

State of Arkansas  
90th General Assembly  
Regular Session, 2015

# A Bill

HOUSE BILL 1409

By: Representative Sabin

## For An Act To Be Entitled

AN ACT TO INCLUDE CLASS B HOME HEALTH AGENCIES AS PRIVATE CARE AGENCIES; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

## Subtitle

TO INCLUDE CLASS B HOME HEALTH AGENCIES AS PRIVATE CARE AGENCIES; AND TO DECLARE AN EMERGENCY.

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:

As used in this subchapter, "private care agency" means a provider that:

(1) ~~is~~ is licensed by the Department of Labor or is licensed by the Division of Health Facilities Services of the Department of Health as a Class B home health agency; and

(2) Is certified as an ElderChoices provider ~~and that;~~

~~(1)~~(3) Furnishes in-home staffing services for personal care services that include without limitation respite services, chore services, and homemaker services; and

~~(2)~~(4) 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 care services that include without limitation respite services, chore services, and homemaker services.



SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the licensure for a private care agency is only allowed to one (1) type of business organization structure, restricting the type and amount of healthcare providers; that allowing a Class B home health agency to qualify as a private care agency will vary the type of business organization structures, but will not vary the rules of service delivery or the healthcare services offered; and that this act is immediately necessary to increase the amount of healthcare services available to be delivered to the citizens of Arkansas. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.