

DRAFT MINUTES
Senate Committee on Public Health, Welfare, and Labor
House Committee on Public Health, Welfare, and Labor
Monday, November 30, 2020
1:00 P.M.

Committee Members Present: **Senators** Missy Irvin, Chair; Kim Hammer, Jimmy Hickey, Jr., Scott Flippo, and David Wallace **Representatives** Jack Ladyman, Chair; Mary Bentley, Justin Boyd, Karilyn Brown, Bruce Coleman, Deborah Ferguson, Vice-Chair; Kenneth Ferguson, Justin Gonzales, Michelle Gray, Austin McCollum, John Payton, Clint Penzo, and Jeff Wardlaw

Other Legislators Present: **Senators** Mark Johnson, and Jason Rapert **Representatives** Joe Cloud, Marsh Davis, Jim Dotson, Jimmy Gazaway, Steve Hollowell, Reginald Murdock, Keith Slape, Brandt Smith, Joy Springer, Dan Sullivan, and Danny Watson

Call to order and Comments by the Chairs Senator Irvin called the meeting to order.

Consideration to Adopt the November 9, 2020 Meeting Minutes [Exhibit C] Without objection, the minutes were approved.

Update on the Status of Covid-19 Pandemic in Arkansas José R. Romero, MD, Secretary of the Arkansas Department of Health discussed vaccine development in regards to Covid-19. The Pfizer vaccine is set to go before The Food and Drug Administration (FDA) on December 10, 2020 for Emergency Use Authorization (EUA) approval. The vaccine is reactogenic meaning it causes swelling, fever, and pain at the injection site, but that is not necessarily a bad thing. All states and jurisdiction must have a method of vaccine distribution for the release of the vaccine. Once the FDA votes and approves the vaccine, there will be a second vote by the Advisory Committee on Immunization Practices (ACIP). The ACIP will vote if the vaccine is shown to be efficacious and safe. Once the vaccine has been approved, a phase known as post-marketing vigilance will go into effect which will mean monitoring the safety of the public. It is estimated that Arkansas will have the vaccine sometime during the month of December 2020. The vaccine will be distributed from the federal government on a per capita basis. The vaccine produced by Moderna is also going before the FDA, but does not have the same restrictions in regard to temperature like the Pfizer vaccine. The different vaccine variations should not be interchanged if more than one shot is needed like Modern's and Pfizer's. Neither vaccines, however, utilize human fetal tissue.

Dr. Romero predicts the use of masks, frequently washing hands, and social distancing will continue well into 2021. This will be partly based on the safety of the vaccine and the uptake. If there is reservation from the public, there could be a reduced uptake. Lists of probable cases and confirmed cases continue to be available, but may be somewhat behind. The number of contact tracers is expanding due to the ever increasing number of cases.

Discussion of Covid-19 Effects on Small Restaurant Owners Paul Kreth, owner, Short Small's in Little Rock discussed his time in the restaurant industry and how Covid-19 has affected his business. An air purification system was installed to "scrub the air" inside the restaurant. 14 table are currently open along with outdoor tables, but there is still a fear among the public about eating in restaurants. Last year from March 2019- October 2019, over a \$1 million was cleared by his restaurant compared to the March 2020- October 2020 which cleared roughly \$300 thousand. Even after receiving several assistance loans, the restaurant is estimated to last 1-2

months longer without more assistance. In order to maintain mask wearing within the restaurant, Shorty Small's requires customers dial a phone number and fill out a form sent back to them that asks they agree to abide by certain conditions before entering. Vince Schallenberg, owner, All Aboard in Little Rock and Benton discussed his reduction of staff due to Covid-19 and the losses experienced similar to Paul Kreth. His businesses are estimated to last only 5-6 months longer with no improvement. No profits are expected to be recovered until 2022. Both business owners agreed that there should not be any more restrictions placed on restaurants, but that those already imposed are fair. The fear of Covid-19 among the public seems to deter people from dining in allowing for social distancing rather than the restrictions themselves.

Review of the Arkansas Tobacco Settlement Commission (ATSC) Quarterly Report for January, 2020-

March 2020 [Exhibit F] [Handout 1] Matt Gilmore, Boards and Commissions Coordinator, Arkansas Department of Health discussed the success of the programs being implemented, but recognized their decrease due to Covid-19. The virtual educational setting has been used to provide community education to various populations. The College of Public Health offers courses online and chose to strengthen during the pandemic. The Medicaid Expansion Program has increased by approximately 14,000 people while the Centers of Aging across the state shifted to an online format in an effort to work with seniors and caregivers to provide training. \$10 million was also provided for research opportunities involving agriculture.

Annual Report on Vision Screening in Arkansas Public Schools, as Required by A.C.A. 6-18-1803

[Exhibit G] Cheria McDonald, BSN, RN NCSN, State School Nurse Consultant, Arkansas Department of Education discussed the large gap between school nurses and comprehensive eye exams across the state, but does not feel the report was impacted by Covid-19 because the exam is a first semester screening. This means that the screenings are done the first semester, so by March 17, 2020 the data is usually completed and entered into the data computing system by April 1. This does mean, however, the report may look differently in next year's report.

Interim Study Proposals

Interim Study Proposals 2019-174 by Representative Frederick Love and 2019-186 by Senator Scott Flippo were held until the December 2, 2020 Public Health meeting.

Motion to Adopt for Study/Second

Rep. Gonzales/Sen. Wallace

ISP2019-177 To amend the signature authority of advanced practice registered nurses and physician assistants for documentation related to special education and related services.

Rep. Boyd/Rep. Brown

ISP2019-178 To allow pharmacists to prescribe, administer, deliver, distribute, or dispense anti-allergy medications, vaccines, or immunizations to a person who is three (3) years of age or older.

Rep. Gonzales/Sen. Hammer

ISP2019-179 To ensure that healthcare professionals with prescriptive authority may dispense full prescriptions.

- Rep. Gonzales/Sen. Wallace **ISP2019-180** To allow pharmacists to prescribe, administer, deliver, distribute, or dispense vaccines and immunizations to a person three(3) years of age or older and to test, screen, and treat minor non-chronic health conditions.
- Rep. Boyd/Sen. Flippo **ISP2019-181** To amend the Arkansas athletic trainers act; And to authorize athletic trainers to practice under the direct supervision of a physician.
- Rep. Boyd/Sen. Flippo **ISP2019-182** To authorize full independent practice authority for advanced practice registered nurses who meet certain requirements; And to create the full independent practice committee.
- Rep. Ladyman/Sen. Hammer **ISP2019-183** To amend the Arkansas athletic trainers act; Amend the definition of “athlete” within the Arkansas Athletic Trainers Act; And for other purposes.
- Rep. Boyd/Sen. Flippo **ISP2019-184** To establish the Psychological Interjurisdictional Compact in Arkansas; And for other purposes.
- Rep. Ladyman/Sen. Hammer **ISP2019-185** To amend the membership of the Arkansas State Medical Board; Amend the supervision and prescriptive authority of physician assistants; And for other purposes.
- Rep. Penzo/Sen. Hammer **ISP2019-187** To Authorize the Arkansas Natural Naturopathic Physicians Licensure Act; And for other purposes.
- Rep. Boyd/Rep. Ladyman **ISP2019-188** Requesting that the House Committee on Public Health, Welfare, and Labor Study the Best Practices and Policies on Minor Cosmetic Procedures, including Scope of Practice of Healthcare Professionals involves in Minor Cosmetic Procedures.

Without any further business, the meeting was adjourned at 4:30 PM.