

ARKANSAS REGISTER



Transmittal Sheet

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

Secretary of State

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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Department of Human Services

Department Division of Aging, Adult and Behavioral Health Services

Contact Mac Golden E-mail Mac.E.Golden@dhs.arkansas.gov Phone 501.320.6383

Statutory Authority for Promulgating Rules Arkansas Code §§ 20-76-201, 20-77-107, and 25-10-129; Act 567 of 2019

Rule Title: Establishing Reasonable Charges for Costs of Treatment

Intended Effective Date

(Check One)

Date

<input type="checkbox"/> Emergency (ACA 25-15-204)	Legal Notice Published	<u>10/16/2019</u>
<input type="checkbox"/> 10 Days After Filing (ACA 25-15-204)	Final Date for Public Comment	<u>11/14/2019</u>
<input checked="" type="checkbox"/> Other <u>01/01/2020</u> (Must be more than 10 days after filing date.)	Reviewed by Legislative Council	<u>12/20/2019</u>
	Adopted by State Agency	<u>12/20/2019</u>

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

Thomas Herndon

thomas.herndon@dhs.arkansas.gov

12/20/2019

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

501.686.9981

Jay Hill@dhs.arkansas.gov

Phone Number

E-mail Address

Director of the Division of Aging, Adult and Behavioral Health Services

Title

12/20/2019

Date

**Division of Aging, Adult, and Behavioral Health Services
of the Department of Human Services**

Rule establishing reasonable charges for costs of treatment

Authority: The following rule is adopted and promulgated pursuant to the authority expressly conferred by the laws of the State of Arkansas, Ark. Code Ann. § 5-2-331.

Purpose: This rule establishes reasonable charges for costs of treatment that a person or entity that provides treatment may impose pursuant to Ark. Code Ann. §§ 5-2-301 et seq. The following rules supplement, but do not supplant, other laws and rules.

- I.** A person or entity subject to this rule shall be in compliance within 30 days of its effective date.
- II.** Charges for costs of treatment may not exceed the actual cost of the treatment.
- III.** Collection of any charges imposed under this rule shall be waived or postponed based upon:
 - a. Clinical considerations;
 - b. The patient's inability to pay; or
 - c. A court determination that the patient is wholly or partly indigent and qualifies for the appointment of an attorney under Ark. Code Ann. § 16-87-213.
- IV.** Charges for costs of treatment shall be based upon and not exceed the charges contained in the Charge Description Master maintained by the Arkansas State Hospital.