

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1691

5 By: Representative M. Gray  
6

## For An Act To Be Entitled

8 AN ACT TO REQUIRE THE DIVISION OF DEVELOPMENTAL  
9 DISABILITIES SERVICES OF THE DEPARTMENT OF HUMAN  
10 SERVICES TO PROMULGATE RULES FOR CLOSURE, SALE,  
11 TRANSFER, AND EXPANSION OF CERTAIN FACILITIES AND  
12 SERVICES; AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 TO REQUIRE THE DIVISION OF DEVELOPMENTAL  
16 DISABILITIES SERVICES OF THE DEPARTMENT  
17 OF HUMAN SERVICES TO PROMULGATE RULES FOR  
18 CLOSURE, SALE, TRANSFER, AND EXPANSION OF  
19 CERTAIN FACILITIES AND SERVICES.  
20  
21  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 SECTION 4. Arkansas Code Title 20, Chapter 48, Subchapter 1, is  
26 amended to add an additional section to read as follows:

27 20-48-106. Rules for closure, sale, transfer, and expansion of certain  
28 facilities and services.

29 (a) The Division of Developmental Disabilities Services of the  
30 Department of Human Services shall promulgate rules regarding standards of  
31 operations and for the closure, sale, transfer, or expansion of the facility  
32 of or services provided by a provider of:

33 (1) Child health management services and developmental day  
34 treatment clinic services for children or any successor program providing  
35 early intervention day treatment services to children; or

36 (2) Nonresidential services to adults with developmental



1 disabilities, including adult developmental day treatment providers.

2 (b)(1) When adopting the initial rules to implement this section, the  
3 final rule shall be filed with the Secretary of State for adoption under §  
4 25-15-204(f):

5 (A) On or before August 1, 2019; or

6 (B) If approval under § 10-3-309 has not occurred by  
7 August 1, 2019, as soon as practicable after approval under § 10-3-309.

8 (2) The division shall file the proposed rule with the  
9 Legislative Council under § 10-3-309(c) sufficiently in advance of August 1,  
10 2019, so that the Legislative Council may consider the rule for approval  
11 before August 1, 2019.