

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H3/11/21

A Bill

SENATE BILL 212

5 By: Senators K. Hammer, Irvin
6 By: Representatives Warren, Cloud
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE ARKANSAS PANS/PANDAS ADVISORY
10 COUNCIL; TO DECLARE AN EMERGENCY; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

15 TO CREATE THE ARKANSAS PANS/PANDAS
16 ADVISORY COUNCIL; AND TO DECLARE AN
17 EMERGENCY.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 23, Chapter 79, Subchapter 19, is
23 amended to add additional sections to read as follows:

24 23-79-1903. Arkansas PANS/PANDAS Advisory Council – Creation –
25 Membership – Duties.

26 (a) There is created the Arkansas PANS/PANDAS Advisory Council to
27 consist of the following members:

28 (1) Two (2) members of the House of Representatives appointed by
29 the Speaker of the House of Representatives;

30 (2) Two (2) members of the Senate appointed by the President Pro
31 Tempore of the Senate;

32 (3) One (1) member who is a medical professional with two (2)
33 years of professional experience working with PANS/PANDAS patients, appointed
34 by the Governor;

35 (4) One (1) member who is a medical professional with two (2)
36 years of professional experience working with PANS/PANDAS patients, appointed



1 by the council;

2 (5) The Secretary of the Department of Health or his or her
3 designee, serving as an ex officio nonvoting member;

4 (6) The Insurance Commissioner or his or her designee, serving
5 as an ex officio nonvoting member;

6 (7) Three (3) members appointed by the Governor who are employed
7 by a public school district, one (1) member to be a public school nurse, one
8 (1) member to be a public school counselor, and one (1) member to be a public
9 school teacher;

10 (8) One (1) member who is designated by the Arkansas Hospital
11 Association, Inc.;

12 (9) One (1) member who is designated by the Arkansas State Board
13 of Nursing;

14 (10) One (1) member who is designated by the Arkansas
15 Pharmacist's Association;

16 (11) One (1) member who is designated by the American Academy of
17 Allergy, Asthma, and Immunology;

18 (12) Two (2) members who are parents, appointed by the Governor;
19 and

20 (13) One (1) member who is designated by the Arkansas Medical,
21 Dental, and Pharmaceutical Association, Inc.

22 (b)(1) Upon appointment to the council, the initial members shall draw
23 lots to determine the length of their terms.

24 (2) Appointments shall be for a term of four (4) years.

25 (3) Vacancies on the council shall be filled in the same manner
26 as provided for the initial appointment.

27 (4) The new appointee shall serve for the remainder of the
28 unexpired term.

29 (c) Members shall serve at the pleasure of the organizations they
30 represent or of the Governor, as indicated.

31 (d)(1) The President Pro Tempore of the Senate shall appoint the Chair
32 of the Arkansas PANS/PANDAS Advisory Council who shall be one (1) of the
33 legislative members of the council.

34 (2) The Speaker of the House of Representatives shall appoint
35 the Vice Chair of the Arkansas PANS/PANDAS Advisory Council who shall be one
36 (1) of the legislative members of the council.

1 (e)(1) A majority of the membership shall constitute a quorum.

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

4 (f)(1) The council shall meet as often as is deemed necessary by the
5 chair.

6 (2) The council shall meet at the State Capitol Building in
7 Little Rock, Arkansas.

8 (g) Legislators shall be paid per diem and mileage as authorized by
9 law for attendance at meetings of interim committees of the General Assembly.

10 (h)(1) The council shall receive staff support from the Bureau of
11 Legislative Research.

12 (2) The council shall receive assistance from the Children's
13 Postinfectious Autoimmune Encephalopathy Center of Excellence at the
14 University of Arizona Steele Children's Research Center with the preparation
15 of any reports required by this subchapter.

16 (i) The council may:

17 (1) Make recommendations designed to improve and increase
18 knowledge and develop mechanisms to increase clinical awareness and treatment
19 throughout the state for pediatric acute-onset neuropsychiatric syndrome,
20 also known as "PANS", and pediatric autoimmune neuropsychiatric disorders
21 associated with streptococcal infections, also known as "PANDAS", especially
22 for healthcare professionals;

23 (2) Operate along with the interdisciplinary panel on
24 PANS/PANDAS at the University of Arkansas for Medical Sciences to determine
25 quarterly information, including case statistics, outcome measures, and other
26 relevant information;

27 (3) Make recommendations concerning standard practice guidelines
28 for the diagnosis and treatment of PANS/PANDAS for adult and pediatric
29 patients who have been diagnosed with PANS/PANDAS;

30 (4) Provide outreach to educators and parents;

31 (5) Develop a network of volunteer experts on PANS/PANDAS to
32 serve as resources within this state; and

33 (6) Consider any related topics associated with the council's
34 charge.

35 (j)(1) The council shall report to the Senate Committee on Insurance
36 and Commerce, the House Committee on Insurance and Commerce, the Senate

1 Committee on Public Health, Welfare, and Labor, and the House Committee on
2 Public Health, Welfare, and Labor, as requested.

3 (2) The report described in subdivision (j)(1) of this section
4 shall be submitted to the Legislative Council for final review.

5
6 23-79-1904. Sunset.

7 This subchapter shall expire on December 31, 2023, unless extended by
8 the General Assembly.

9
10 SECTION 2. TEMPORARY LANGUAGE. DO NOT CODIFY. Arkansas PANS/PANDAS
11 Advisory Council – Appointment of members.

12 The members of the Arkansas PANS/PANDAS Advisory Council shall be
13 appointed by May 1, 2021.

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15 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
16 General Assembly of the State of Arkansas that pediatric acute-onset
17 neuropsychiatric syndrome, also known as "PANS", and pediatric autoimmune
18 neuropsychiatric disorders associated with streptococcal infections, also
19 known as "PANDAS", are misunderstood disorders that affect pediatric and
20 adult patients in Arkansas, and the Arkansas PANS/PANDAS Advisory Council has
21 been working to inform healthcare providers and healthcare insurers about
22 options available to treat PANS and PANDAS, but members of the Arkansas
23 PANS/PANDAS Advisory Council have been limited in their work by the fear of
24 exposure to coronavirus disease 2019 (COVID-19), severe acute respiratory
25 syndrome coronavirus 2 (SARS-CoV-2), or mutations of either of those
26 respective viruses; that numerous healthcare providers and healthcare
27 insurers do not have sufficient knowledge about PANS and PANDAS to adequately
28 respond to requests for treatment and coverage, and due to the effects of
29 coronavirus disease 2019 (COVID-19) and severe acute respiratory syndrome
30 coronavirus 2 (SARS-CoV-2), or mutations of either of those respective
31 viruses, on the people of this state, the Arkansas PANS/PANDAS Advisory
32 Council has ongoing projects that need immediate attention; that the Arkansas
33 PANS/PANDAS Advisory Council expired December 31, 2020; and that this act is
34 immediately necessary to allow the Arkansas PANS/PANDAS Advisory Council to
35 continue to provide education to healthcare providers and healthcare insurers
36 about the treatment and impact of PANS/PANDAS on patients and their families.

1 Therefore, an emergency is declared to exist, and this act being immediately
2 necessary for the preservation of the public peace, health, and safety shall
3 become effective on:

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

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

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

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11 */s/K. Hammer*
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14 **APPROVED: 3/24/21**
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