

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

Monday, December 12, 2022
10:00 AM
Room A, MAC
Little Rock, Arkansas

Sen. Cecile Bledsoe, Chair
Sen. Scott Flippo, Vice-Chair
Sen. Bart Hester
Sen. David Wallace
Sen. Breanne Davis
Sen. Kim Hammer
Sen. Dan Sullivan
Sen. Ben Gilmore

Rep. Jack Ladyman, Chair
Rep. Deborah Ferguson, Vice-Chair
Rep. Jeff Wardlaw
Rep. Jon S. Eubanks
Rep. Stephen Magie
Rep. Jim Dotson
Rep. Josh Miller
Rep. John Payton
Rep. Mary Bentley
Rep. Michelle Gray

Rep. Justin Gonzales
Rep. Justin Boyd
Rep. Fred Allen
Rep. Bruce Coleman
Rep. Aaron Pilkington
Rep. Carlton Wing
Rep. Clint Penzo
Rep. Mark Perry
Rep. Marsh Davis
Rep. Joe Cloud

- A. Call to Order
- B. Comments by the Chairs
- C. Consideration to Adopt the November 7, 2022, Meeting Minutes. **[Exhibit C]**
- D. Review of the Arkansas Tobacco Settlement Commission (ATSC) Quarterly Report January-March 2022 **[Exhibit D]**
 - 1. Matt Gilmore, Boards and Commissions Coordinator, Arkansas Department of Health (ADH)
 - 2. Robert E. McGehee, Jr., Ph.D., Dean, UAMS Graduate School & Executive Director, Arkansas Biosciences Institute
 - 3. Emily Lane, Project Director for ATSC Evaluations, University of Central Arkansas (UCA) & Adjunct Instructor, Department of Health Sciences, UCA
- E. Review the Annual Summary Report of Vision Screenings in Arkansas Public and Charter Schools for School Year 2021-2022 **[Exhibit E]**
 - Cheria McDonald, BSN, RN, NCSN, State School Nurse Consultant, Division of Elementary and Secondary Education, Arkansas Department of Education
- F. Update of the Alzheimer's State Plan **[Exhibit F1 - F2]**
 - David Cook, Senior Public Policy Manager, Alzheimer's Association
- G. Department of Human Services (DHS), Division of County Operations, Review of Rule which streamlines the process for providing accurate information to the Office of Child Support Enforcement regarding the absent parent (s) for a Medicaid or SNAP applicant or recipient. **[Exhibit G]**
 - 1. Larry Crutchfield, Assistant Director, Division of County Operations, DHS
 - 2. Rosaura Page, Program Administrator, Division of County Operations, DHS

Note: All exhibits for this meeting are available by electronic means and are accessible on the General Assembly's website at www.arkleg.state.ar.us

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

- H. Department of Human Services, Division of Medical Services, Review of Rule which amends the State Plan, along with Provider Manuals and Medical Services Policy to comply with Centers for Medicaid and Medicare Services (CMS) changes and to revise copayment amounts and limits for the Arkansas Health and Opportunity for Me (ARHOME) Program workers with disabilities, and traditional Medicaid. **[Exhibit H]**
- Elizabeth Pitman, Director, Division of Medical Services, DHS
- I. Department of Human Services, Division of Aging, Adult, & Behavioral Health Services, Review of Rule which establishes a process for adult maltreatment offenders to request consideration to have their name removed from the Arkansas Adult Maltreatment Registry in certain circumstances. **[Exhibit I]**
1. Jay Hill, Director, Division of Aging, Adult, and Behavioral Health Services, DHS
2. John Finkbeiner, Assistant Director, Division of Aging, Adult, and Behavioral Services, DHS
- J. Department of Human Services, Division of Medical Services, Review of Rule which amend Medicaid Provider Manuals to add modifiers to National Drug Codes (NDC) for correct billing, payment, and rebates. **[Exhibit J]**
1. Elizabeth Pitman, Director, Division of Medical Services, DHS
2. Cynthia Neuhofel, Assistant Director, Division of Medical Services, DHS
- K. Department of Human Services, Division of Medical Services, Review of Rule which amends the Pharmacy Provider Manual to combine the Drug Utilization Review (DUR) Board and the Drug Review Committee (DRC). The combined board will streamline the Arkansas Medicaid drug review process and allow for criteria discussion at the same time as preferred drug list placement. **[Exhibit K]**
1. Elizabeth Pitman, Director, Division of Medical Services, DHS
2. Cynthia Neuhofel, Assistant Director, Division of Medical Services, DHS
- L. Department of Human Services, Division of Medical Services, Review of Rule which revises the Prosthetics Provider Manual and the State Plan Amendment (SPA) to improvement alignment of Prosthetic and Orthotic supplies with current Medicare codes and rates for reimbursement. **[Exhibit L]**
- Elizabeth Pitman, Director, Division of Medical Services, DHS
- M. Department of Human Services, Division of Medical Services, Review of Rule which amends the Arkansas Independent Assessment (ARIA) Manual and the 1915(i) State Plan Amendment related to the Provider-Led Arkansas Shared Savings Entity (PASSE) and the Adult Behavioral Health Services for Community Independence (ABSCI) program. The updates make the 1915(i) and manual consistent with recent waiver renewals 1915(b) PASSE and 1915(c) Community and Employment Supports. **[Exhibit M]**
1. Elizabeth Pitman, Director, Division of Medical Services, DHS
2. Paula Stone, Clinical Program Director, Division of Medical Services, DHS
3. Melissa Weatherton, Director, Division of Developmental Disabilities Services, DHS
4. Patricia Gann, Deputy Director, Division of Aging, Adult, and Behavioral Health Services, DHS
- N. Department of Human Services, Division of County Operations, Review of Rule which amends the Medical Services Policy Manual. The rule clarifies that the unborn child is counted in the need standard for the pregnant woman. The rule replaces the term "Medicaid" with "Health Care" throughout each section, and updates grammar and formatting in them as well. **[Exhibit N]**
1. Larry Crutchfield, Assistant Director, Division of County Operations, DHS
2. Rosaura Page, Program Administrator, Division of County Operations
- O. Department of Human Services, Division of Medical Services, Review of Rule which amend the Pharmacy Manual and Medicaid State Plan to ensure that 340B providers are billing the actual invoice price, but no greater than the ceiling price and that DHS is reimbursing providers no more than the ceiling price on physician administered drugs. **[Exhibit O]**
1. Elizabeth Pitman, Director, Division of Medical Services, DHS
2. Cynthia Neuhofel, Assistant Director, Division of Medical Services, DHS

- P. Department of Human Services, Division of Medical Services, Review of Rule which revises the Medicaid State Plan to update the rate methodology for long acting reversible contraceptives. Claims with a date of service on and after January 1, 2023, will be based on Wholesale Acquisition Cost plus 6%. **[Exhibit P]**
- Elizabeth Pitman, Director, Division of Medical Services, DHS
- ~~Q. Department of Human Services, Division of Aging, Adult, and Behavioral Health Services, Review of Rule which amends the ARChoices Waiver and the ARChoices Provider Manual to allow inpatient attendant care.
1. Jay Hill, Director, Division of Aging, Adult, and Behavioral Health Services, DHS
2. John Finkbeiner, Assistant Director, Division of Aging, Adult, and Behavioral Health Services, DHS~~
- R. Department of Human Services, Division of Medical Services, Review of Rule which amends the Living Choices Assisted Living waiver following completion of a cycle rate review. DHS seeks approval from the Centers for Medicare and Medicaid Services to increase reimbursement rates to Assisted Living Facilities to \$96.76 per person per day. **[Exhibit R]**
1. Jay Hill, Director, Division of Aging, Adult, and Behavioral Health Services, DHS
2. John Finkbeiner, Assistant Director, Division of Aging, Adult, and Behavioral Health Services, DHS
- S. Department of Human Services, Division of Medical Services, Review of Rule which amend the Hospital Provider Manual. The amendment adds an eighteen month timeframe and a minimum of \$10,000 difference in costs for hospitals to request to have their cost settlement reopened from the date the Notice of Program Reimbursement (NPR) was issued. There is no projected fiscal impact. **[Exhibit S]**
- Elizabeth Pitman, Director, Division of Medical Services, DHS
- T. Department of Human Services, Division of Medical Services, Review of Rule which amends the Primary Care Case Management (PCCM) Reconciliation to change the reconciliation from an annual to a quarterly process. **[Exhibit T]**
- Elizabeth Pitman, Director, Division of Medical Services, DHS
- U. Department of Human Services, Division of Medical Services, Review of Rule which amends ten (10) manuals and related State Plan pages. There are three (3) new manuals, three (3) manuals amended, and three (3) manuals repealed. The manual amendments, enactments, and repeals are focused on shifting away from the fee-for-service methodology for clients with Intellectual and Developmental Disabilities and Behavioral Health needs, lessening the administrative burden on providers, supporting the workforce and raising the quality of care with evidence-based and recognized service models. **[Exhibit U]**
1. Elizabeth Pitman, Director, Division of Medical Services, DHS
2. Paula Stone, Clinical Program Director, Division of Medical Services, DHS
3. Melissa Weatherton, Director, Division of Developmental Disabilities Services, DHS
4. Patricia Gann, Deputy Director, Division of Aging, Adult, and Behavioral Health Services, DHS
- V. Department of Human Services, Division of Medical Services, Review of Rule which creates the Life 360 Manual and corresponding 1915(b) waiver, and amends the State Plan to comply with Act 530 of 2021. **[Exhibit V]**
- Elizabeth Pitman, Director, Division of Medical Services, DHS
- W. Department of Human Services, Division of County Operations, Review of Rule which amends sections of the Medical Services Policy Manual to raise the income limit of the Pregnant Woman full coverage category and eliminate the limited benefit Pregnant Woman category. **[Exhibit W]**
- Elizabeth Pitman, Director, Division of Medical Services, DHS
- X. Department of Human Services, Division of County Operations, Review Rule which amends the Medical Services Policy Manual to provide Medicaid coverage to eligible “former foster youth” who age out of foster care in one state and then move to a new state based on the SUPPORT Act. **[Exhibit X]**
1. Larry Crutchfield, Assist Director, Division of County Operations, DHS
2. Rosaura Page, Program Administrator, Division of County Operations

Y. Department of Human Services, Division of Provider Services & Quality Assurance, Review of Rule which amends to Rules for the Arkansas Long Term Care Facility Nursing Assistant Training Program. **[Exhibit Y]**
- Martina Smith, Director, Division of Provider Services and Quality Assurance, DHS

Z. Status of the Electronic Waste Program (E-Waste)

- 1) Michael Grappe', Director of Special Projects, Arkansas Department of Energy & Environment
- 2) Phillip Cole, Director, Maintenance and Redistribution, Department of Transformation and Shared Services

AA. Other Business

BB. Adjournment