

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

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*