

AGENDA
Senate Committee on Public Health, Welfare and Labor
House Committee on Public Health, Welfare and Labor
Meeting Jointly

Tuesday, December 11, 2012

01:30 PM

Room 171, State Capitol
Little Rock, Arkansas

Sen. Percy Malone, Chair
Sen. Randy Laverty, Vice Chair
Sen. Bill Pritchard
Sen. Jack Crumbly
Sen. Cecile Bledsoe
Sen. David Burnett
Sen. Missy Irvin
Sen. Jonathan Dismang

Rep. Linda S. Tyler, Chair
Rep. Jon Woods, Vice Chair
Rep. Fred Allen
Rep. Billy W. Gaskill
Rep. Buddy Lovell
Rep. Bryan B. King
Rep. Clark Hall
Rep. Barry Hyde
Rep. Tracy Pennartz
Rep. Charolette Wagner
Rep. James L. Word
Rep. Andrea Lea
Rep. Garry L. Smith
Rep. Butch Wilkins
Rep. Mark Perry

Rep. Stephanie Malone
Rep. Greg Leding
Rep. Jeff Wardlaw
Rep. Sheilla E. Lampkin
Rep. Andy Mayberry
Rep. Debra M. Hobbs, Non-Voting
Rep. Uvalde Lindsey, Non-Voting
Rep. Jonathan Barnett, Non-Voting
Rep. Keith M. Ingram, Non-Voting
Rep. James McLean, Non-Voting
Rep. Jody Dickinson, Non-Voting
Rep. Lane Jean, Non-Voting
Rep. Mark Biviano, Non-Voting
Rep. David Meeks, Non-Voting
Rep. Tommy Thompson, Non-Voting
Rep. Bruce Cozart, Non-Voting

- A. Call to Order
- B. Review of the Minutes from the November 2, 2012 Meeting
- C. Mental Health Concerns in Arkansas
 - 1. Circuit Judge, Jon Comstock
 - 2. Discussion by the Committees
- D. Families & Friends of Care Facility Residents (Human Development Centers)
 - 1. Jan Fortney, Secretary of the Families & Friends of Care Facility Residents Organization
 - 2. Discussion by the Committees
- E. Arkansas Department of Environmental Quality, Solid Waste Division, Review of Proposed Rules & Regulations Regarding Regulation #11: Solid Waste Management Fees, Funds, and Grants
 - 1. Teresa Marks, Director, Arkansas Department of Environmental Quality
 - 2. Roger Lawrence, Chief, Solid Waste Division, Arkansas Department of Environmental Quality
 - 3. Discussion & Action by the Committees
- F. Arkansas Department of Environmental Quality, Water Division, Review of Proposed Rules & Regulations Regarding Regulation #6, Regulation for State Administration of the National Pollutant Discharge Elimination System (NPDES)
 - 1. Teresa Marks, Director, Arkansas Department of Environmental Quality
 - 2. Steve Drown, Chief, Water Division, Arkansas Department of Environmental Quality
 - 3. Discussion & Action by the Committees

Notice: Silence your cell phones. Keep your personal conversations to a minimum. Observe restrictions designating areas as "*Members and Staff Only*"

- G. Arkansas State Board of Dental Examiners, Review of Proposed Rules & Regulations Regarding Permitted Functions of Dental Hygienists & Dental Assistants
1. Donna Cobb, Executive Director of Dental Hygienists, Arkansas State Board of Dental Examiners
 2. Discussion & Action by the Committees
- H. Department of Human Services, Division of Medical Services, Review of Proposed Rules & Regulations Regarding Hospice 2-11, Concurrent Care for Children in Medicaid & the Children's Health Insurance Program (CHIP) and Arkansas State Plan Amendment #2012-004
1. Marilyn Strickland, Chief Operating Officer, Division of Medical Services
 2. Discussion & Action by the Committees
- I. Department of Human Services, Division of Medical Services, Review of Proposed Rules & Regulations Regarding Adding Structured Photographic Expressive Language Test (SPELT-3) to the List of Accepted Tests for the Speech-Language Therapy Program (Therapy 1-12)
1. Marilyn Strickland, Chief Operating Officer, Division of Medical Services
 2. Discussion & Action by the Committees
- J. Department of Human Services, Division of Medical Services, Review of Proposed Rule, Personal Care 2-11, to Authorize Services Through Use of the ARPath Assessment Tool for Participants in the Home and Community-Based Services Waiver Programs and Independent Choices and to Revise Personal Care Policy That is Consistent with the CMS Approved Waiver Applications for Those Individuals Participating in Both Programs
1. Marilyn Strickland, Chief Operating Officer, Division of Medical Services
 2. Discussion & Action by the Committees
- K. Department of Human Services, Division of Medical Services, Review of Proposed Rule On Independent Choices Program 1-11 and State Plan Amendment 2012-009, to Authorize Services Through Use of the ARPath Assessment Tool for Participants in the Home and Community-Based Services Waiver Programs and Independent Choices
1. Marilyn Strickland, Chief Operating Officer, Division of Medical Services
 2. Discussion & Action by the Committees
- L. Department of Human Services, Division of Medical Services, Review of Proposed Rule for PACE to Update Medical Criteria to Be Consistent with the Home and Community-Based Waiver Programs and to Clarify Language
1. Marilyn Strickland, Chief Operating Officer, Division of Medical Services
 2. Discussion & Action by the Committees
- M. Department of Human Services, Division of Medical Services, Review of Proposed Rule – Alternatives for Adults with Physical Disabilities (AAPD) Waiver to Authorize Services Through Use of the ARPath Assessment Tool for Participants in the Home and Community-Based Services Waiver Programs and Independent Choices, to Clarify Documentation Requirements and Establish Policy Consistent with the CMS Approved Waiver Application
1. Marilyn Strickland, Chief Operating Officer, Division of Medical Services
 2. Discussion & Action by the Committees
- N. Department of Human Services, Division of Medical Services, Review of Proposed Rule – Living Choices (Assisted Living) (LCAL) Waiver; to Authorize Services Through Use of the ARPath Assessment Tool for Participants in the Home and Community-Based Services Waiver Programs and Independent Choices, to Clarify Documentation Requirements and Establish Policy Consistent with the CMS Approved Waiver Application
1. Marilyn Strickland, Chief Operating Officer, Division of Medical Services
 2. Discussion & Action by the Committees

- O. Department of Human Services, Division of Medical Services, Review of Proposed Rule – ElderChoices Waiver; to Authorize Services Through Use of the ARPath Assessment Tool for Participants in the Home and Community-Based Services Waiver Programs and IndependentChoices, to Clarify Documentation Requirements and Establish Policy Consistent with the CMS Approved Waiver Application
 - 1. Marilyn Strickland, Chief Operating Officer, Division of Medical Services
 - 2. Discussion & Action by the Committees

- P. Department of Human Services, Division of Aging & Adult Services, Review of Proposed Rule Regarding the Certification and Medicaid Provider Application for Attendant Care for a Participant of the Alternatives for Adults with Physical Disabilities Medicaid Waiver Program and Agreement Between Attendant Care Provider and Beneficiary
 - 1. Krista Hughes, Director, Division of Aging & Adult Services
 - 2. Discussion & Action by the Committees

- Q. **ADOPTION** of Interim Study Proposal ISP2011-227 – “An Act to Regulate the Substitution of Biosimilar Biological Products for Certain Prescribed Products; and for Other Purposes”
 - 1. Senator Jake Files, Sponsor
 - 2. Senator Percy Malone, Co-Sponsor
 - 3. Discussion & Action by the Committees

- R. Other Business

- S. Adjournment