

MINUTES OF THE MEETING
OF THE
ARKANSAS LEGISLATIVE COUNCIL

Friday, November 18, 2016

The Arkansas Legislative Council met at 9:00 a.m., Friday, November 18, 2016 in Committee Room A of the Big Mac Building, Little Rock, Arkansas. Co-Chair David L. Branscum called the meeting to order and recognized a quorum of members present. The members present are listed on the sign-in sheets.

Minutes of the Last Meeting

Co-Chair Branscum referred the members to the minutes of the previous Legislative Council meeting on October 21, 2016 (Exhibit C) and asked if there was a motion to approve the minutes.

Co-Chair Bill Sample moved that the minutes of the October 21, 2016 meeting of the Legislative Council be adopted. The motion was seconded and passed by voice vote.

Presentation of Revenue Report

Co-Chair Branscum recognized Richard Wilson, Assistant Director for Research Services with the Bureau of Legislative Research, to present the October 2016 revenue report (Exhibit D) prepared by the Bureau of Legislative Research. Mr. Wilson reported that the revenue report for October 2016 reflects that after four (4) months of this fiscal year, gross revenue collections are \$37.6 million ahead of last year's collections for a growth rate of one point nine percent (1.9%), and that net general revenue available for distribution is at \$28 million for a growth rate of one point seven percent (1.7%). Mr. Wilson reported that the graph reflects net general revenues available for distribution are \$23 million ahead of the official forecast and that the spreadsheet reflects that collections of gross receipts are flat and collections for income tax are up one percent (1%). This concluded the report and there were no questions.

Report of the Executive Subcommittee

Co-Chair Branscum recognized Co-Chair Bill Sample to present the report of the Executive Subcommittee (Exhibit E). Co-Chair Sample reported that the Executive Subcommittee met at 8:00 a.m. on November 18, 2016, and reviewed and approved an emergency rule by the Department of Human Services regarding rehabilitative services for persons with mental illness (RSPMI) Moratorium Amendment 7. Co-Chair Sample reported that the emergency rule will be final upon adjournment of the Legislative Council meeting today. Co-Chair Sample noted that the emergency rules are effective for one hundred twenty (120) days and will have to be presented to the Administrative Rules and Regulations Subcommittee of the Legislative Council. Co-Chair Sample reported that there was no other business to come before the subcommittee. This concluded the report and there were no questions.

Co-Chair Bill Sample moved that the report of the Executive Subcommittee be adopted. The motion was seconded and passed by voice vote.

Report of the Standing Subcommittees

Co-Chair Branscum noted that pursuant to the motion passed in the October 21, 2016 meeting, the Legislative Council subcommittees did not meet during November 2016 and that the full Legislative Council would consider agency requests upon a determination of imminent need.

Performance Evaluation and Expenditure Review (PEER) Subcommittee

Co-Chair Branscum recognized Wendy Cartwright, committee staff person for the Performance Evaluation and Expenditure Review (PEER) Subcommittee, to present the requests submitted directly to the Legislative Council that would normally have come before the PEER subcommittee (Exhibit F.8a and Exhibit F.8b).

Ms. Cartwright explained that under item F.8a are three (3) requests for release of set-aside funds that will require approval of the Legislative Council, which are: (1) a request from the Department of Human Services Division of Children and Family Services (Exhibit F.8a1) for release of \$10 million to be utilized to support the increased cost of the foster care program due to the 5,200 children that are in care currently; (2) a request from the Department of Finance and Administration Disbursing Officer (Exhibit F.8a2) for release of \$525,000.00 for start-up costs associated with the passage of the Arkansas Medical Marijuana Amendment; and (3) a request from the Arkansas Department of Health (Exhibit F.8a3) for release of \$2,475,000.00 for start-up costs associated with the passage of the Arkansas Medical Marijuana Amendment.

Co-Chair Branscum recognized Ann Purvis, Deputy Director of the Arkansas Department of Health, who responded to questions regarding the start-up costs associated with the passage of the Arkansas Medical Marijuana Amendment. Co-Chair Branscum recognized Marty Garrity, Executive Secretary of the Legislative Council, who informed the committee that the Arkansas Medical Marijuana Amendment requires that the commission be appointed within thirty (30) days and requires the first meeting to happen within the first forty-five (45) days. Ms. Garrity explained further that the effective date of the Arkansas Medical Marijuana Amendment is November 9, 2016, but there may be some question regarding whether these deadlines begin on the date of certification or on the date of the election.

Co-Chair Sample moved that the Legislative Council approve the following three (3) requests for release of set-aside funds: (1) the release of \$10 million to the Department of Human Services Division of Children and Family Services (Exhibit F.8a1) to be utilized to support the increased cost of the foster care program; (2) the release of \$525,000.00 to the Department of Finance and Administration Disbursing Officer (Exhibit F.8a2) for start-up costs associated with the passage of the Arkansas Medical Marijuana Amendment; and (3) the release of \$2,475,000.00 to the Arkansas Department of Health (Exhibit F.8a3) for start-up costs associated with the passage of the Arkansas Medical Marijuana Amendment. The motion was seconded and passed by voice vote.

Ms. Cartwright continued her presentation and explained that under item F.8b is a cash-fund appropriation increase request (Exhibit F.8b) from the Department of Finance and Administration

Management Services. This request is for \$5 million in cash appropriation for the pass-through fees that are collected on pre-paid wireless services at the point of sale and remitted to the Department of Finance, which then remits the receipts to the Arkansas Emergency Telephone Services Board. This agency has currently used all of its current appropriation and needs this additional appropriation in order to pass the receipts to the Arkansas Emergency Telephone Services Board. This concluded the presentation and there were no questions.

Co-Chair Sample moved that the Legislative Council approve the cash-fund appropriation increase request (Exhibit F.8b) from the Department of Finance and Administration Management Services for an additional \$5 million in cash appropriation. The motion was seconded and passed by voice vote.

Review Subcommittee

Co-Chair Branscum noted that a motion to suspend the rules was needed in order to consider the item on the Supplemental Agenda, which is a request from the Department of Human Services (Exhibit A.1) for review of two contracts.

Co-Chair Sample moved that the rules be suspended to allow the consideration of the Supplemental Agenda item. The motion was seconded and passed by voice vote.

Co-Chair Branscum recognized Kathy Schmidt, committee staff person for the Review Subcommittee, to present the Supplemental Agenda item. Ms. Schmidt explained that this request would typically come before the Review Subcommittee, but that the Department of Human Services requested that the Legislative Council review these professional services contracts because the passing of Mark Story has left vacant two (2) critical positions; DHS Chief Financial Officer and Medicaid Chief Financial Officer. Ms. Schmidt explained that one contract is with Mann Consulting for \$130,000.00 and the other contract is with Navigant Consulting for \$549,937.00, which will provide staff support until a long-term employee is hired. This concluded the presentation of the Supplemental Agenda item and there were no questions.

Co-Chair Sample moved that the Legislative Council file as reviewed the professional services contracts for the Department of Human Services with Mann Consulting for \$130,000.00 and with Navigant Consulting for \$549,937.00. The motion was seconded and passed by voice vote.

Co-Chair Branscum asked Ms. Schmidt to present the items on the regular agenda submitted directly to the Legislative Council, which would normally have come before the Review Subcommittee. Ms. Schmidt explained that these contracts are detailed in the summary of contracts (Exhibit F.10) and in the packet of letters for special procurement requests (Exhibit F.10 Attachment).

Ms. Schmidt explained that shown on the first page of the summary (Exhibit F.10) is a construction-related contract for the Arkansas Department of Environmental Quality for oversight of the C & L Landfill (agenda item F.10.a.1), which is paid from the post-closure trust fund. The department notes that extraordinary rain events this year caused damage to the landfill cap and repairs are required. Ms. Schmidt explained that this is an expense that was not anticipated in the original contract and the department is requesting an additional \$20,000.00, which should close out the contract.

Ms. Schmidt explained that shown on the second page of the summary (Exhibit F.10) are three (3) out-of-state contracts, which are listed on the agenda as item F.10.a.2(a), F.10.a.2(b), and F.10.a.2(c). The first contract is for the Department of Human Services Division of Medical Services with Cognosante Consulting to provide services for the Arkansas Works Program and the dental managed-care program that were a special procurement, and which are explained in pages one through four of the special procurement letters packet (Exhibit F.10 Attachment). Ms. Schmidt explained that the department is federally-mandated to provide these services and that department requests this contract be extended and to add additional money to it until the department can procure the services through an RFP that they are currently working on. The second contract is also for the Department of Human Services Division of Medical Services with Deloitte Consulting to provide assistance to beneficiaries needing the IRS form 1095B. Ms Schmidt explained this was also a special procurement and is explained on pages five through seven of the special procurement letters packet (Exhibit F.10 Attachment) and that the department is working on an RFP to provide these federally-mandated services. Ms. Schmidt explained this is an original contract for a little over \$2.3 million. The third out-of-state contract is for the University of Arkansas for Medical Sciences (UAMS) with Barton and Associates for \$1.2 million to provide staffing for Internal Medicine Hospitals to ensure patient care and compliance.

Ms. Schmidt explained that there are nine (9) in-state contracts detailed in the next four pages of the summary (Exhibit F.10), which are listed on the agenda as items F.10.a.3(a) through F.10.a.3(i). Ms. Schmidt explained the first in-state contract is for the Arkansas Geographic Information Systems, which is one of several contracts for public land surveyors who perform surveys for the corner restoration program.

Ms. Schmidt explained that the in-state contracts listed as items 2, 3, 4, 6, and 7 on the summary (Exhibit F.10) are for the Department of Human Services for a pilot program to support the Division of Children and Family Services clients and care givers during transitions back to the community within the existing Community Care Coordination for Children and Youth program, which will add \$420,000.00 in federal funds.

Ms. Schmidt explained that the in-state contract listed as item 5 on the summary (Exhibit F.10) is for the Department of Human Services Division of Behavioral Health that is an amendment to an existing contract with the Arkansas Chapter of Youth Motivating Others through Voice of Experience (MOVE-AR).

Ms. Schmidt explained that the in-state contract listed as item 8 on the summary (Exhibit F.10) is for the Department of Human Services Division of Developmental Disabilities to add additional funding to the contract to provide for an advanced practice nurse position at the Conway Human Development Center.

Ms. Schmidt explained that the last in-state contract listed as item 9 on the summary (Exhibit F.10) is for the Department of Human Services Division of Medical Services with HP Enterprises to add \$1.2 million in funding to provide services for the new Arkansas Medicaid Enterprise and Medicaid Information System and Services that is a part of the Arkansas Works Program.

At this point, Co-Chair Branscum asked if there were any questions on any of the contracts presented so far. Co-Chair Branscum recognized Senator Terry Rice who asked if the in-state contract listed as item 5 is a totally new program. Ms. Schmidt responded that Senator Rice is referring to the contract

with the Arkansas Chapter of Youth Motivating Others through Voice of Experience (MOVE-AR) that is part of an advocacy program and that it is not a new program. Co-Chair Branscum recognized Paula Stone, Assistant Director for the Division of Behavioral Health Services, and Misty Eubanks, the DHS Chief Procurement Officer, who responded to questions regarding this contract. Ms. Eubanks also responded to questions regarding the Department of Human Services Division of Medical Services out-of-state contract with Cognosante Consulting, as well as questions about the Department of Human Services Division of Medical Services in-state contract with HP Enterprises, and the contracts for which an RFP is planned.

Co-Chair Branscum stated that seeing no other questions, he would like a motion on the contracts that have been presented at this time, which are the contracts requiring review pursuant to Arkansas Code Annotated § 19-11-1006 and listed on the meeting agenda as items F.10.a.1 through F.10a3(i).

Co-Chair Sample moved that the Legislative Council file as reviewed the contracts requiring review pursuant to Arkansas Code Annotated § 19-11-1006, which are as follows:

- (1) construction-related contract, Environmental Quality Department with ENSAFE INC. (Contract # 460003057;**
- (2) out-of-state contracts, Human Services Department with Cognosante Consulting LLC; (Contract # 4600037318), Human Services Department with Deloitte Consulting, LLP (Contract # 4600038911); U of A Medical Sciences with Barton and Associates (Contract # RA17150618);**
- (3) in-state contracts, Arkansas Geographic Information Systems with Evert Turnage (Contract # 4600039009); Human Services Department-Behavioral Health with Counseling Associates, Inc. (Contract # 46000336763); Human Services Department-Behavioral Health with Northeast Arkansas Community Mental Health Center dba Mid-South Health Systems Inc. (Contract # 4600036799); Human Services Department-Behavioral Health with Northeast Arkansas Community Mental Health Center dba Mid-South Health Systems Inc. (Contract # 4600036788); Human Services Department-Behavioral Health with Northeast Arkansas Community Mental Health Center dba Mid-South Health Systems Inc. (Contract # 4600034705); Human Services Department-Behavioral Health with Preferred Family Healthcare, Inc. dba Health Resources of Arkansas (Contract # 4600036791); Human Services Department-Behavioral Health with Southwest Arkansas Counseling and Mental Health Center, Inc. dba Health Resources of Arkansas (Contract # 4600036806); Human Services Department-Developmental Disabilities with University of Arkansas for Medical Sciences Department of Pediatrics (Contract # 4600028823); Human Services Department-Medical Services with HP Enterprise Services LLC (Contract # 4600033377).**

The motion was seconded and passed by voice vote.

Co-Chair Branscum asked Ms. Schmidt to present the contracts submitted for review pursuant to Arkansas Code Annotated § 19-11-265 and listed on the meeting agenda as items F.10.b.1(a) through F.10.b.1(o). Ms. Schmidt explained that there are fifteen (15) technical and general services contracts detailed in the summary (Exhibit F.10).

Ms. Schmidt explained that the first technical and general services contract is for the Arkansas Heritage-Old Statehouse Museum (agenda item F.10.b.1(a)) for \$48,800.00 for graphic artist

services. The second technical and general services contract is for the Arkansas Department of Correction (agenda item F.10.b.1(b)) is an amendment to an existing contract to provide waste disposal services. The third technical and general services contract is for the Disability Determination Division (agenda item F.10.b.1(c)) for security services at the agency's building. The fourth technical and general services contract is for the Arkansas School for the Blind (agenda item F.10.b.1(d)) for an original contract that is a little over \$73,000.00 for security guard services for the School for the Blind. The fifth technical and general services contract is for the Arkansas School for the Deaf (agenda item F.10.b.1(e)) for an original contract for security guard services for the School for the Deaf. The sixth technical and general services contract is for the Arkansas Department of Emergency Management (agenda item F.10.b.1(f)) for an amendment to contract for janitorial services. The seventh technical and general services contract is for the Arkansas Department of Environmental Quality (agenda item F.10.b.1(g)) for an amendment to the contract for cleaning services for the agency headquarters in North Little Rock.

Ms. Schmidt explained that the eighth technical and general services contract is for the Arkansas Department of Health (agenda item F.10.b.1(h)) with Computer Aid Inc. for two (2) specialists positions who will provide on-boarding and technical assistance to vendors and with maintaining current information on the immunization registry.

The ninth technical and general services contract is for the Arkansas Department of Human Services Division of Medical Services (agenda item F.10.b.1(i)) with BSA Industries to update the frame selection menu for the Medicaid Program vision services. The tenth technical and general services contract is for the Arkansas Department of Human Services Division of Medical Services (agenda item F.10.b.1(j)) with Computer Aid that is an original contract for two (2) positions to perform data entry and administrative support for dental and vision services. The eleventh technical and general services contract is for the Arkansas Department of Human Services Division of Medical Services (agenda item F.10.b.1(k)) with eSystems to add funds for continued maintenance, operations, and modifications for the EEF framework program. This contract was a special procurement, which is explained in pages eight through twelve of the special procurement letters packet (Exhibit F.10 Attachment). The department is working on an RFP that will address three programs, but have now decided to revise the RFP to cover eleven programs. The department is extending the current special procurement contract until the new RFP is completed.

Ms. Schmidt explained that the twelfth technical and general services contract is for the Office of Health Information Technology (agenda item F.10.b.1(l)) with Cumberland Consulting, which was presented at the Legislative Council meeting in October 2016 and held until the November 2016 meeting for consideration. Ms. Schmidt explained this contract concerns on-boarding of customers and training for fifty-eight (58) hospitals, eight hundred eighty (880) providers, fifteen (15) nursing homes, and twelve (12) mental health facilities. Ms. Schmidt explained that this is a special procurement contract, which is explained in pages thirteen through seventeen of the special procurement letters packet (Exhibit F.10 Attachment).

Ms. Schmidt explained that the thirteenth technical and general services contract is for the Office of Health Information Technology (agenda item F.10.b.1(m)) with Perfect Search Corp for a clinical analytics tool that collects data and performs calculations. Ms. Schmidt explained this is an original contract for \$900,400.00 funded with special revenue from the fees paid by providers to use the system. Ms. Schmidt explained that this is a special procurement contract, which is explained in

pages eighteen through twenty-three of the special procurement letters packet (Exhibit F.10 Attachment).

Ms. Schmidt explained that the fourteenth technical and general services contract is for the University of Arkansas at Monticello (agenda item F.10.b.1(n)) with James Janitorial for janitorial services at the McGehee campus. Ms. Schmidt explained that the last technical and general services contract is for the University of Central Arkansas (agenda item F.10.b.1(o)) with Higher One, which is an original contract for an integrated payment solution. Ms. Schmidt explained that the current provider is unable to provide the payment services needed to maintain security standards.

This concluded the presentation of the technical and general services contracts before the Legislative Council and Ms. Schmidt responded to questions. Co-Chair Branscum recognized Ms. Misty Eubanks, the DHS Chief Procurement Officer, who responded to questions regarding the contract between the Department of Human Services and Computer Aid, Inc., as well as questions regarding other technical and general services contracts for the Department of Human Services. Mr. Jeff Dean, with the Department of Human Services, also responded to questions concerning the contract for the Department of Human Services with eSystems.

Co-Chair Branscum recognized Representative Jeff Wardlaw who asked that Ms. Schmidt explain the research conducted on the contract for the Office of Health Information Technology with Cumberland Consulting. Ms. Schmidt referred members to the letter from the Office of Health Information Technology (Exhibit F.10.b.1.(l) Handout) that was just passed out to the committee and explained that this letter was with the contract when this contract was received last month. Ms. Schmidt stated that the letter is concerning ratification of a contract for the purpose of paying an invoice in the amount of \$180,918.00. The Office of State Purchasing did not ratify the contract and referred it to the legislature. Ms. Schmidt explained that the law states that contracts should not be entered into until they have been reviewed by the Review Subcommittee of the Legislative Council. Ms. Schmidt stated that nothing has been spent on this contract at this point, however, it is her understanding that an invoice is outstanding on this contract.

Representative Wardlaw stated the he asked the Bureau of Legislative Research staff about an act passed in the last session and asked that Ms. Schmidt read the letter from staff on this matter. Ms. Schmidt read the following:

“Last week, the Bureau received from the Office of Health Information Technology (OHIT) a request for review of a contract for consultant services with Cumberland Consulting in the amount of \$610,000.00. Under Arkansas Code 19-11-1006, a consultant services contract shall be presented to Legislative Council before the execution of the contract services if the total initial amount of the total projected consultant services contract is at least \$50,000.00. The same statutory provision also provides that the Legislative Council shall provide its review within thirty days after receipt of the proposed consultant services contract. It is my understanding the OHIT has executed the contract by obligating the state to pay for services already rendered in the amount of \$180,918.90. With little notice regarding the provisions of this contract, we were requested by the agency to by-pass the Review Subcommittee process. It is necessary to provide the full membership the opportunity to review the contract and to understand why an agency executed a contract in violation of the law. It is also important to determine whether the provisions of Arkansas Code 19-11-270, which is indicated below are applicable in this situation. And 19-11-270 states: ‘penalty for

intentional violation. A person who purposely violates state procurement laws, Arkansas Code Title 19, Chapter 11, upon conviction is guilty of a Class D felony.’.”

Ms. Schmidt noted that this was new legislation that was passed as Act 557.

Representative Jeff Wardlaw asked if Shirley Tyson could be recognized to respond to questions. Co-Chair Branscum recognized Ms. Tyson who identified herself as the Interim Director and Chief Technical Officer of the Office of Health Information Technology. Representative Wardlaw asked why this contract was not reviewed by the normal process. Ms. Tyson responded that the agency had a previous contract with this vendor and released an RFP for their services. The agency had this vendor previously under contract as a sole source provider and when the contract expired the agency moved forward with an RFP. Because of a gap in services during this process, the agency requested a special procurement with this vendor until the RFP was released, but the agency was unable to obtain the special procurement. Ms. Tyson stated that in the interim, the agency completed the request but there was some confusion around the request. Ms. Tyson stated that the person preparing the contract documents missed an initial deadline and the agency was unaware that the deadline was missed, and the contract did not go through the review process. Ms. Tyson stated the agency discussed with the Office of State Procurement what its options were, and at that time, she was informed that the agency could request a ratification of the contract, and that the vendor should be notified that work could not continue because the contract was invalid. Ms. Tyson stated that it was the agency’s ignorance of time line and the agency not allowing enough time for the review process that caused the contract to not be reviewed. Ms. Tyson stated that she did not realize that the review process did not occur in this instance and agency issued a stop-work order as soon as it was discovered. Ms. Tyson then answered additional questions from the committee members.

Co-Chair Branscum recognized Representative Jeff Wardlaw who moved that, the contract for the Office of Health Information Technology with Cumberland Consulting (Contract # 4600038914) be referred back to the Review Subcommittee of the Legislative Council for consideration at the December 2016 subcommittee meeting and the Legislative Council file as reviewed all other technical and general services contracts presented pursuant to Arkansas Code Section 19-11-265, which are as follows:

- 1) Arkansas Heritage-Old State House with The Freelance Co. LLC (Contract #4600039023);**
- 2) Correction Department with Methvin Sanitation, Inc. (Contract # 4600028217);**
- 3) Disability Determination with Quality Security Services, Inc. (Contract # 4600028051);**
- 4) School for the Blind with Securitas Security Services USA, Inc. (Contract # 4600039053);**
- 5) School for the Deaf with Securitas USA (Contract #4600039051);**
- 6) Emergency Management Department with Ashley Sharp/Sharp Cleaning Services, Inc. (Contract # 4600033667);**
- 7) Environmental Quality Department with Sharp Cleaning Services, Inc. (Contract # 4600036064);**
- 8) Health Department with Computer Aid Inc. (Contract # 4600038979);**
- 9) Human Services Department-Medical Services with BSA Industries, Inc. dba Select Optical (Contract # 710DM17013);**
- 10) Human Services Department-Medical Services with Computer Aid Inc. (Contract # 4600038907);**

- 11) Human Services Department-Medical Services with eSystems, Inc. (Contract # 4600036454);**
- 12) Office of Health Information Technology with Perfect Search Corp dba IMAT Solutions (Contract # 4600038976);**
- 13) U of A Monticello with James Janitorial (Contract # RA1551702);**
- 14) University of Central Arkansas with HigherOne dba CASHNet (Contract # RA1716521).**

The motion was seconded by Representative Nate Bell and passed by voice vote.

Uniform Personnel Classification and Compensation Plan Subcommittee

Co-Chair Branscum recognized Tony Robinson, the committee staff person for the Uniform Personnel Classification and Compensation Plan Subcommittee, to present the requests that were submitted directly to the Legislative Council that would normally have come before the Uniform Personnel Classification and Compensation Plan subcommittee (Exhibit F.11a and Exhibit F.11b). Co-Chair Branscum asked that Mr. Robinson begin his presentation with the second item.

Mr. Robinson explained that the request from the Arkansas Department of Environmental Quality (agenda item F.11b) was for review of two (2) new positions from the growth pool and the establishment of two (2) classifications for these positions, which would be an ADEQ Director of Special Programs and an ADEQ Director of Compliance. Mr. Robinson stated that both positions are Pay Grade N904 with a salary range of \$73,116.00 to \$91,395.00. Mr. Robinson explained that the agency is requesting to offset the two growth pool positions by surrendering two Administrative Specialist II positions at grade level C109 and one Administrative Specialist III position at grade level C112 to the budgeting process.

Mr. Robinson stated the Director of Special Programs will coordinate with existing program managers to assess effectiveness and to make recommendations for process improvement. This position will be directly responsible for addressing priorities relating to the Tire Management Program and facilitating improvements to reduce program waste, increased used tire collection and processing. Mr. Robinson stated the Director of Compliance will serve as the Chief Compliance Officer and will be responsible for promoting integrity, accountability, and efficiency within the Department of Environmental Quality in both internal and external programs. Mr. Robinson stated the duties of the Director of Compliance will include investigation and the review of the issues and programs to assist the department in its mission to protect Arkansas and its natural environment. Mr. Robinson stated the Department of Finance and Administration has recommended the two positions and classifications and the subcommittee staff concurs.

Co-Chair Sample moved that the two (2) new positions from the growth pool and the establishment of two (2) classifications for these positions for the Arkansas Department of Environmental Quality be filed as reviewed by the Legislative Council. The motion was seconded and passed by voice vote.

Co-Chair Branscum asked that Mr. Robinson present with the next request. Mr. Robinson explained that the Arkansas Department of Health is disclosing and is requesting review of the request to employ Dr. James Bledsoe on a full-time basis as Chief Physician Specialist, which is a grade N921 with a salary of \$171,683.00. Mr. Robinson explained Dr. Bledsoe would function as the medical

consultant for the trauma and emergency medical services (EMS) programs and would provide oversight for the trauma-education program. Mr. Robinson explained that Dr. Bledsoe has been functioning on a part-time basis and the consolidation of emergency medical services into one organizational unit will allow the agency to discontinue professional services contracts and to utilize Dr. Bledsoe's forty years' of experience.

Mr. Robinson stated that Arkansas Code Section 21-1-402(b) requires legislative approval of this request prior to Dr. Bledsoe assuming the full-time position. Mr. Robinson stated the department has disclosed that Dr. Bledsoe is the spouse of Senator Cecile Bledsoe and the father of Surgeon General Greg Bledsoe and the Department of Finance and Administration recommends the department's request.

Co-Chair Branscum recognized Dr. Nathaniel Smith, Director of the Arkansas Department of Health, who responded to questions from the committee. Co-Chair Branscum stated that he sees no further questions and recognized Senator Terry Rice for a motion.

Senator Terry Rice moved that the Legislative Council file as reviewed the employment by the Arkansas Department of Health of Dr. James Bledsoe on a full-time basis as Chief Physician Specialist at grade N921 with a salary of \$171,683.00. The motion was seconded and passed by voice vote with Senator Linda Chesterfield and Representative Nate Bell abstaining.

Review of Communications

Co-Chair Branscum referred members to the communications listed as Exhibit H.1 through Exhibit H.16 on the agenda and noted that none of these items require action by the Legislative Council.

Co-Chair Branscum announced that the ALC-JBC Uniform Personnel Classification and Compensation Plan Subcommittee will meet in this room within twenty minutes of the adjournment of this meeting.

Adjournment

At 10:20 a.m., the meeting was adjourned as there was no further business to come before the Legislative Council.

Respectfully submitted,

ATTEST:

Representative David L. Branscum
Co-Chair, House

Marty Garrity
Executive Secretary