

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

A Bill

HOUSE BILL 1399

4
5 By: Representative Parks
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For An Act To Be Entitled

8
9 "AN ACT TO BRING ABORTION CLINICS INTO COMPLIANCE WITH
10 STANDARDS REQUIRED FOR HOSPITALS; AND FOR OTHER
11 PURPOSES. "

Subtitle

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14 "AN ACT TO BRING ABORTION CLINICS INTO
15 COMPLIANCE WITH STANDARDS REQUIRED FOR
16 HOSPITALS. "

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

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21 Section 1. Arkansas Code 20-9-201 is amended to read as follows:

22 "20-9-201. Definitions.

23 As used in this subchapter, unless the context otherwise requires:

24 (1) 'Federal act' means the Hospital Survey and Construction Act,
25 Public Law 79-725, as amended;

26 (2) 'Surgeon General' means the Surgeon General of the United
27 States Public Health Service;

28 (3) 'Hospital' means a public health center, a general,
29 tuberculosis, mental, or chronic disease hospital, or a related facility such
30 as a laboratory, outpatient department, nurses home or training facility, or a
31 central service facility operated in connection with a hospital. An
32 establishment furnishing primarily domiciliary care is not within this
33 definition;

34 (4) 'Institution' means a place for the diagnosis, treatment, or
35 care of two (2) or more persons, not related to the proprietor, suffering from
36 illness, injury, or deformity, or where obstetrical care or care of the aged,

1 blind, or disabled is rendered over a period exceeding twenty-four (24) hours.
 2 The term 'institution' also includes an outpatient surgery center, alcohol or
 3 drug abuse treatment center, outpatient psychiatric center, and infirmary. No
 4 establishment operated by the federal government or any of its agencies is
 5 within this definition;

6 (5) 'Public health center' means a publicly owned facility for
 7 the provision of public health services and includes related facilities such
 8 as laboratories, clinics, and administrative offices operated in connection
 9 with public health centers;

10 (6) 'Nonprofit hospital' and 'nonprofit medical facility' means a
 11 hospital or medical facility, owned and operated by one (1) or more persons or
 12 a corporation or association, no part of the net earnings of which inures to
 13 the benefit of any shareholder or individual;

14 (7) 'Medical facility' means a diagnostic or diagnostic and
 15 treatment center, rehabilitation facility as these terms are defined in the
 16 federal act, and any other medical facility for which federal aid may be
 17 authorized under federal law;

18 (8) 'Recuperation center' means an establishment with permanent
 19 facilities which include inpatient beds, with an organized medical staff, and
 20 with medical services including physician services and continuous nursing
 21 services to provide treatment for patients who are not in an acute phase of
 22 illness but who currently require primarily convalescent or restorative
 23 services which is usually post-acute hospital care of relatively short
 24 duration. An establishment furnishing primarily domiciliary care is not within
 25 this definition-;

26 (9) 'Administrator' means the chief administrative officer in the
 27 Division of Health Facilities Services;

28 (10) 'Department' means the State Board of Health;

29 (11) 'Division' means the Division of Health Facilities Services;

30 (12)(A) 'Outpatient surgery center' means a facility in which
 31 surgical services, other than minor dental surgery, are offered which require
 32 the use of general or intravenous anesthetics and where, in the opinion of the
 33 attending physician, hospitalization, as defined in the present licensure law,
 34 is not necessary- 'Outpatient surgery center' includes any clinic, which is
 35 not a private physician's office, performing twenty-five (25) or more
 36 abortions per year. Any such clinic shall be subject to all of the

1 requirements of this act for hospitals and the regulations of the division in
2 the same manner as any other hospital, including any standards, inspections,
3 staffing and laboratory requirements, equipment mandates or other criteria;

4 (B) 'Outpatient psychiatric center' means a facility in
5 which psychiatric services are offered for a period of eight (8) to sixteen
6 (16) hours a day, and where, in the opinion of the attending psychiatrist,
7 hospitalization, as defined in the present licensure law, is not necessary.
8 This definition shall not include community mental health clinics and centers,
9 as they now exist;

10 (13) 'Alcohol/drug abuse inpatient treatment center' means a
11 facility in which services are provided for the diagnosis, treatment, and
12 rehabilitation of alcohol and drug abuse. A facility which provides only
13 counseling and room and board is not included in this definition."
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15 SECTION 2. All provisions of this act of a general and permanent nature
16 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
17 Revision Commission shall incorporate the same in the Code.
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19 SECTION 3. If any provision of this act or the application thereof to
20 any person or circumstance is held invalid, such invalidity shall not affect
21 other provisions or applications of the act which can be given effect without
22 the invalid provision or application, and to this end the provisions of this
23 act are declared to be severable.
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25 SECTION 4. All laws and parts of laws in conflict with this act are
26 hereby repealed.
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