

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

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 312

By: Senator Stone

By: Representative Beaty Jr.

For An Act To Be Entitled

AN ACT TO REMOVE THE MORATORIUM ON THE CONSTRUCTION OR ADDITION OF ANY ADDITIONAL BEDS WITHIN PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES; AND FOR OTHER PURPOSES.

Subtitle

TO REMOVE THE MORATORIUM ON THE CONSTRUCTION OR ADDITION OF ANY ADDITIONAL BEDS WITHIN PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES.

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

SECTION 1. Arkansas Code § 20-8-107(d), concerning the prohibition on adding new beds or expanding bed capacity of residential care facilities under the authority of the Health Services Permit Agency, is amended to read as follows:

(d)(1) Except as provided in subdivision (d)(2) of this section,
~~Beginning July 1, 2005,~~ the Health Services Permit Agency may not accept applications or requests for permits of approval to add new beds or to expand existing bed capacity of residential care facilities.

(2)(A) A psychiatric residential treatment facility as defined in § 9-28-402 is exempt from subdivision (d)(1) of this section and may add new beds or expand existing bed capacity.

(B) A cap shall not be set on the number of beds or bed capacity for psychiatric residential treatment facilities in this state.



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SECTION 2. DO NOT CODIFY. TEMPORARY LANGUAGE. Expiration of moratorium.

The moratorium on the construction or addition of any additional beds within psychiatric residential treatment facilities beyond the current number of permitted and licensed beds for the state on February 1, 2008, under 20 CAR § 255-605, shall expire on the effective date of this section.