

Stricken language would be deleted from and underlined language would be added to present law.  
Act 748 of the Regular Session

State of Arkansas  
89th General Assembly  
Regular Session, 2013

As Engrossed: H3/21/13  
**A Bill**

HOUSE BILL 1799

By: Representative Wardlaw

### For An Act To Be Entitled

AN ACT TO AUTOMATE THE REVIEW OF ABUSE REGISTRIES  
MAINTAINED BY THE DEPARTMENT OF HUMAN SERVICES; TO  
STREAMLINE THE PROCESS FOR REQUESTING AN ABUSE  
REGISTRY CHECK; AND FOR OTHER PURPOSES.

### Subtitle

TO AUTOMATE THE REVIEW OF ABUSE  
REGISTRIES MAINTAINED BY THE DEPARTMENT  
OF HUMAN SERVICES.

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

SECTION 1. Arkansas Code Title 20, Chapter 38, Subchapter 1, is amended to add an additional section to read as follows:

20-38-113. Automated abuse registry checks.

(a) The Department of Human Services shall:

(1)(A) Contingent upon the receipt of funding, appropriation, and positions, create and maintain a program no later than July 1, 2016, that automates the databases of the Child Maltreatment Central Registry created in § 12-18-901, the Adult and Long-term Care Facility Resident Maltreatment Central Registry created in § 12-12-1716, and the Certified Nursing Assistant/Employment Clearance Registry maintained by the Office of Long-Term Care of the Division of Medical Services of the Department of Human Services under 42 C.F.R. 20 § 483.156 and § 20-10-203.

(B) The program created and maintained under subdivision (a)(1)(A) of this section shall allow an entity or person required to conduct a registry check under a registry listed in subdivision (a)(1)(A) of this



section to access all three (3) registries through a single web-based process;

(2) Streamline the process of requesting a registry check so that all forms authorizing the release of confidential information under a registry listed in subdivision (a)(1)(A) of this section are consistent; and

(3) Adopt rules to implement this section.

(b) Contingent upon the receipt of funding, appropriation, and positions, the department shall initiate implementation of the program described under subsection (a) of this section and establish a public timeline for full implementation no later than July 1, 2014.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly that the process for conducting abuse registry checks for vulnerable citizens does not provide timely access to the release of registry information for the protection of those citizens; and that this act is necessary because the lapse in time that creates an threat to vulnerable citizens will be remedied through registry information made more accessible through automation. Therefore, an emergency is hereby declared to exist, and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2013.

*/s/Wardlaw*

**APPROVED: 04/04/2013**