

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

*As Engrossed: S3/6/13*

# A Bill

SENATE BILL 755

5 By: Senators Bledsoe, J. English, J. Hendren, Hester, B. Pierce  
6 By: Representatives S. Malone, E. Armstrong, J. Burris, Leding, McLean  
7

## For An Act To Be Entitled

9 AN ACT TO ESTABLISH TRAINING REQUIREMENTS FOR  
10 COMPENSATED IN-HOME CAREGIVERS; AND FOR OTHER  
11 PURPOSES.  
12  
13

### Subtitle

15 TO ESTABLISH TRAINING REQUIREMENTS FOR  
16 COMPENSATED IN-HOME CAREGIVERS.  
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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 Title 20, Chapter 77, is amended to add an  
22 additional subchapter to read as follows:

23 Subchapter 21 – Home Caregiver Training  
24

25 20-77-2101. Findings – Intent.

26 (a) The General Assembly finds that:

27 (1) Although a direct-care worker in the State of Arkansas who  
28 serves a Medicaid reimbursable client must undergo a forty-hour training  
29 program, a direct-care worker who serves a client in his or her home and who  
30 is not Medicaid reimbursable has no training requirement; and

31 (2) Beginning January 1, 2012, and continuing until January 1,  
32 2027, approximately ten thousand (10,000) persons a day turn sixty-five (65)  
33 years of age in the United States.

34 (b) This subchapter is intended to:

35 (1) Assure disabled citizens and the constantly expanding  
36 population of senior citizens in Arkansas that a direct-care worker is



1 properly trained in core competencies; and

2 (2) Acknowledge the necessity of proper training for all direct-  
3 care workers that, in turn, will contribute to a reduction in per capita  
4 health care costs for Arkansans.

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6 20-77-2102. Definitions.

7 As used in this subchapter:

8 (1) "Caregiver services" are services provided to an individual  
9 in the State of Arkansas to assist the recipient of the services in the  
10 activities of daily living, and the recipient of services is either:

11 (A) Fifty (50) years of age or older at the time the  
12 services are provided; or

13 (B) Regardless of age, suffering from a physical or mental  
14 incapacitation that prevents the individual from caring for himself or  
15 herself;

16 (2) "Trained Personal Care Assistant" means an individual who  
17 has met the requirements of this subchapter and provides caregiver services;

18 (3) "Compensation" means money or another type of property of  
19 value received by a provider of caregiver services in exchange for the  
20 services of the provider without regard to the source of payment of the money  
21 or other type of property; and

22 (4) "Successful completion" means completion of training in  
23 acceptable core competencies in the physical skills under § 20-77-2103.

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25 20-77-2103. Training requirement.

26 (a) A person who applies for employment to provide caregiver services  
27 in this state for compensation shall provide documentation to an in-home  
28 services agency of successful completion of training as a Trained Personal  
29 Care Assistant under this subchapter.

30 (b) The Department of Human Services may issue documentation of  
31 successful completion of training as a Trained Personal Care Assistant under  
32 this subchapter to a person if the person:

33 (1) Is eighteen (18) years of age or older;

34 (2) Has not been convicted of a felony unless the conviction has  
35 been expunged or pardoned; and

36 (3)(A) Has successfully completed a caregiver training course

1 addressing the following core competencies approved by the department  
2 including not less than forty (40) hours of training in:

- 3 (i) Bodily functions;  
4 (ii) Behavioral issues, including changes in  
5 physical, mental, or psychological conditions;  
6 (iii) Body mechanics and safety precautions;  
7 (iv) Communication skills;  
8 (v) Dementia and Alzheimer's diseases;  
9 (vi) Emergency situations, including recognition of  
10 conditions and proper procedures;  
11 (vii) Household safety and fire prevention;  
12 (viii) Infection control and prevention, including  
13 maintaining a safe and clean working environment;  
14 (ix) Law and ethics;  
15 (x) Nutrition;  
16 (xi) Personal care;  
17 (xii) At least sixteen (16) hours covering physical  
18 skills and competent demonstration of such skills for:  
19 (a) Ambulation;  
20 (b) Basic housekeeping procedures, including  
21 laundry skills;  
22 (c) Bathing, shampooing, and shaving;  
23 (d) Dressing and undressing;  
24 (e) Meal preparation and clean up;  
25 (f) Oral hygiene;  
26 (g) Range of motion;  
27 (h) Toileting; and  
28 (i) Transfer techniques;  
29 (xiii) Record keeping and documentation of  
30 activities;  
31 (xiv) Role of caregiver in health care team  
32 skin and nail care; and  
33 (xv) Vital signs.

34 (b) The department may expand or reduce the topics acceptable for the  
35 caregiver course, but the number of hours of training shall not be modified.  
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1           20-77-2104. Exemptions.

2           An individual may provide caregiver services *without the training*  
3 *required under this subchapter if the person is a:*

4                   (1) Certified Nursing Assistant;

5                   (2) Licensed practical nurse;

6                   (3) Parent, grandparent, child, grandchild, or sibling of the  
7 recipient of the services;

8                   (4) Physician;

9                   (5) Registered nurse;

10                   (6) Service provider who does not receive compensation for his  
11 or her services; or

12                   (7) Licensed social workers.

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14           20-77-2105. Rules.

15           The Department of Human Services shall adopt rules to implement this  
16 subchapter.

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18   /s/Bledsoe  
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