

**Cover Summary of Proposed Administrative Rules/Regulation
Arkansas Department of Health**

DIVISION Center for Health Protection; Licensing and Regulation Branch;
 Health Facility Services Section
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DATE September 12, 2023

SHORT TITLE OF THIS RULE: *Rules for Critical Access in Arkansas*

1. Subject: Rule revisions for Acts 233, 313, 482, 559, 716, 830, 848
2. Amends existing rules
3. Authority: Ark. Code Ann. § 20-7-123, 20-9-201 *et seq.*
4. Purpose:
 - *To provide provision for Pharmacy Continuity of Care Endorsement (Act 233)*
 - *To require posting of a written notice that attacking a healthcare professional is a felony (Act 313)*
 - *To require hospitals in this state to comply with federal hospital pricing transparency regulations (Act 482)*
 - *To require hospitals to comply with the abortion right-to-know-and-see-act (Act 559)*
 - *To amend the no patient left alone act regarding clergy members (Act 716)*
 - *To amend the patient right to know regarding licensure of a healthcare provider (Act 830)*
 - *To clarify the performance of an abortion to save the life or a pregnant woman in a medical emergency may be performed only in a hospital or emergency room (Act 848)*
5. Changes as listed:
 - Section 3 – name clarification for provider type Ambulatory Surgery Center.
 - Section 6.B.13 – change timeframe for reappointment to medical staff from 2 years to 3 years (requested by the Arkansas Hospital Association).
 - Section 7.S. – amended to address provision of Act 559 and 848 regarding ultrasounds prior to an abortion referral and abortions may only be performed to save the life of the pregnant woman in a hospital or emergency department.
 - Section 7.T – added requirement for written notice regarding attacking a healthcare professional.
 - Section 7.U – added requirement regarding healthcare provider not misleading the public regarding licensure status.
 - Section 7. V – added requirement for compliance with Federal Hospital pricing transparency.

Section 9.A – clarified reporting requirement regarding infectious or communicable diseases in a facility to the Arkansas Department of Health.
Section 9.F. – added reporting requirement regarding Hospital Discharge Data System to the Arkansas Department of Health.

Section 12 and 16 – clarification in pharmacy equipment requirements, references, and documentation to include electronic medication dispensing systems, electronic documentation processes, and electronic references.

Section 16.H.4. – amended to allow compliance with Pharmacy Continuity of Care Endorsement.

Section 18 - clarified reporting requirement regarding infectious or communicable diseases in a facility to the Arkansas Department of Health. (Also added to Administration Section)

Appendix A – amended to address clergy member visitation in hospitals.

Table 9 – amended to address correct temperature for medication storage.

6. Financial impact: No financial impact.
7. Public Hearing: *N/A; Public comment period 12/01/2023 to 12/31/2023(est.)*
8. Proposed effective date: *March 1, 2024*

A strike-through copy of the proposed changes is attached.