

Addendum to HSC Regulation 100M Nursing Home Bed Methodology

MORATORIUM ON POPULATION BASED AND SOME UTILIZATION BASED APPLICATIONS FOR NURSING HOME BEDS

A moratorium is hereby imposed barring the submission and review of all applications for nursing home beds based on this Commission's population-based methodology, HSC Regulation 100M(12/02), Article I "Population Based Methodology" and of all applications for new nursing home beds to be added pursuant to HSC Regulation 100M(12/02), Article II, "Utilization Based". However, the Commission notes that it is not the intent of this Emergency Rule to create a moratorium on the submission and review of POA applications seeking approval to replace existing beds with "new construction" pursuant to HSC Regulation 100M(12/2002), Article III "Replacement of Facilities and Beds" and all sub-paragraphs thereof.

The Commission declares that an emergency exists and that there is an imminent threat to the public health, safety and welfare in that Arkansas has high rates of poverty, morbidity and mortality that are associated with the state's high chronic disease prevalence. Recent studies indicate that these factors contribute to a relatively higher demand for nursing homes in Arkansas and due to the higher prevalence of chronic disease; these Arkansas nursing home residents are a more vulnerable and chronically ill population. In addition, Arkansas has a higher than average number of unused empty nursing home beds which according to this study have implications for the state's higher levels of deficiencies and poor staffing which further imperil the health of the state's more vulnerable chronically ill, elderly nursing home population. These combined factors present a threat to the health, safety and welfare of Arkansas nursing home residents that requires adoption of this emergency rule with an immediate effective date.

This rule shall be effective immediately and will expire at the end of 120 days.