

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

# A Bill

HOUSE BILL 1828

By: Representative Ladyman

By: Senator D. Wallace

## For An Act To Be Entitled

AN ACT TO CLARITY THAT THE DEPARTMENT OF HUMAN SERVICES IS REQUIRED TO PROMULGATE RULES TO ESTABLISH ELIGIBILITY FOR LONG-TERM CARE NURSING FACILITY PLACEMENT; AND FOR OTHER PURPOSES.

## Subtitle

TO CLARITY THAT THE DEPARTMENT OF HUMAN SERVICES IS REQUIRED TO PROMULGATE RULES TO ESTABLISH ELIGIBILITY FOR LONG-TERM CARE NURSING FACILITY PLACEMENT.

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

SECTION 1. Arkansas Code § 20-77-127(a) and (b), concerning eligibility for long-term care nursing facility placement, are amended to read as follows:

(a) The eligibility determination regarding every applicant for long-term care nursing facility placement shall be made according to the criteria ~~exactly as set forth in~~ the rules promulgated by the Department of Human Services.

~~(1) The Office of Long-Term Care Procedures for Determination of Medical Need for Nursing Home Services, as it existed on January 1, 2013; and~~

~~(2) The Medical Services Policy Manual of the Division of County Operations of the Department of Human Services, as it existed on January 1, 2013.~~

(b) ~~The eligibility determination criteria established under~~



~~subsection (a) of this section and any part of subsection (a) of this section shall not be modified, altered, amended, or changed before June 30, 2014. The department shall promulgate rules to establish eligibility determinations for long-term care nursing facility placement.~~

**APPROVED: 4/26/21**