

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

A Bill

SENATE BILL 468

5 By: Senator B. Sample
6 By: Representative Penzo
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE REQUIREMENTS FOR A PERSONAL CARE
10 SERVICE PROVIDER AND PRIVATE CARE AGENCY REGARDING
11 VISITS TO A PATIENT'S HOME AND THE DISTANCE OF A
12 PRIVATE CARE AGENCY OFFICE FROM A PATIENT'S HOME; AND
13 FOR OTHER PURPOSES.
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Subtitle

16 TO AMEND THE REQUIREMENTS FOR A PERSONAL
17 CARE SERVICE PROVIDER AND PRIVATE CARE
18 AGENCY REGARDING VISITS TO A PATIENT'S
19 HOME AND THE DISTANCE OF A PRIVATE CARE
20 AGENCY OFFICE FROM A PATIENT'S HOME.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 20-10-2304(c), concerning the rules by the
27 State Board of Health regarding personal care service providers and private
28 care agencies, is amended to read as follows:

29 (c) The board shall:

30 (1) establish ~~Establish~~ a separate licensure category for
31 private care agencies that provide personal care services twenty-four (24)
32 hours a day and seven (7) days a week;

33 (2) Require that:

34 (A)(i) A qualified supervisor shall establish the
35 frequency of in-person supervisory visits as part of the patient's plan of
36 care based on the specific needs of the patient and the recommendations of



1 the registered nurse.

2 (ii) The frequency of in-person visits shall be at
3 least annually; and

4 (B) A private care agency maintain a primary location in
5 Arkansas and a sufficient number of regional offices to adequately service
6 the administrative needs of the private care agency and the patients of the
7 private care agency; and

8 (3) Not require:

9 (A) A registered nurse to visit a patient every sixty-two
10 (62) days to supervise services; or

11 (B) A branch office of a private care agency to be within
12 a fifty-mile radius of a patient's home.

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14 SECTION 2. DO NOT CODIFY. Advisory Private Care Agency Rule Working
15 Group.

16 (a) There is created the Advisory Private Care Agency Rule Working
17 Group within the Department of Health.

18 (b) The group shall consist of the following individuals appointed by
19 the Director of the Department of Health:

20 (1) One (1) member from a list of individuals provided by the
21 HomeCare Association of Arkansas; and

22 (2) Four (4) members from a list of individuals provided by
23 private care agencies.

24 (c)(1) The director shall call the first meeting of the group.

25 (2) The group shall select a chair from the membership at the
26 first meeting.

27 (d) Within sixty (60) days of the effective date of this act, the
28 group shall review the rules regarding private care agencies and make
29 recommendations to the Department of Health for changes to the rules
30 regarding private care agencies to make the rules consistent with rules
31 regarding private care agencies in the surrounding states.

32 (e) On or before November 1, 2019, the group shall provide a report on
33 their review and recommendations described in subsection (d) of this section
34 to:

35 (1) The director;

36 (2) The Governor; and

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(3) The Legislative Council.

(f) The members shall not receive expense reimbursement, per diem, or stipends.

(g) This section shall expire on November 1, 2019.