

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/13/03 H3/24/03

A Bill

HOUSE BILL 2236

5 By: Representatives Penix, Walters, *Bright, Key, Rosenbaum, R. Smith*
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For An Act To Be Entitled

9 AN ACT TO REQUIRE CONTINUOUS QUALITY IMPROVEMENT
10 PROGRAMS AS A CONDITION FOR LONG-TERM CARE
11 FACILITIES TO PARTICIPATE IN AN INSURANCE POOL;
12 TO REQUIRE EDUCATION FOR NURSE AIDES IN LONG-TERM
13 CARE FACILITIES; AND FOR OTHER PURPOSES.
14

Subtitle

16 AN ACT TO IMPROVE THE QUALITY OF CARE IN
17 LONG-TERM CARE FACILITIES.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 20, Chapter 10, Subchapter 1 is amended
23 to add additional sections to read as follows:

24 20-10-109. Continuous quality improvement programs.

25 (a)(1) Any nursing facility participating in the state Medicaid
26 program shall demonstrate a commitment to providing a high degree of quality
27 of care for its residents as a condition for participation in the fund.

28 (2)(A) The provider shall demonstrate the required commitment
29 through participation in a continuous quality improvement program.

30 (B)(i) No state moneys shall be used to pay for the program.

31 (ii) All costs for the program shall be paid by the
32 facilities participating in the program.

33 (3) A continuous quality improvement program shall include at
34 least four (4) of the following:

35 (A) Customer satisfaction surveys;

36 (B) Physical restraints;



- 1 (C) Staff satisfaction surveys;
- 2 (D) Pressure ulcers;
- 3 (E) Staff turnover;
- 4 (F) Office of Long-Term Care survey inspections; and
- 5 (G) Nutrition and hydration.

6 (b) A provider shall demonstrate continuous active participation in a
7 continuous quality improvement program in a manner satisfactory to the
8 governing body of the insurance pool.

9 (c) The continuous quality improvement program shall be an
10 administrative expense in the Office of Long-Term Care reimbursement manual,
11 and shall be incurred against each participating facility.

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13 20-10-110. Nurses aide training.

14 (a) All nursing facilities required to have nurses aides and
15 participation in the state Medicaid program shall require all nurses aides
16 to:

17 (1) Complete two (2) hours of orientation, which shall be
18 specific to the facility in which the nurse aide is employed, and including
19 the Heimlich maneuver; and

20 (2) Satisfy one (1) of the following:

21 (A) Complete a state-approved training and competency
22 evaluation program; or

23 (B) Demonstrate competence through satisfactory
24 participation in a state-approved nurses aide training and competency
25 evaluation program that includes at least sixteen (16) hours of training in
26 the following subjects before any direct contact with the resident:

- 27 (i) Communication and interpersonal skills;
- 28 (ii) Infection control;
- 29 (iii) Safety and emergency procedures;
- 30 (iv) Promoting residents' independence; and
- 31 (v) Respecting residents' rights.

32 (b) The provisions of subsection (a) shall not apply to nurse aides
33 from an employment agency who are working at the facility in a temporary
34 capacity.

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36 /s/ Penix, et al