

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
4

As Engrossed: S2/9/99 S2/11/99

A Bill

SENATE BILL 222

5 By: Senator Brown
6 *By: Representative Salmon*
7

For An Act To Be Entitled

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10 "AN ACT TO AMEND ARKANSAS CODE 5-28-204 TO REQUIRE
11 THAT ALL NURSING HOME RESIDENT DEATHS BE REPORTED TO
12 THE COUNTY CORONER; AND FOR OTHER PURPOSES."

Subtitle

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15 "TO AMEND ARKANSAS CODE 5-28-204 TO
16 REQUIRE THAT ALL NURSING HOME RESIDENT
17 DEATHS BE REPORTED TO THE COUNTY
18 CORONER."
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

22 SECTION 1. Arkansas Code 5-28-204 is hereby amended to read as follows:

23 "5-28-204. Persons required to report abuse.

24 (a) Any person or official who is required to report cases of suspected
25 abuse of adults under the provisions of this chapter, who has reasonable cause
26 to suspect that an adult has died as a result of abuse, sexual abuse, or
27 negligence, shall report that fact to the appropriate medical examiner or
28 coroner. In all cases of death of a long-term care facility resident, the
29 long-term care facility shall immediately report the death to the appropriate
30 coroner. The report is required regardless of whether the facility believes
31 the death to be from natural causes or the result of abuse, sexual abuse, or
32 negligence, or any other cause. In all cases of death of an individual in a
33 hospital who was a resident of a long-term care facility within five (5) days
34 of entering the hospital, the hospital shall immediately report the death to
35 the appropriate coroner. The report is required regardless of whether the
36 facility believes the death to be from natural cause or the result of abuse,

1 sexual abuse, negligence, or any other cause.

2 (b) The medical examiner or coroner shall accept the report for
3 investigation and upon finding reasonable cause to suspect that an adult has
4 died as a result of abuse, sexual abuse, or negligence shall report his
5 findings to the police, and the appropriate prosecuting attorney, and, if
6 the institution making the report is a hospital, or nursing home, the coroner
7 shall report his findings to the hospital or nursing home unless the findings
8 are part of a pending or ongoing law enforcement investigation."

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10 SECTION 2. All provisions of this act of a general and permanent nature
11 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
12 Revision Commission shall incorporate the same in the Code.

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14 SECTION 3. If any provision of this act or the application thereof to
15 any person or circumstance is held invalid, such invalidity shall not affect
16 other provisions or applications of the act which can be given effect without
17 the invalid provision or application, and to this end the provisions of this
18 act are declared to be severable.

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20 SECTION 4. All laws and parts of laws in conflict with this act are
21 hereby repealed.

22 /s/ Brown
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