

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senators Lewellen and Wilson**

A Bill

SENATE BILL 454

For An Act To Be Entitled

8 "AN ACT TO CREATE A RURAL HEALTH COMMISSION; TO ESTABLISH
9 THE OFFICE OF RURAL HEALTH INITIATIVES; AND FOR OTHER
10 PURPOSES."

11
12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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14 SECTION 1. The General Assembly finds that there is a critical shortage
15 of physicians in the rural areas of this state. Therefore, it is necessary to
16 consolidate certain functions related to the recruitment and retention of
17 rural health professionals by creating the Rural Health Commission and the
18 Office of Rural Health Initiatives. The Office of Rural Health Initiatives
19 shall assume a leadership role in working or contracting with state and
20 federal agencies, universities, private interest groups, communities,
21 foundations and offices of rural health to develop rural health initiatives
22 and maximize use of existing resources without duplicating existing effort.
23 The Office of Rural Health Initiatives shall provide a central information and
24 referral source and serve as the primary state resource in coordinating,
25 planning, and advocating for the continued access to rural health care
26 services in Arkansas.

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28 SECTION 2. As used in this act:

- 29 (1) "Commission" means the Rural Health Commission;
30 (2) "Office" means the Office of Rural Health Initiatives.

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32 SECTION 3. (a) There is established a Rural Health Commission.

33 (b) The Rural Health Commission shall be composed of the following
34 membership to be appointed by the Governor and confirmed by the Senate:

- 35 (1) a practicing physician from a rural area of this state

1 nominated by the Arkansas Academy of Family Physicians;

2 (2) a practicing physician from a rural area of this state
3 nominated by the Arkansas Medical Society;

4 (3) an administrator of a hospital located in a rural area of
5 this state nominated by the Arkansas Hospital Association;

6 (4) a representative of the Area Health Education Centers of the
7 University of Arkansas for Medical Sciences;

8 (5) a representative of the Department of Family and Community
9 Medicine of the University of Arkansas for Medical Sciences;

10 (6) a representative of the Department of Human Services;

11 (7) a representative of the Department of Health;

12 (8) a representative of the Arkansas Chapter of the American
13 Association of Retired Persons;

14 (9) a representative of a child advocacy organization;

15 (10) a representative of a nursing home located in a rural area of
16 this state nominated by the Arkansas Health Care Association;

17 (11) a representative of the Arkansas Nurses Association;

18 (12) an osteopath;

19 (13) a practicing optometrist from a rural area of this State
20 nominated by the Arkansas Optometric Association;

21 (14) a representative of the community health centers;

22 (15) a representative of the Arkansas Association of Home Health
23 Agencies.

24 (c) All appointments shall be for a term of three (3) years. The
25 Governor shall, initially, appoint *four* (4) members for a term of one (1)
26 year, *four* (4) members for a term of two (2) years and *five* (5) members for a
27 term of three (3) years.

28 (d) The commission members shall serve without pay, but those members
29 not employed by the State of Arkansas shall receive reimbursement for actual
30 expenses incurred for attendance at meetings of the commission.

31 (e) The commission shall meet at least quarterly and at such other
32 times as necessary to carry out its duties as set forth in this act. The
33 commission shall elect one (1) of its members as chairman and may, by
34 appropriate adoption of bylaws and rules, provide for the time, place and
35 manner of calling its meetings.

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1 SECTION 4. (a) The Rural Health Commission shall evaluate the
2 availability and adequacy of professional health services in the rural areas
3 of this state.

4 (b) The commission shall designate those locales or areas of the state
5 in which, due to the requirements of the population or the geography of the
6 area, the professional health service needs of the population are underserved.

7 (c) The commission shall assist the underserved locales in recruiting
8 physicians and other health professionals to serve in these areas.

9 (d) The commission shall coordinate practice opportunities for
10 prospective rural health professionals and shall provide market analyses and
11 practice management services for prospective rural health physicians.

12 (e) The commission shall facilitate continuing education programs for
13 rural health physicians.

14 (f) The commission shall assist in the coordination of locum tenens
15 coverage for rural physicians.

16 (g) The commission shall assist in the development of programs to
17 generate awareness at the high school and college level of the opportunities
18 for rural health professionals.

19 (h) The commission shall promulgate all rules and regulations necessary
20 to implement the provisions of this act.

21 (i) The commission shall report on the status of rural health care in
22 the state to the Governor and the General Assembly at least six (6) months
23 prior to the beginning of the 79th General Assembly. This report shall
24 include an assessment of health care in rural areas; activities, that were
25 initiated, developed, organized or coordinated by the office; and suggestions
26 to improve health care in rural areas in the state.

27 (1) The assessment shall include, but not be limited to
28 information on:

29 (A) areas designated by the commission or federal
30 government as underserved or shortage areas; and

31 (B) health care professionals who graduated from Arkansas
32 educational institutions including the number of physician graduates working
33 in the area of primary care and the number of graduates working in rural areas
34 designated as underserved.

35 (2) The suggestions to improve health care in rural areas shall,

1 at a minimum, relate to:

2 (A) the recruitment and retention of primary care
3 physicians; and

4 (B) the coordination of state and federal programs designed
5 to provide primary care in the rural areas of Arkansas.

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7 SECTION 5. (a) There is created and established the Office of Rural
8 Health Initiatives.

9 (b) The office shall possess and exercise such duties and powers as
10 necessary to implement the policy and procedures adopted by the commission.

11 (c) The office is the authorized state agency to accept, receive,
12 retain, and administer state and federal funds relating to planning for
13 primary care services and relating to health professional recruitment and
14 retention.

15 (d) The office is the authorized state agency to coordinate and conduct
16 health manpower recruitment activities including those associated with the
17 National Health Service Corps or any similar federal programs.

18 (e) The office shall be the authorized state agency to develop, comment
19 on, or revise any designations of areas as underserved or as health
20 professional shortage areas.

21 (f) The office shall assist the commission in the performance of its
22 duties as set forth in this act.

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24 SECTION 6. There shall be a director of the Office of Rural Health
25 Initiatives which shall be the executive head of the agency. The director
26 shall be appointed by the Governor.

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28 SECTION 7. (a) *The Office of Rural Health Initiatives shall assist the*
29 *Department of Health in the administrative functions pertaining to the Rural*
30 *Physician Recruitment and Retention Program.*

31 (b) The Office of Rural Health Initiatives shall assist the Arkansas
32 Rural Medical Practice Student Loan and Scholarship Board in the
33 administrative functions pertaining to rural medical practice student loans
34 and scholarships (Ark. Code Ann. §6-81-701 through §6-81-714).

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1 SECTION 8. All provisions of this act of a general and permanent nature
2 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
3 Revision Commission shall incorporate the same in the Code.

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5 SECTION 9. If any provision of this act or the application thereof to
6 any person or circumstance is held invalid, such invalidity shall not affect
7 other provisions or applications of the act which can be given effect without
8 the invalid provision or application, and to this end the provisions of this
9 act are declared to be severable.

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11 SECTION 10. All laws and parts of laws in conflict with this act are
12 hereby repealed.

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14 SECTION 11. Emergency. It is hereby found and determined by the
15 General Assembly of the State of Arkansas that there is a critical shortage of
16 physicians and other health professionals in the rural areas of this state;
17 that a centralized office is necessary to develop rural health initiatives and
18 maximize use of existing resources without duplicating existing effort; that
19 this centralized office is needed to provide a central information and
20 referral source and serve as the primary state resource in coordinating,
21 planning and advocating for the continued access to rural health care services
22 in this state; that the Rural Health Commission and the Office of Rural Health
23 Initiatives should begin operations at the beginning of the next fiscal year;
24 and that the beginning of the next fiscal year is July 1, 1991. Therefore, an
25 emergency is hereby declared to exist and this act being immediately necessary
26 for the preservation of the public peace, health, and safety, shall be in full
27 force and effect on July 1, 1991.

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30 /s/Lewellen, et al

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3. Proposed 2/21/21 2/22/21

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