

MINUTES

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

March 28, 2014

The House and Senate Interim Committees on Public Health, Welfare and Labor met Friday, March 28, 2014 at 9:00 a.m. in Committee Room A of the Multi-Agency Complex (MAC) Building.

Public Health Senate members attending were: Senators Cecile Bledsoe, Chair; John Cooper, Jonathan Dismang, and Stephanie Flowers.

Public Health House members attending were: Representatives David Branscum, Deborah Ferguson, Greg Leding, Kelley Linck, Fredrick Love, Stephanie Malone, David Meeks, Betty Overbey, and James Word.

Non-Voting Public Health House members attending were: Representatives Mary Broadaway, Charlotte Vining Douglas, Mark McElroy, and Sue Scott.

Other legislators attending were: Senators Jane English, Michael Lamoureux, Uvalde Lindsey, and David Wyatt. Representatives Charles Armstrong, Duncan Baird, Nate Bell, Jim Dotson, Douglas House, James Ratliff, Wes Wagner, and Marshall Wright.

Comments by the Chairs

Representative Kelley Linck called the meeting to order.

Arkansas Department of Health, Prescription Drug Monitoring Program (Handout #1-PowerPoint)

Donnie Smith, Director, Center for Health Protection, Arkansas Department of Health, presented a brief slide show on prescription drug abuse. This is a growing epidemic all across the United States, and Arkansas is among the top five states noted for abuse of prescription pain relievers. Mr. Smith focused the discussion on defining the problem, the activities that have occurred in Arkansas in the last year, and Arkansas's Prescription Drug Monitoring Program (PDMP), which was authorized by the Arkansas Legislature, through Act 304 of 2011.

Access to PDMP information is limited to prescribers, pharmacists, licensing boards, law enforcement (warrant required), other state PDMPs, and researchers/educators. Major benefits of the PDMP program to physicians and pharmacists:

- ◆ 24/7 web access
- ◆ Data can be accessed before writing/filling controlled substance prescriptions
- ◆ Information within the PDMP program is updated weekly
- ◆ Information about all payment sources & controlled substances are listed
- ◆ This program also spots and flags obvious 'doctor shoppers'

On October 26, 2013 a drug take-back effort was conducted at 156 different sites statewide, in which 9 tons of prescription drugs were collected. Another prescription drug take-back is scheduled in April, 2014.

Arkansas Department of Health, Review of Rules & Regulations Pertaining to General Sanitation (EXHIBIT D)

Robert Brech, Chief Financial Officer, Arkansas Department of Health, presented a brief review of this proposed rule. This rule has been amended so as to be consistent with the federal statute.

Representative Linck stated that without objection this rule will stand as reviewed.

Arkansas Department of Health, Review of Rules & Regulations Governing State Sponsored Home Visitation Programs (EXHIBIT E)

Robert Brech, Chief Financial Officer, Arkansas Department of Health, presented a brief review of this proposed rule. Mr. Brech stated that this rule will insure home visitation programs are used correctly and that state revenues are used for related accredited programs.

Senator Bledsoe stated that without objection this rule will stand as reviewed.

Arkansas Department of Health, Review of Rules & Regulations Pertaining to Dental Hygienists Serving Underserved Areas (EXHIBIT F)

Robert Brech, Chief Financial Officer, Arkansas Department of Health, presented a brief review of this proposed rule. This proposed rule would allow Dental Hygienists to provide certain dental services to patients in underserved areas through collaborative agreements with certified full-time dentists.

Senator Bledsoe stated that without objection this rule will stand as reviewed.

Arkansas Department of Health, Review of Rules & Regulations Governing Advisory Board for Interpreters Between Hearing Individuals, and Individuals Who are Deaf, Deaf-blind, Hard of Hearing, Oral Deaf; and Rules Governing the Licensure of Provisional & Qualified Interpreters. This is an Emergency Rule Effective January 31, 2014. (EXHIBIT G)

Robert Brech, Chief Financial Officer, Arkansas Department of Health, presented a brief review of this proposed rule. The proposed rules and regulations for this new program will set forth guidelines for the operation and licensure of provisional and qualified interpreters. A code of professional conduct will also be included. The emergency rule expires May 31, 2014.

Senator Bledsoe stated that without objection this rule will stand as reviewed.

Department of Human Services, Division of Medical Services, Review of Rule Regarding Dental 7-13 & Section V 1-13 which Updates and Replaces Discontinued American Dental Association Forms (EXHIBIT H)

Marilyn Strickland, Chief Operating Officer, and Tami Harlan, Assistant Director, Policy, Programs & Contracts Oversight Unit, both with Division of Medical Services, Department of Human Services; presented the proposed rule.

This proposed revision will update the Dental Provider Manual so it will link to the new American Dental Association claim form.

Senator Bledsoe stated that without objection this rule will stand as reviewed.

Department of Human Services, Division of Medical Services, Review of State Plan Amendment 2013-027 and Pharmacy 2-13, which Deals with Medicaid Coverage of Benzodiazepines, Barbiturates, and Smoking Cessation Products. This is an Emergency Rule Effective January 1, 2014. (EXHIBIT I)

Marilyn Strickland, Chief Operating Officer, and Tami Harlan, Assistant Director, Policy, Programs & Contracts Oversight Unit, both with Division of Medical Services, Department of Human Services; presented the proposed rule.

As of January 1, 2014, Medicaid was federally mandated to cover benzodiazepines, barbiturates, and smoking cessation medications. Arkansas already covers these agents for medical use; however since it is now federally mandated it has to be added to the Arkansas Medicaid State Plan. The emergency rule expires April 1, 2014.

Senator Bledsoe stated that without objection this rule will stand as reviewed.

The meeting adjourned at 10:25 a.m.