

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

As Engrossed: S2/17/09

# A Bill

SENATE BILL 307

5 By: Senator T. Smith  
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## For An Act To Be Entitled

9 AN ACT TO EXEMPT FROM LICENSURE THOSE ADULT DAY  
10 CARE CENTERS THAT CARE FOR IMPAIRED ADULTS FOR  
11 PERIODS OF FOUR (4) OR LESS HOURS PER DAY; AND  
12 FOR OTHER PURPOSES.  
13

## Subtitle

15 AN ACT TO EXEMPT FROM LICENSURE THOSE  
16 ADULT DAY CARE CENTERS THAT CARE FOR  
17 IMPAIRED ADULTS FOR PERIODS OF FOUR (4)  
18 OR LESS HOURS PER DAY.  
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20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 20-10-101(10), concerning the definition of  
24 long-term care facility, is amended to read as follows:

25 (10)(A) "Long-term care facility" means a nursing home,  
26 residential care facility, assisted living facility, post-acute head injury  
27 retraining and residential care facility, or any other facility which  
28 provides long-term medical or personal care.

29 (B) "Long-term care facility" does not include an adult  
30 day care program that:

31 (i) Provides care and supervision to meet the needs  
32 of twelve (12) or fewer functionally impaired adults at any time in a place  
33 other than the adult's home;

34 (ii) Provides services to clients for periods of  
35 four (4) hours or less per day for only one (1) day per week;

36 (iii) Designates an individual to act as the program



1 director to have responsibility for the operation of the program;

2 (iv) Posts a notice in eighteen-point type that:

3 (a) Is located at or near the main entrance to  
4 the structure in which the program operates;

5 (b) Lists the name and contact information of  
6 the program director;

7 (c) Lists the name and the contact telephone  
8 number for the Adult Protective Services Unit of the Department of Human  
9 Services; and

10 (d) Lists the name and the contact telephone  
11 number for the Office of Long-Term Care of the Department of Human Services;

12 (v) Operates in a building or structure that is at  
13 all times in compliance with safety code requirements as determined by the  
14 local fire authority; and

15 (vi) Operates in accordance with the American  
16 Alzheimer's Association Standards of Dementia Care Practices or similarly  
17 nationally recognized standards for the treatment and care of individuals  
18 with Alzheimer's or related dementia, as in existence on January 1, 2009.

19 SECTION 2. Arkansas Code § 20-10-224, concerning licenses for long-  
20 term care facilities, is amended to add an additional subsection to read as  
21 follows:

22 (n) The Department of Human Services shall not require a license for  
23 an adult day care program that is excepted from the definition of long-term  
24 care facility under § 20-10-101.

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26 /s/ T. Smith  
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