

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1398

5 By: Representative B. Wilkins
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For An Act To Be Entitled

8 AN ACT TO AMEND REQUIREMENTS FOR NOTICE OF CERTAIN
9 INCIDENTS AT LONG-TERM CARE FACILITIES; TO REMOVE
10 FINES FOR VIOLATIONS BY INDIVIDUALS; AND FOR OTHER
11 PURPOSES.
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Subtitle

14 AN ACT TO AMEND REQUIREMENTS FOR NOTICE
15 OF CERTAIN INCIDENTS AT LONG-TERM CARE
16 FACILITIES; TO REMOVE FINES FOR
17 VIOLATIONS BY INDIVIDUALS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 20-10-107 is amended to read as follows:
24 20-10-107. Long-term care facility – Notice of certain incidents.

25 (a) As used in this section, “long-term care facility” means “long-
26 term care facility” as defined by § 20-10-213.

27 (b)(1) Within twenty-four (24) hours after the incident requiring
28 notification occurs, a long-term care facility shall notify, ~~by telephone and~~
29 ~~in writing the legal representative or guardian of a resident of the facility~~
30 if known, the resident’s guardian or other responsible party when:

31 (A) The resident suffers an injury;

32 (B) The resident is taken outside the facility for medical
33 care;

34 (C) The resident is moved to a different room; or

35 (D) There is any significant change in the physical or
36 mental condition of the resident.



1 ~~(2)(A) Any person who does not comply with this subsection shall~~
 2 ~~be guilty of a violation and upon conviction shall be punished by a fine of~~
 3 ~~one thousand dollars (\$1,000).~~

4 ~~(B) The fine shall be deposited into the State Treasury~~
 5 ~~and credited to the Economic and Medical Services Fund Account, there to be~~
 6 ~~used exclusively for the support of the Office of Long Term Care.~~

7 (2) A long-term care facility that does not comply with this
 8 subsection is subject to a fine under § 20-10-206.

9 (c)(1) It ~~shall be~~ is the responsibility of the long-term care
 10 facility to obtain an address and telephone number ~~where the legal~~
 11 ~~representative or guardian~~ at which the resident's guardian or other
 12 responsible party is available for notification.

13 (2) It ~~shall be~~ is the responsibility of the ~~legal~~
 14 ~~representative or~~ resident's guardian or other responsible party to notify
 15 the long-term care facility of any change in address or telephone number.

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