

MINUTES
SENATE COMMITTEE ON PUBLIC HEALTH, WELFARE, AND LABOR
HOUSE COMMITTEE ON PUBLIC HEALTH, WELFARE, AND LABOR
Meeting Jointly
Tuesday, December 5, 2023
1:00 PM
Room A, MAC
Little Rock, Arkansas

Committee members present: Senators Missy Irvin, Chair; Justin Boyd, Scott Flippo, and Bryan King; Representatives Josh Miller, Vice-Chair; Kenneth Ferguson, Justin Gonzales, Jack Ladyman, Kendra Moore, Aaron Pilkington, and Bart Schulz

Other members present: Senators Linda Chesterfield, Steve Crowell, and Jim Dotson; Representatives Denise Ennett, Vivian Flowers, Stetson Painter, Jay Richardson, Joy Springer, Steven Walker, and Danny Watson

Senator Irvin called the meeting to order.

Consideration to Approve the November 1, 2023, and November 2, 2023, Meeting Minutes [Exhibits B1 & B2]

Representative Ladyman made a motion to approve the minutes, seconded by Representative Ferguson, and the motion carried.

Presentation of the Alzheimer's and Dementia Advisory Council 2023 Annual Report [Exhibits C1 & C2] [Handout C]

David Cook, Director of Public Policy and Government Affairs, Alzheimer's Association, gave a presentation on the Alzheimer's and Dementia 2023 Annual Report and discussed the Dementia Caregiver Respite Program.

Review of Tobacco Settlement Commission Quarterly Report for January-March 2023 [Exhibit D]

Emily Lane, Project Director, Arkansas Tobacco Settlement Commission Evaluations, and Mary Franklin, Director of the Division of County Operations, Arkansas Department of Human Services (DHS), gave a review of the Tobacco Settlement Commission Quarterly Report for January-March 2023.

Senator Irvin stated that, without objection, this report stands as reviewed.

Arkansas Department of Health (ADH), Center for Health Protection, Review of Rules Pertaining to the Arkansas Prescription Monitoring Program [Exhibit E]

Chuck Thompson, Managing Attorney, ADH; Craig Smith, Attorney, ADH; and Jaime Turpin, Prescription Drug Monitoring Program Administrator, ADH; discussed the proposed rule that implements Act 67 of 2023 which amends the Prescription Drug Monitoring Program Advisory Committee and the confidentiality of information had by the Prescription Drug Monitoring Program.

Senator Irvin stated that, without objection, this rule stands as reviewed.

ADH, Center for Health Protection, Review of Rules Pertaining to Youth Injury Mitigation and Information Courses for Athletics Personnel and Coaches [Exhibit F]

Chuck Thompson, Managing Attorney, ADH; Craig Smith, Attorney, ADH; and Jacob Smith, Substance Misuse Injury Prevention Section Chief, ADH; discussed the proposed rule requiring any association that sponsors or conducts sports training or high-risk youth athletic activities for children aged 14 and younger necessitate that all coaches and athletics personnel complete specific courses.

Senator Irvin stated that, without objection, this rule stands as reviewed.

DHS, Division of Medical Services (DMS), Review of Rules Pertaining to Update to Third Party Liability Attestation in Arkansas Medicaid State Plan [Exhibit G]

Elizabeth Pitman, Director, DMS, DHS, and Mitch Rouse, Chief of Staff, DHS, discussed the proposed rule that states DHS has the responsibility to administer assigned forms of public assistance and is specifically authorized to maintain an indigent medical care program such as Medicaid.

Senator Irvin stated that, without objection, this rule stands as reviewed.

DHS, DMS, Review of Rules Pertaining to Rules for Life Choices Lifeline and Continuum of Care Programs [Exhibit H]

Elizabeth Pitman, Director, DMS, DHS, and Mitch Rouse, Chief of Staff, DHS, discussed the proposed rule that transfers responsibility for administering the Life Choices Lifeline from ADH to DHS. It also transfers resource access assistance offered under the “Every Mom Matters Act”. This new rule establishes the standards under which the program shall operate.

Senator Irvin stated that, without objection, this rule stands as reviewed.

DHS, DMS, Review of Rules Pertaining to Electronic Visit Verification (EVV) for Home Health Services [Exhibit I]

Elizabeth Pitman, Director, DMS, DHS, and Mitch Rouse, Chief of Staff, DHS, discussed the proposed rule that requires state agencies to implement ,EVV, for home health care services that are provided and reimbursed under Medicaid. EVV uses electronic means to verify home health care service visits by providers.

Senator Irvin stated that, without objection, this rule stands as reviewed.

DHS, DMS, Review of Rules Pertaining to Hospital Reimbursement for Long-Acting Reversible Contraceptives (LARCs) [Exhibit J]

Elizabeth Pitman, Director, DMS, DHS, and Mitch Rouse, Chief of Staff, DHS, discussed the proposed rule that allows separate reimbursement of long-acting reversible contraceptives for hospitalized Medicaid beneficiaries immediately after birth of a child or during postpartum.

Senator Irvin stated that, without objection, this rule stands as reviewed.

DHS, DMS, Behavioral Health Counseling Code Rate Increase SPAs [Exhibit K]

Elizabeth Pitman, Director, DMS, DHS; Paula Stone, Director, Behavioral Health Services, DHS; and Mitch Rouse, Chief of Staff, DHS; discussed the proposed rule permanently increasing the individual rates approved during the COVID-19 public health emergency and rebalancing rates that were recommended after a 2022 study of outpatient behavioral health rates.

Senator Irvin stated that, without objection, this rule stands as reviewed.

DHS, DMS, Review of Rules Pertaining to Developmental Screens for Children [Exhibit L]

Elizabeth Pitman, Director, DMS, DHS; Melissa Weatherton, Director, Specialty Medicaid Services, DHS; and Mitch Rouse, Chief of Staff, DHS; discussed the proposed rule amending the Early and Periodic Screening, Diagnosis, and Treatment Manual for primary care providers to perform a developmental screening for children based upon the American Academy of Pediatrics guidelines in alignment with the Bright Futures Periodicity Schedule.

Senator Irvin stated that, without objection, this rule stands as reviewed.

DHS, Division of Aging, Adult, and Behavioral Services, Review of Rules Pertaining to Appendix K Extension Amendments for Limited Items [Exhibit M]

Jay Hill, Director, Division of Aging, Adult and Behavioral Health Services, DHS; Melissa Weatherton, Director, Specialty Medicaid Services, DHS; and Mitch Rouse, Chief of Staff, DHS; discussed the proposed rule that amends the ARChoices in Homecare and Living Choices Waivers to extend the date of the Workforce Stabilization Incentive Program to March 31, 2025. The plan implements the approved American Rescue Plan Act spending plan.

Senator Irvin stated that, without objection, this rule stands as reviewed.

DHS, Division of County Operations, Review of Rules Pertaining to Twelve Months Continuous Coverage of Children Under Age Nineteen (19) [Exhibit N]

Mary Franklin, Director, Division of County Operations, DHS, and Mitch Rouse, Chief of Staff, DHS, discussed the proposed rule that allows all children under 19 years of age that are eligible for either Medicaid or CHIP categories to have continuous coverage for 12 months following the date of application or renewal.

Senator Irvin stated that, without objection, this rule stands as reviewed.

DHS, Division of Provider Services and Quality Assurance, Review of Rules Pertaining to Minimum Dementia Training Requirements Pursuant to Act 335 of 2023 [Exhibit O]

Martina Smith, Director, Division of Provider Services and Quality Assurance, DHS, and Mitch Rouse, Chief of Staff, DHS, discussed the proposed rule that implements Act 335 of 2023 which sets minimum dementia training requirements for staff members employed by assisted living facilities and addresses gaps in current dementia training requirements.

Senator Irvin stated that, without objection, this rule stands as reviewed.

With no further business, the meeting adjourned at 2:40 p.m.