

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

# A Bill

HOUSE BILL 1691

By: Representative M. Gray

## For An Act To Be Entitled

AN ACT TO REQUIRE THE DIVISION OF DEVELOPMENTAL  
DISABILITIES SERVICES OF THE DEPARTMENT OF HUMAN  
SERVICES TO PROMULGATE RULES FOR CLOSURE, SALE,  
TRANSFER, AND EXPANSION OF CERTAIN FACILITIES AND  
SERVICES; AND FOR OTHER PURPOSES.

## Subtitle

TO REQUIRE THE DIVISION OF DEVELOPMENTAL  
DISABILITIES SERVICES OF THE DEPARTMENT  
OF HUMAN SERVICES TO PROMULGATE RULES FOR  
CLOSURE, SALE, TRANSFER, AND EXPANSION OF  
CERTAIN FACILITIES AND SERVICES.

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

SECTION 4. Arkansas Code Title 20, Chapter 48, Subchapter 1, is amended to add an additional section to read as follows:

20-48-106. Rules for closure, sale, transfer, and expansion of certain facilities and services.

(a) The Division of Developmental Disabilities Services of the Department of Human Services shall promulgate rules regarding standards of operations and for the closure, sale, transfer, or expansion of the facility of or services provided by a provider of:

(1) Child health management services and developmental day treatment clinic services for children or any successor program providing early intervention day treatment services to children; or

(2) Nonresidential services to adults with developmental



disabilities, including adult developmental day treatment providers.

(b)(1) When adopting the initial rules to implement this section, the final rule shall be filed with the Secretary of State for adoption under § 25-15-204(f):

(A) On or before August 1, 2019; or

(B) If approval under § 10-3-309 has not occurred by August 1, 2019, as soon as practicable after approval under § 10-3-309.

(2) The division shall file the proposed rule with the Legislative Council under § 10-3-309(c) sufficiently in advance of August 1, 2019, so that the Legislative Council may consider the rule for approval before August 1, 2019.