

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

A Bill

HOUSE BILL 2864

5 By: Representative Bright
6
7

For An Act To Be Entitled

9 AN ACT TO CLARIFY THE PERMIT OF APPROVAL
10 METHODOLOGY PROCESS FOR ASSISTED LIVING
11 FACILITIES AND RESIDENTIAL CARE FACILITIES; AND
12 FOR OTHER PURPOSES.
13

Subtitle

15 AN ACT TO CLARIFY THE PERMIT OF APPROVAL
16 PROCESS FOR ASSISTED LIVING FACILITIES
17 AND RESIDENTIAL CARE FACILITIES.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

SECTION 1. Findings.

23 The General Assembly finds:

24 (1) Residential care facilities and Level 1 assisted living facilities
25 serve the same populations and provide essentially the same services. T

26 (2) The Health Services Permit Agency should treat these facilities
27 the same for permit of approval purposes under Arkansas Code 20-8-101 et.
28 seq., otherwise, the permit of approval process will be skewed by artificial
29 need projections that create an oversupply of capacity, resulting in fewer
30 residents per facility and thus higher costs for residents.
31

SECTION 2. Definitions.

33 For purposes of this act:

34 (1) "Level I" assisted living facilities means any assisted living
35 facility that does not provide the more complex assisted living care
36 involving limited nursing services provided in "Level II" assisted living



1 facilities; and

2 (2) "Level II" shall have the same meaning as in Department of Human
3 Services regulations.

4
5 SECTION 3. Methodology.

6 (a) In its need methodologies, the Health Services Permit Agency shall
7 make no distinction between residential care facilities and Level I assisted
8 living facilities.

9 (b) The Health Services Permit Agency may, in its discretion, choose
10 to make allowance in its need methodologies for those assisted living
11 facilities that actually do provide Level II services.

12 (c) If a distinction is made between Level II assisted living
13 facilities and other assisted living facilities, a permit of approval issued
14 for a Level II facility shall state that the permit of approval is issued for
15 a Level II assisted living facility.