ARK. STAT. 82-2234]; TO REPEAL SECTION 20 OF ACT 414 OF 1961; TO REPEAL SECTION 4 OF ACT 884 OF 1985; TO INCREASE NURSING HOME LICENSURE FEES FROM TEN CENTS PER PATIENT BED OR TEN DOLLARS, WHICHEVER IS GREATER, TO TWO DOLLARS PER LICENSED BED OR ONE HUNDRED DOLLARS, WHICHEVER IS GREATER; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Section 4 of Act 968 of 1985, the same being Arkansas Statute 82-2234, is hereby amended to read as follows:

"Section 4. (A) Applicants for nursing home licensure shall file applications under oath with the Office of Long Term Care of the Division of Economic and Medical Services of the Department of Human Services upon forms prescribed by the Office of Long Term Care and shall pay an annual fee of two dollars (\$2.00) per patient bed or one hundred dollars (\$100.00) whichever is greater. Nursing homes and other long term or intermediate care facilities operated by any unit or division of state or local government shall be exempted from paying the license fee.

(B) Applications shall be signed by the administrator of the facility. Applications shall set forth the full name and address of the nursing home for which licensure is sought and such additional information as the Office of Long Term Care may require, including affirmative evidence of ability to comply with such reasonable standards, rules and regulations as may be lawfully prescribed hereunder. Applications for annual license renewal shall be postmarked no later than July 2nd of each year. License applications for existing nursing homes received after the aforementioned date shall be subject to a penalty of one dollar per day per bed for each and every day after the

aforementioned date of July 2nd. License issued hereunder shall be effective on a fiscal year basis and shall expire on June 30th of each year. License shall be issued only for the premises and persons in the applications and shall not be transferable. License shall be posted in a conspicuous place on the licensed premises.

(C) Any person, partnership, association, or corporation, establishing, conducting, managing, or operating any Long Term Care Facility within the meaning of this Act without first obtaining a license as provided by law shall be guilty of a Class A misdemeanor, and upon conviction thereof shall be liable to a fine imposed pursuant to a Class A misdemeanor. Each day such Long Term Care Facility shall operate after a first conviction shall be considered a Class D felony and upon conviction thereof shall be liable to a fine imposed pursuant to a Class D felony."

SECTION 2. Section 20 of Act 414 of 1961 and Section 4 of Act 884 of 1985 are hereby repealed.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

