

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

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

A Bill

HOUSE BILL 1974

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5 By: Representative Carson
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For An Act To Be Entitled

8
9 "AN ACT TO AUTHORIZE 501(c)(3) NON-PROFIT
10 ORGANIZATIONS TO OPERATE FACILITIES HOUSING NO MORE
11 THAN TEN (10) TERMINALLY ILL PERSONS WITHOUT THE
12 NECESSITY OF LICENSURE BY THE DEPARTMENT OF HEALTH OR
13 THE DEPARTMENT OF HUMAN SERVICES; TO REQUIRE HOSPICE
14 CARE PROVIDED AT THE FACILITY TO MEET THE STANDARDS
15 PRESCRIBED BY THE STATE HOSPICE OFFICE; AND FOR OTHER
16 PURPOSES. "

Subtitle

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19 "AN ACT TO AUTHORIZE 501(c)(3) NON-PROFIT
20 ORGANIZATIONS TO OPERATE FACILITIES
21 HOUSING NO MORE THAN TEN (10) TERMINALLY
22 ILL PERSONS WITHOUT THE NECESSITY OF
23 LICENSURE BY THE DEPARTMENT OF HEALTH OR
24 THE DEPARTMENT OF HUMAN SERVICES. "

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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29 SECTION 1. Any non-profit organization which is tax exempt under
30 section 501(c)(3) of the federal Internal Revenue Code may operate a facility
31 with no more than ten (10) beds for terminally ill patients in need of hospice
32 care. Such facilities shall not be considered residential care facilities,
33 long term care facilities, hospice facilities, hospice agencies, or hospice
34 programs and shall not be required to obtain a certificate of need from, nor
35 be licensed by the Department of Health or the Department of Human Services.
36 The hospice care provided in such facility must meet all standards prescribed

1 by the Department of Health. At any time the hospice care provided in such
2 facility does not meet the standards for hospice care prescribed by the
3 Department of Health, the facility shall not be eligible to receive referrals
4 from any licensed hospice agency, program, or facility.

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6 SECTION 2. Personnel of the Department of Health shall have reasonable
7 access to the facilities exempted by this act in order to assure that the
8 hospice care provided in those facilities meet the standards prescribed by the
9 department.

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11 SECTION 3. All provisions of this act of a general and permanent nature
12 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
13 Revision Commission shall incorporate the same in the Code.

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15 SECTION 4. If any provision of this act or the application thereof to
16 any person or circumstance is held invalid, such invalidity shall not affect
17 other provisions or applications of the act which can be given effect without
18 the invalid provision or application, and to this end the provisions of this
19 act are declared to be severable.

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21 SECTION 5. All laws and parts of laws in conflict with this act are
22 hereby repealed.

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