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To: Members, Arkansas State Board of Health

From: Paula Day, Section Chief
Health Systems Licensing and Regulation
Division for Health Protection

Date: October 11, 2025

Subject: To request approval by the State Board of Health of the following proposed amendments to the Rules for Private Care Agencies in Arkansas.

Authority: Ark. Code § 20-10-2301, et seq.

Relevant Acts: Acts 643, 674, and 853 of 2025

20 CAR § 49-103. Definitions

- Act 674 – revised definition of “contractor” to state “does not receive a Form W-2 (page 2)
- Act 853 – removed certification by DHS DPSQA (page 3)
- Act 853 – added requirement for reimbursement through Arkansas Medicaid Program (page 3)
- Act 674 – removed “independent” as a descriptor for contractor (page 3)

20 CAR § 49-104. Agency location

- Act 853 - removed regional offices language (page 4)

20 CAR § 49-107. Denial, suspension, revocation of license.

- Act 674 – add “contracted individuals” to the same requirement as employee. This is in several areas for this Rule set. (pages 6, 7, & 8)

20 CAR § 49-108. Training

- Act 643 – allows home caregivers that have previously received defined training to not repeat the defined training. (page 7)

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20 CAR § 49-109. General requirements

- Added requirement for agency to conduct “registry checks” for employees and contracted individuals pursuant to ACA § 20-38-103 (page 9)