

Stricken language would be deleted from and underlined language would be added to present law.  
Act 1054 of the Regular Session

State of Arkansas  
90th General Assembly  
Regular Session, 2015

As Engrossed: S3/12/15  
**A Bill**

SENATE BILL 912

By: Senator Hester

### For An Act To Be Entitled

AN ACT TO PROHIBIT ADVERTISEMENT OF THE RESULTS OF A SURVEY, INSPECTION, OR INVESTIGATION OF A LONG-TERM CARE FACILITY; AND FOR OTHER PURPOSES.

### Subtitle

TO PROHIBIT ADVERTISEMENT OF THE RESULTS OF A SURVEY, INSPECTION, OR INVESTIGATION OF A LONG-TERM CARE FACILITY.

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

SECTION 1. Arkansas Code Title 20, Chapter 10, Subchapter 1, is amended to add an additional section to read as follows:

20-10-112. Results of a survey, inspection, or investigation prohibited in advertisements.

(a) Except as otherwise provided in this section, the results of a survey, inspection, or investigation of a long-term care facility conducted by any state or federal department or agency, including any statement of deficiencies, all findings and deficiencies cited in a statement of deficiencies, all proposed and implemented plans of correction, and all statements of interviews with individuals in connection with any inspection or investigation, shall not be used in an advertisement, unless the advertisement includes all of the following:

(1) The date the survey, inspection, or investigation was conducted;

(2) A statement that a facility is required to submit a plan of correction in response to a statement of deficiencies, if applicable;



(3) If a finding or deficiency cited in the statement of deficiencies has been corrected, a statement that the finding or deficiency has been corrected and the date that the finding or deficiency was corrected; and

(4) A statement that the advertisement is not authorized or endorsed by the Office of Long-Term Care of the Division of Medical Services of the Department of Human Services, or any other government agency.

(b) This section does not prohibit the results of a survey, inspection, or investigation conducted under this section from being used in an administrative proceeding or a criminal investigation or prosecution.

(c) The information required in subsection (a) of this section shall:

(1) Be in the same font and size as the other language on or in the advertisement; and

(2) Appear as prominent as other language used in the advertisement.

*/s/Hester*

**APPROVED: 04/04/2015**