

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/25/03

A Bill

HOUSE BILL 2893

5 By: Representatives J. Johnson, Mahony, C. Johnson, White, Bradford, Dangeau, Pickett, Elliott
6 By: Senator Gullett
7
8

For An Act To Be Entitled

9
10 AN ACT TO CREATE A HEALTH ADVISORY COMMITTEE; TO
11 COORDINATE EFFORTS TO COMBAT THE EFFECTS OF
12 INADEQUATE HEALTH CARE ON THE EDUCATIONAL
13 PERFORMANCE OF CHILDREN IN ARKANSAS SCHOOL
14 SYSTEMS; AND FOR OTHER PURPOSES.
15

Subtitle

16
17 AN ACT TO CREATE A HEALTH ADVISORY
18 COMMITTEE; TO COORDINATE EFFORTS TO
19 COMBAT INADEQUATE HEALTH CARE ON THE
20 EDUCATIONAL PERFORMANCE OF CHILDREN.
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

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

27 20-36-101. Findings - Purpose.

28 (a) The General Assembly finds that:

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

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

35 (b) The purposes of this subchapter are to:

36 (1) Create a committee to conduct a study to evaluate health



1 care for school age children; and

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

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6 20-36-102. Health Adequacy Advisory Committee.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (3) The committee shall select from their membership a secretary
25 and treasurer.

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

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

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

32 (e) The committee shall meet at least monthly.

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

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1 20-36-103. Duties.

2 (a) The Health Adequacy Committee shall:

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

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

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

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

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

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

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

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

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28 20-36-104. Funding.

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

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

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

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

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6 20-36-105. The committee shall expire on December 31, 2005.

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

10 19-6-487. Health Adequacy Committee Fund.

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

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

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

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

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

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

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

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

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/s/ J. Johnson, et al