

MINUTES

HOUSE & SENATE INTERIM COMMITTEES ON PUBLIC HEALTH, WELFARE AND LABOR

November 2, 2015

The House and Senate Interim Committees on Public Health, Welfare and Labor met Monday, November 2, 2015 at 1:00 p.m. in Room 171 of the State Capitol, Little Rock, Arkansas.

Public Health Senate Members Attending Were: Senators Cecile Bledsoe, Chair; Stephanie Flowers, Vice Chair; John Cooper, Keith Ingram, and Missy Irvin.

Public Health House Members Attending Were: Representatives Kelley Linck, Chair; Deborah Ferguson, Vice Chair; Justin Boyd, David Branscum, Charlene Fite, Ken Henderson, Fredrick Love, Stephen Magie, David Meeks, Betty Overbey, John Payton, Chris Richey, Dan Sullivan, Jeff Wardlaw, and Richard Womack.

Other Legislators Attending Were: Representatives Mary Broadaway, Andy Davis, Dan Douglas, and Vivian Flowers.

Comments by the Chairs

Representative Kelley Linck called the meeting to order. Senator Cecile Bledsoe introduced two students from the College of Public Health (COPH) at UAMS.

Consideration to Approve the October 5-6, 2015 Meeting Minutes (EXHIBITS C-1 & C-2)

Without objection the minutes from the October 5-6, 2015 meetings were approved.

Access Group—Building Brighter Futures (Handout #1)

Tammy Simmons, CEO of Access Group, presented a brief overview of a new innovative program for developmentally disabled persons. Since 1994 Access Village of Little Rock has been operational, and was largely developed and led by the parents of developmentally disabled children. It is now operational in seven states and is a nationally recognized program. Access Village in Arkansas serves approximately 400 persons annually, offering the following services:

- ◆ Educational
- ◆ Diagnostic services
- ◆ Job training
- ◆ Supportive living
- ◆ Supportive employment
- ◆ Project Search (also nationally recognized)
 - This is an on-the-job training program operating at two organizations—UAMS and Arkansas Children’s Hospital

The live, work, and play components of Access Village are:

- ◆ A safe integrated multi-purpose community in an uplifting environment with affordable housing
 - Promotes self-sufficiency
- ◆ Innovative job training
 - Prepares individuals for competitive employment
- ◆ Opportunities for daily social engagement within a safe walking distance (many are not able to drive)

Private dollars will fund the capital expenses (i.e., land, buildings, etc.) of this program and there are donors who have already committed to help raise \$75 million for this project. Public funds could come from Medicaid funds.

This program meets all of the CMS mandatory requirements for Developmentally Disabled Services that each state

Craig Cloud, Director, Division of Aging & Adult Services, Department of Human Services (DHS), said DHS is supportive of this program.

HomeCare Association of Arkansas

Nancy Elphinstone, Executive Director, Home Care Association of Arkansas, gave an update on the activities of the HomeCare Association. In transitioning across providers, the HomeCare Association will provide better health care, leading to better health for Arkansas residents at a lower cost.

Arkansas Home Health providers will:

- ◆ Implement evidence-based best practices
 - Focus on medication adherence & management
 - Patient engagement
 - Health literate care
 - Remote monitoring of patient status using advanced technology & providing timely intervention
- ◆ Reduce avoidable readmissions
- ◆ Prepare for value-based payment reform

Minority Health Commission's Report (A.C.A. 20-2-103), and the Health Disparities Report (A.C.A. 20-2-107) (HANDOUTS)

Michael Knox, Executive Director, Minority Health Commission, presented the Arkansas Minority Health Commission's (AMHC) annual report and the Health Disparities Report. Mr. Knox stated the mission and goal of the AMHC; and then gave a historical overview of the AMHC from its inception in 1991 to the present time.

Mr. Knox also discussed the following health issues and how Arkansas compares to the rest of the states, and what Arkansas is doing to improve the health of Arkansas residents:

- ◆ Obesity
- ◆ Health disparities in the 'red counties' of Arkansas
- ◆ Smoking
- ◆ Diabetes
- ◆ Health & nutrition in relation to the "Box Gardens"
- ◆ Exercise

The AMHC annual report also included an appendix with AMHC Legislative Acts and the AMHC's strategic plans for SFY2014 through SFY2018.

Senator Missy Irvin asked Mr. Knox to consider partnering with 'Camp Fit 'n Fun' and Representative Vivian Flowers asked him to also consider partnering with Camp IRock.

Department of Human Services, Division of Medical Services, Review of Rule & Regulation to Ensure Proper Billing Guidelines for Multi-Use and Single-Use Vial Drugs under the National Drug Code Policy (EXHIBIT G)

Tami Harlan, Deputy Director, Division of Medical Services, Department of Human Services, stated this rule will ensure proper billing guidelines for multi-use and single-use drug vials, thus maintaining compliance with the federal rules and regulations. This proposed rule change becomes effective November 1, 2015.

Jason Darden, Pharmacy Administrator, Arkansas Medicaid Pharmacy Program, stated this rule will also apply to drugs in off-label use, if they can be billed under the J code.

The committees heard testimony from Tami Harlan, Deputy Director, Division of Medical Services, Department of Human Services. Following committee discussion, the committees recommended review of the rule.

Department of Human Services, Division of Medical Services, Review of Rule & Regulation State Plan Amendment 2015-003 Which Adjusts the Reimbursement Methodology for Ambulatory Surgical Centers (EXHIBIT H)

Tami Harlan, Deputy Director, Division of Medical Services, Department of Human Services, presented this proposed rule which will revise the Arkansas Medicaid Ambulatory Surgical Center (ASC) reimbursement rates in accordance with Act 1235 of 2015. These new rates are based on 95% of the July 2015 Medicare reimbursement amounts for like services.

The committees heard testimony from Tami Harlan, Deputy Director, Division of Medical Services, Department of Human Services. Following committee discussion, the committees recommended review of the rule.

Department of Human Services, Division of County Operations, Review of Rule & Regulation Which Allows Inmates to Apply for Medicaid up to 45 Days Prior to Being Released from Custody (EXHIBIT I)

Dave Mills, Program Administrator, Division of County Operations, Department of Human Services, presented this proposed rule change. This proposed rule change will allow:

- ◆ An inmate to apply for Medicaid up to 45 days prior to being released from custody
- ◆ An inmate's Medicaid case to be suspended for up to 12 months
- ◆ A sentencing order to serve as proof of identity during the Medicaid application process for those individuals being released from custody

The committees heard testimony from Dave Mills, Program Administrator, Division of County Operations, Department of Human Services. Following committee discussion, the committees recommended review of the rule.

Arkansas Department of Health, Center for Health Protection, Licensing & Regulation Branch, Health Facility Services Section, Review of Rules & Regulations for Orthotic, Prosthetic, & Pedorthic Licensing Standards (EXHIBIT J)

Robert Brech, Chief Financial Officer, Arkansas Department of Health, presented this proposed rule change. The following changes are made to the licensing standards:

- ◆ Clarify that orthotic assistants are authorized to assist with pedorthic devices
- ◆ Allow examinations administered by the Board of Certification (BOC) to fulfill Arkansas examination requirements
- ◆ Eliminate Section 8 "Examinations" in its entirety. Exam requirements are detailed in "Qualifications for Licensure."

The committees heard testimony from Robert Brech, Chief Financial Officer, Arkansas Department of Health. Following committee discussion, the committees recommended review of the rule.

The meeting was adjourned at 3:00 p.m.