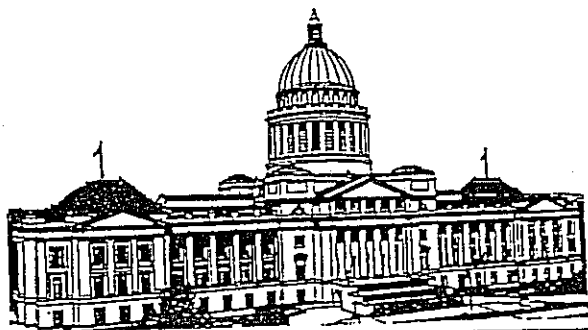


# ARKANSAS REGISTER

## Transmittal Sheet



Sharon Priest  
Secretary of State  
State Capitol Rm. 01  
Little Rock, Arkansas 72201-1094

For Office Use Only: Effective Date 9/26/97 Code Number 049.00.97--005

Name of Agency HEALTH SERVICES AGENCY

Department N/A

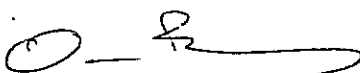
Contact Person Nancy Richardson Phone 501/661-2197

Statutory Authority for Promulgating Rules Arkansas Act 593 of 1987, as amended

	Date
Intended Effective Date	Legal Notice Published . . . . .
<input checked="" type="checkbox"/> Emergency	Final Date for Public Comment . . . . .
<input type="checkbox"/> 10 Days After Filing	Filed With Legislative Council . . . . . <u>09/26/97</u>
<input type="checkbox"/> Other	Reviewed by Legislative Council . . . . .
	Adopted by State Agency . . . . . <u>09/23/97</u>

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with Act 434 of 1967 As Amended.

  
Signature

501/661-2509  
Phone Number

DIRECTOR, HEALTH SERVICES AGENCY  
Title

SEPTEMBER 26, 1997  
Date

FILED  
ALL OFFICER INV  
97 SEP 26 PM 3:54  
SHARON PRIEST  
SECRETARY OF STATE  
STATE OF ARKANSAS

## ARKANSAS HEALTH SERVICES AGENCY

### STATEMENT OF EMERGENCY

HSC Regulation No. 015 P.P.E.. Moratorium on new applications for hospice facilities and hospice agencies subject to Permit of Approval review.

This emergency administrative regulation addresses a moratorium on the acceptance of a new Permit of Approval categories entitled hospice facilities and hospice agencies while the Health Services Commission develops appropriate criteria for the review of such services. The Commission finds that the imminent peril to the public, health, safety, or welfare requires adoption of this rule to be effective immediately upon filing on September 26, 1997 since an Emergency Clause in Act 396 of 1997 makes these facilities/agencies subject to review immediately. The Commission needs an adopted methodology upon which to review this type of service in place prior to the acceptance of applications. This regulation will be replaced with an ordinary administrative regulation.

HEALTH SERVICES COMMISSION  
EMERGENCY NEW ADMINISTRATIVE REGULATION

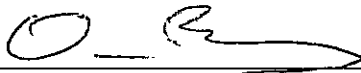
NUMBER AND TITLE: HSC Regulation No. 015 P.P.E.. Moratorium on new applications for hospice facilities and hospice agencies subject to Permit of Approval review.

PROPOSED EFFECTIVE DATE:

STATUTORY AUTHORITY: A.C.A. §§ 20-7-117 and A.C.A. §§ 20-8-101 et seq.

NECESSITY AND FUNCTION: This emergency rule is necessary in order that the Health Services Commission may develop criteria for this new category of service prior to the actual acceptance of applications for hospice facilities and hospice agencies for Permit of Approval review.

PAGES FILED: One (1)



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Orson Berry, Director  
Health Services Agency

Promulgation date: September 23, 1997

Contact Person: Nancy Richardson, Health Services Agency  
Freeway Medical Tower  
5800 West 10th Street, Suite 805  
Little Rock, Arkansas 72204

Telephone: 661-2509

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SHARON PRIEST  
SECRETARY OF STATE  
STATE OF ARKANSAS

HSC Regulation No. 015 Policies and Procedures, Health Services Commission.  
Emergency Rule.

Moratorium on the acceptance of hospice facility/hospice agency application materials or the placing of hospice facility/hospice agency applications under Permit of Approval review. For the time period commencing September 26, 1997 and ending January 24, 1998 (or 120 days) a Moratorium exists in order for the Health Services Commission to develop and adopt criteria for the review of such services prior to the acceptance of applications. (This Moratorium does not apply to those entities that have filed written intent to build a hospice facility or operate a hospice agency prior to the effective date of Act 396 of 1997 (March 7, 1997).)

DEPARTMENT: HEALTH SERVICES COMMISSION  
PERSON COMPLETING THIS STATEMENT: Nancy Richardson  
TELEPHONE NO: (501) 661-2509 FAX NO. (501) 661-2399

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CLERK OF THE  
STATE OF ARKANSAS

FINANCIAL IMPACT STATEMENT

BY \_\_\_\_\_

To comply with Act 884 of 1995, please complete the following Financial Impact Statement and file with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE: HSC REGULATION 015 P.P.E. Moratorium on new applications for hospice facilities and hospice agencies subject to Permit of Approval review.

Contact Person: Nancy Richardson  
Health Services Agency  
Freeway Medical Tower  
5800 West 10th Street, Suite 805  
Little Rock, Arkansas 72204  
Telephone: 661-2509

1. Does this proposed, amended, or repealed rule or regulation have a financial impact?  
Yes \_\_\_\_ No X
2. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.
3. If the purpose of this rule or regulation is to implement a federal rule or regulation, please give the incremental cost of implementing the regulation. N/A - not a federal rule or regulation.
4. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule or regulation? None during the Moratorium; \$500 POA application fee after Moratorium.
5. What is the total estimated cost by fiscal year to the agency to implement this regulation? There will be notice costs; however, additional expenses will be covered with existing funds.