

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A Bill

HOUSE BILL 1640

4 **By: Representatives Thicksten, Mahony, Northcutt and McKissack**

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For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 20, CHAPTER 8, SUBCHAPTER 1 OF THE
9 ARKANSAS CODE OF 1987 TO ADD A REPRESENTATIVE OF
10 RESIDENTIAL CARE FACILITIES TO THE HEALTH SERVICES
11 COMMISSION; AND FOR OTHER PURPOSES."

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

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15 SECTION 1. Arkansas Code §20-8-102 is hereby amended to read as
16 follows:

17 "20-8-102. Health Services Commission - Creation - Members - Meetings.

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19 (a) There is established a Health Services Commission.

20 (b) The Health Services Commission shall be composed of the following
21 membership to be appointed by the Governor and confirmed by the Senate:

22 (1) A practicing physician;

23 (2) A representative of the Department of Human Services;

24 (3) A member of the Arkansas Hospital Association;

25 (4) A member of the Arkansas Health Care Association;

26 (5) A member of the Arkansas Chapter of the American Association
27 of Retired Persons;

28 (6) A member of the Arkansas Association of Home Health Agencies;

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30 (7) A consumer knowledgeable in business health insurance;

31 (8) A member of the Arkansas Association of Residential Care

32 Facilities.

33 (c) All appointments shall be for three-year terms.

34 (d) The commission members shall serve without pay, but those members
35 not employed by the State of Arkansas shall receive reimbursement for actual

1 expenses incurred for attendance at meetings of the commission.

2 (e) The commission shall meet at least quarterly and at such other
3 times as necessary to carry out its duties as set forth in this subchapter.
4 The commission shall elect one (1) of its members as chairman and may, by
5 appropriate adoption of bylaws and rules, provide for the time, place, and
6 manner of calling its meetings."

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8 SECTION 2. The member appointed from the Association of Residential
9 Care Facilities shall be appointed to a three (3) year term to commence April
10 1991.

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12 SECTION 3. All provisions of this act of a general and permanent nature
13 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
14 Revision Commission shall incorporate the same in the Code.

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16 SECTION 4. If any provision of this act or the application thereof to
17 any person or circumstance is held invalid, such invalidity shall not affect
18 other provisions or applications of the act which can be given effect without
19 the invalid provision or application, and to this end the provisions of this
20 act are declared to be severable.

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22 SECTION 5. All laws and parts of laws in conflict with this act are
23 hereby repealed.

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25 SECTION 6. EMERGENCY. It is hereby found and determined by the
26 Seventy-Eighth General Assembly that residential care facilities are now under
27 the jurisdiction of the Health Service Commission; that representation on the
28 commission by those covered by the commission is fundamental in a democratic
29 society; that the immediate appointment of a representative on such commission
30 is necessary to preserve the rights of those facilities being regulated by the
31 commission. Therefore, an emergency is hereby declared to exist and this act
32 being necessary for the immediate preservation of the public peace, health and
33 safety shall be in full force and effect upon passage and approval.

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/s/ Edward Thicksten et al

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