

Stricken language would be deleted from and underlined language would be added to present law.  
Act 164 of the Regular Session

State of Arkansas  
94th General Assembly  
Regular Session, 2023

As Engrossed: H2/16/23

# A Bill

SENATE BILL 188

By: Senator Irvin

By: Representatives Schulz, L. Johnson

## For An Act To Be Entitled

AN ACT TO CLARIFY THAT THE DIVISION OF PROVIDER SERVICES AND QUALITY ASSURANCE OF THE DEPARTMENT OF HUMAN SERVICES CERTIFIES AND REGULATES LONG-TERM CARE FACILITIES AND SERVICES; AND FOR OTHER PURPOSES.

### Subtitle

TO CLARIFY THAT THE DIVISION OF PROVIDER SERVICES AND QUALITY ASSURANCE OF THE DEPARTMENT OF HUMAN SERVICES CERTIFIES AND REGULATES LONG-TERM CARE FACILITIES AND SERVICES.

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

SECTION 1. Arkansas Code § 20-10-2302, is amended to read as follows:  
20-10-2302. Definition.

As used in this subchapter, "private care agency" means a provider that is certified by the Division of ~~Aging, Adult, and Behavioral Health Services~~ Provider Services and Quality Assurance of the Department of Human Services as a provider of home- and community-based health services and that:

(1) Furnishes in-home staffing services for personal and attendant care services; and

(2) Retains liability insurance of not less than one million dollars (\$1,000,000) to cover its employees and independent contractors while its employees and independent contractors are engaged in providing personal and attendant care services.



SECTION 2. Arkansas Code § 20-33-213(a)(2)(A), concerning the definition of "service provider", is amended to read as follows:

(A) A home- and community-based health services provider certified by the Division of Provider Services and Quality Assurance ~~Department of Human Services;~~

SECTION 3. Arkansas Code § 20-38-101(9)(E), concerning the definition of "service provider" is amended to read as follows:

(E) A home- and community-based health services provider certified by the Division of ~~Aging, Adult, and Behavioral Health Services~~ Provider Services and Quality Assurance ~~of the Department of Human Services;~~

*/s/Irvin*

**APPROVED: 2/27/23**