

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



Secretary of State

John Thurston

500 Woodlane Street, Suite 026

Little Rock, Arkansas 72201-1094

(501) 682-5070

[www.sos.arkansas.gov](http://www.sos.arkansas.gov)



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Name of Department Arkansas Department of Health

Agency or Division Name Health Services Permit Agency

Other Subdivision or Department, If Applicable \_\_\_\_\_

Previous Agency Name, If Applicable \_\_\_\_\_

Contact Person Traci Harris

Contact E-mail traci.harris@arkansas.gov

Contact Phone (501) 661-2197

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Name of Rule HSC Rule 300M Home Health Criteria

Newspaper Name Arkansas Democrat Gazette

Date of Publishing October 1, 2006

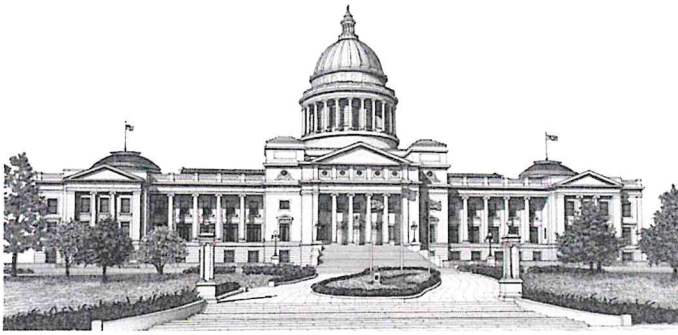
Final Date for Public Comment December 14, 2006

Location and Time of Public Meeting Arkansas State Police Headquarters/ 9am

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## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



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For Office

Use Only:

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency Health Services Permit Agency

Department Arkansas Department of Health

Contact Traci Harris E-mail traci.harris@arkansas.gov Phone 501-661-2197

Statutory Authority for Promulgating Rules Arkansas Code Annotated 20-8-103

Rule Title: HSC Rule 300M Home Health Criteria

### Intended Effective Date

(Check One)

☐ Emergency (ACA 25-15-204)

☒ 10 Days After Filing (ACA 25-15-204)

☐ Other \_\_\_\_\_  
(Must be more than 10 days after filing date.)

Legal Notice Published .....

Final Date for Public Comment .....

Reviewed by Legislative Council .....

Adopted by State Agency .....

Date

10/1/06

12/14/06

5/31/07

12/14/06

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Traci Harris traci.harris@arkansas.gov

June 20, 2024

Contact Person

E-mail Address

Date

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

(501) 661-2509

tracy.steele@arkansas.gov

Phone Number

E-mail Address

Director

Title

June 20, 2024

Date

## **HSC REGULATION 300M. Home Health Criteria (12/06)**

### **A. Methodology**

#### **1. Standards.**

The following is the standard to be used in the review of additional or expanded home health agencies. The methodology is based on the following assumptions: 1) More populated areas tend to have a higher population density, 2) Areas with higher population density can be served with fewer staff due to reduced travel time. Thus, it will take fewer staff to serve the same number of patients in a metropolitan area than it would to serve patients in a rural area.

- a. An area\* with up to 30,000 population may be approved for a maximum of two agencies.
- b. An county with 30,000 to 50,000 population may be approved for a maximum of three agencies.
- c. A county with 50,000 to 75,000 population may be approved for a maximum of four agencies.
- d. A county with 75,000 to 110,000 population may be approved for a maximum of five agencies.
- e. A county with 110,000 to 150,000 population may be approved for a maximum of six agencies.
- f. A county with 150,000 to 250,000 population may be approved for a maximum of seven agencies.
- g. A county with 250,000 to 400,000 population may be approved for a maximum of eight agencies.
- h. A county with 400,000 and over population would be approved for a maximum of one agency per every 50,000 population.

#### **2. Exception.**

Approvals may be granted when the methodology does not show a need if the applicant offers documentation to prove that existing agencies are not meeting the needs of the service area population.

#### **3. Application for a change in licensure category.**

An agency with a "B" license that applies for a Permit of Approval to

proceed with obtaining an "A" license will have to meet published criteria including the standard of need. Such approval may not exceed the standard of need unless the applicant has provided evidence to support an exception as noted in 2.

#### B. Unfavorable Review.

1. No application will be approved for a new home health agency or an expanded service area or change in license category if the applicant has had any condition level deficiencies in the previous 36 months as determined by the applicable state survey agency.

#### C. Rural Hospitals

Small rural hospitals that do not have a home health agency may be approved for a home health agency to serve either the county in which the hospital is located or the townships within a twenty-mile radius of the hospital. Small hospitals are defined as short-term acute care hospitals of 50 or fewer licensed beds. Rural counties are defined as counties with a population of 25,000 or less in the last decennial census. Hospitals approved under this rule must have their home health agency licensed no later than twenty-four (24) months from the date of approval.

If the hospital voluntarily or otherwise loses, surrenders, or transfers its home health license, the hospital is not eligible for five years for a Home Health POA using the rural hospital designation.

This five-year prohibition would not be applicable if the hospital proves it did not have any financial gain or receive any benefit from the loss, surrender, or transfer of its home health license.