

# EXHIBIT C

## MINUTES

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

May 18, 2016

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The House and Senate Interim Committees on Public Health, Welfare and Labor met Wednesday, May 18, 2016 at 11:00 a.m. in Room 171, State Capitol, Little Rock, Arkansas.

**Public Health Senate Members Attending Were:** Senators Cecile Bledsoe, Chair; John Cooper, Scott Flippo, Missy Irvin, and Gary Stubblefield.

**Public Health House Members Attending Were:** Representatives Kelley Linck, Chair; Deborah Ferguson, Vice Chair; Mary Bentley, Justin Boyd, Ken Bragg, Kim Hammer, Ken Henderson, Fredrick Love, Robin Lundstrum, Stephen Magie, David Meeks, Betty Overbey, Dan Sullivan, and Richard Womack.

**Other Legislators Attending Were:** Senator Jonathan Dismang. Representatives Charlotte Vining Douglas, Dan Douglas, Mary “Prissy” Hickerson, Sheilla Lampkin, Sue Scott, and Nelda Speaks.

#### **Comments by the Chairs**

Representative Kelley Linck called the meeting to order.

#### **Consideration to Approve the Minutes from the April 4, 2016 Meeting (EXHIBIT C)**

Without objection, the minutes from the April 4, 2016, meeting was approved.

#### **Arkansas Department of Health, Health Systems Licensing & Regulation, Cosmetology & Massage Therapy Section, Review of Rules & Regulations for Massage Therapy in Arkansas--Technical Rule Revision to Update Language of the Rule to Mirror Act 1020 of 2015 (EXHIBIT D)**

Robert Brech, Chief Financial Officer, Arkansas Department of Health, stated that with Act 1020 of 2015 the Arkansas State Board of Massage Therapy was abolished and then incorporated into the Arkansas Department of Health, with the creation of the Massage Therapy Technical Advisory Committee. The rules governing ‘Massage Therapy’ were updated to be consistent with the current statute.

Following committee discussion, the committees recommended review of the rule.

#### **Department of Human Services, Division of Medical Services, Review of Rule Regarding Therapy 3-15, which Includes Supplemental Testing Tools--Including the Brighton Scale of Joint Mobility, the Test of Expressive Language, the Test for Auditory Comprehension of Language, and the Woodcock-Johnson Test of Cognitive Ability, 4<sup>th</sup> Edition to Approved Therapy Testing Tools (EXHIBIT E)**

Tami Harlan, Chief Operating Officer, Medical Services Division, Department of Human Services, stated that the Occupational, Physical, and Speech Therapy Services Manual is currently updated with the approved tests for providing the most accurate diagnosis for Medicaid beneficiaries; and that all of the unnecessary, outdated tests have been removed. The Advisory Oversight Committee, previously appointed by the Legislature, is charged with maintaining the manual. This committee consists only of therapists.

Representative Sullivan suggested that someone in the Medical Services Division should be appointed to review the Occupational, Physical, and Speech Therapy Services manual on a regularly scheduled basis. Ms. Harlan stated that she would relay this suggestion back to the Division of Medical Services. With the lead of Representative Sullivan, the method used to select members for the Advisory Oversight Committee of the Occupational, Physical, and Speech Therapy Services Manual will be researched.

Questions from Representative Hammer:

- ◆ What is the status of the RFP process that will determine whether Arkansas is staying with Curam or signing up another company?
- ◆ What are the checks and balances that Medicaid is using and how often are they used, to ensure that the Occupational, Physical, and Speech Therapy Services tests are rendering an accurate diagnosis for the Medicaid recipients?
  - Ms. Harlan stated the Arkansas Foundation for Medical Care (AFMC) does a review (it is an after-the-fact review) to determine that all procedures were followed correctly.
- ◆ Is AFMC the agency that should do this, and how long have they been performing this service for Medicaid?

Ms. Harlan stated she would provide answers to all of the unanswered questions at the next meeting.

Following committee discussion, the committees recommended review of the rule.

**Department of Human Services, Division of Medical Services, Review of Rules and Regulations Concerning Episode 1-15 and Section 1-3-15 (EXHIBIT F)**

Tami Harlan, Chief Operating Officer, Medical Services Division, Department of Human Services, presented the proposed rule changes. The Episodes of Care Provider Manual will be updated as of July 1, 2016, to provide clarity of the definitions, scope of services, and current requirements. It will be designated as a Principal Accountable Provider. Existing exclusions and quality measures for Episodes of Care will also be clarified.

Following committee discussion, the committees recommended review of the rule.

**BRIEF DISCUSSION & ADOPTION FOR STUDY: ISP 2015-165 – “Requesting that the House Committee on Public Health, Welfare, and Labor Study the Need for Changes to the Community Match Rural Physician Recruitment Program.”** Sponsor, Representative Mary Bentley. (EXHIBIT G)

With the assistance of Maurice Rigsby, Government Relations Liaison at the University of Arkansas for Medical Sciences (UAMS), Representative Bentley presented and explained ISP2015-165; and requested adoption of this ISP by the committees.

Representative Linck stated that without objection, ISP2015-165 will be adopted for Interim Study by the House and Senate Health Services Subcommittee.

The meeting adjourned at 11:45 a.m.