

**Hall of the House of Representatives**  
84th General Assembly - Regular Session, 2003  
**Amendment Form**

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**Subtitle of House Bill No. 2893**

"AN ACT TO CREATE A HEALTH ADVISORY COMMITTEE; TO COORDINATE  
EFFORTS TO COMBAT INADEQUATE HEALTH CARE ON THE EDUCATIONAL  
PERFORMANCE OF CHILDREN."

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**Amendment No. 1 to House Bill No. 2893.**

Amend House Bill No. 2893 as originally introduced:

Add Representatives Mahony, C. Johnson, White, Bradford, Dangeau, Pickett,  
Elliott as cosponsors of the bill

AND

Add Senator Gullett as a cosponsor of the bill

AND

Delete everything after the Enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 20, Chapter 36, is amended to add an  
additional subchapter to read as follows:

20-36-101. Findings - Purpose.

(a) The General Assembly finds that:

(1) Adequate health care for school age children is an important  
component in maximizing their educational opportunities and classroom  
performance so that children may obtain an adequate education; and

(2) There is a need for a study to be conducted to evaluate  
health care for school age children and to develop a strategic statewide plan  
regarding the needs and solutions to health problems of school age children.

(b) The purposes of this subchapter are to:

(1) Create a committee to conduct a study to evaluate health  
care for school age children; and

(2) Develop findings and make recommendations to the Joint  
Committee on Educational Adequacy, the House and Senate Interim Committees on  
Public Health, Welfare, and Labor, the General Assembly, and the Governor.

20-36-102. Health Adequacy Advisory Committee.

(a)(1) There is established the Health Adequacy Committee consisting  
of twenty-one (21) members.



(2) The following members shall be appointed by the Joint Committee on Educational Adequacy by a majority of a quorum:

(A) One (1) member who is a pediatrician;

(B) One (1) member who is a school nurse who is currently working in a public elementary school in this state;

(C) One (1) school nurse who is currently working in a public junior or high school in this state;

(D) One (1) member currently working as a principal in a public elementary school in this state;

(E) One (1) member currently working as a classroom teacher in a public elementary school in this state;

(F) One (1) member to represent the Arkansas Minority Health Commission; and

(G) One (1) member to represent the community health agencies.

(3) The Speaker of the House of Representatives shall appoint one (1) member currently working as a principal of a public elementary school.

(4) The Present Pro Tempore of the Senate shall appoint one (1) member currently working as a teacher in a public elementary school.

(5) The chairperson of the House Interim Committee on Public Health, Welfare, and Labor shall appoint one (1) member who has a child in a public school in this state.

(6) The chairperson of the Senate Interim Committee on Public Health, Welfare, and Labor shall appoint one (1) member who has a child in a public school in this state.

(7) The Director of the Department of Health shall appoint:

(A) One (1) member to represent the Department of Health;

(B) One (1) member to represent the Arkansas Academy of Pediatrics;

(C) One (1) member to represent the Arkansas Academy of Family Practice;

(D) One (1) member to represent the Arkansas School of Public Health of the University of Arkansas for Medical Sciences;

(E) One (1) member to represent the Arkansas Center for Health Improvement; and

(F) One (1) member to represent the Arkansas Advocates for Children and Families.

(8) The Director of the Department of Education shall appoint:

(A) One (1) member to represent the Department of Education;

(B) One (1) member to represent the Arkansas School Nurses Association;

(C) One (1) member to represent the Arkansas Association of Education Administrators; and

(D) One (1) member to represent the Arkansas Parent Teacher Association.

(b)(1) The Joint Committee on Educational Adequacy shall appoint a chairperson for the Health Adequacy Advisory Committee.

(2) The chairperson shall call the first meeting within thirty (30) days of the appointments by the Joint Committee on Educational Adequacy.

(3) The committee shall select from their membership a secretary

and treasurer.

(c)(1) A majority of the membership appointed by May 31, 2003, shall constitute a quorum.

(2) A majority vote of those members present shall be required for any action of the commission.

(d) Vacancies shall be filled for the unexpired portion of the term in the same manner as is provided in this section for initial appointments.

(e) The committee shall meet at least monthly.

(f) Members of the committee shall serve with pay, but may receive expense reimbursement in accordance with section § 25-16-902, if funds are available for that purpose.

#### 20-36-103. Duties.

(a) The Health Adequacy Committee shall:

(1) Study the health care needs of the school age children of Arkansas to obtain an adequate education;

(2) Study and evaluate health programs in the schools and their effectiveness in allowing students to obtain an adequate education including, but not limited to, school nurse programs;

(3) Study and evaluate whether children are receiving adequate health care and correction of health problems while in school;

(4) Study the effects of inadequate health on the performance of children in the classroom in obtaining an adequate education, equal educational opportunity, or both;

(5) Develop a strategic statewide plan to ensure adequate health care of school age children while in the classroom to obtain an adequate education; and

(6) Develop a strategic statewide plan so school age children can become more responsible in making preventative decisions regarding their health and thus increase educational opportunity.

(b) By September 1, 2003, the committee shall report its findings and strategic plan for meeting the health needs of school age children to the Joint Committee on Educational Adequacy, the House and Senate Interim Committees on Public Health, Welfare, and Labor, and the Governor.

(c) If the Joint Committee on Educational Adequacy ceases to exist before the expiration of the Health Adequacy Committee, the committee shall report further findings to the House and Senate Interim Committees on Public Health, Welfare, and Labor, and the Governor.

#### 20-36-104. Funding.

(a)(1) The committee's funding shall be from grants, donations, and any other funds that may be made available through appropriations by the General Assembly.

(2) Moneys received by the committee shall be used solely for the support of the functions of the committee.

(b)(1) Grants and donations received by the committee shall be cash funds and shall be administered by the Arkansas Department of Health, but shall be subject to appropriation by the General Assembly.

(2) Any moneys received from grantors and donors that are not expended by the committee shall be returned to the grantors and donors in proportion that each bears to the total of all grants and donations received by the commission.

20-36-105. The committee shall expire on December 31, 2005.

SECTION 2. Arkansas Code Title 9, Chapter 6, Subchapter 4 is amended to add a new section to read as follows:

19-6-487. Health Adequacy Committee Fund.

(a) There is created on the books of the Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State a special revenue fund to be known as the "Health Adequacy Committee Fund".

(b)(1) All moneys collected under § 20-36-104 shall be deposited into the State Treasury to the credit of the fund as special revenues.

(2) The fund shall also consist of any other revenues as may be authorized by law.

(c) The fund shall be used by the Health Adequacy Committee for the purposes set out in § 20-36-104.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the Joint Committee on Educational Adequacy must report its findings by September 1, 2003; that health care adequacy among school age children in Arkansas is an essential component of any definition of educational adequacy; that the initial reports of the Health Adequacy Committee created by this act must be available to the Joint Committee on Educational Adequacy before the formulation of the final report. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

The Amendment was read \_\_\_\_\_

By: Representative J. Johnson

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Chief Clerk