

**AGENDA**  
**Senate Committee on Public Health, Welfare, and Labor**  
**House Committee on Public Health, Welfare, and Labor**  
**Meeting Jointly**

---

**Tuesday, July 7, 2020**  
**1:30 PM**  
**Room A, MAC**  
**Little Rock, Arkansas**

---

Sen. Missy Irvin, Chair  
Sen. David Wallace, Vice-Chair  
Sen. Bill Sample  
Sen. Ronald Caldwell  
Sen. Jimmy Hickey, Jr  
Sen. Bart Hester  
Sen. Scott Flippo  
Sen. Kim Hammer

Rep. Jack Ladyman, Chair  
Rep. Deborah Ferguson, Vice-Chair  
Rep. Fredrick J. Love  
Rep. Jeff Wardlaw  
Rep. Stephen Magie  
Rep. Josh Miller  
Rep. Richard Womack  
Rep. John Payton  
Rep. Mary Bentley  
Rep. Michelle Gray

Rep. Justin Gonzales  
Rep. Kenneth B. Ferguson  
Rep. Justin Boyd  
Rep. Karilyn Brown  
Rep. Austin McCollum  
Rep. Bruce Coleman  
Rep. Clint Penzo  
Rep. Mark Perry  
Rep. Lee Johnson

---

**Committee meetings are open to the public. However, there is limited seating due to the social distancing requirements, and members of the public shall wear a mask while in the Big Mac Building.**

A. Call to Order

B. Comments by the Chairs

1. Representative Jack Ladyman
2. Senator Missy Irvin

C. Consideration to Adopt June 22 Meeting Minutes (**Exhibit C**)

D. Arkansas Department of Energy and Environment, Division of Air Quality, Review of Rule 19 Regarding Air Quality which adopts the 2015 ozone National Ambient Air Quality Standard (NAAQS) promulgated by the US Environmental Protection Agency (EPA) on October 25, 2015 (80 FR 65292). Adoption of the 2015 ozone NAAQS by the Pollution Control and Ecology Commission is required under Ark. Code Ann. 8-4-318(b)(1) for submission by the Arkansas Department of Environmental Quality (ADEQ) of (a) state implementation plan(s) demonstrating compliance with the Clean Air Act §110 requirements for the standard to the EPA. (**Exhibit D**)

1. Michael McAlister, JD, Deputy Counsel, Department of Energy and Environment
2. Will Montgomery, Associate Director, Office of Air Quality, Department of Energy and Environment
3. Discussion and Action by the Committees

~~E. Arkansas Department of Human Services, Division of Medical Services, Review of a Rule which revises the Medicaid Provider Manuals and Medicaid State Plan (State Plan Amendment 2020-0013) to comply with Act 964 of 2019. Act 964 mandates that Arkansas Medicaid may not require prior authorization nor impose other requirements other than a valid prescription and compliance with Medication Assisted Treatment guidelines by the Substance Abuse and Mental Health Services Administration. (**Exhibit E**)~~

- ~~1. Mark White, Chief Legislative & Intergovernmental Affairs Officer and Chief of Staff, Department of Human Services(DHS)~~
- ~~2. Janet Mann, Director, Division of Medical Services, DHS~~
- ~~3. Discussion and Action by the Committees~~

**Note: All exhibits for this meeting are available by electronic means and are accessible on the General Assembly's website at [www.arkleg.state.ar.us](http://www.arkleg.state.ar.us)**

**Notice: Silence your cell phones. Keep your personal conversations to a minimum. Observe restrictions designating areas as *'Members and Staff Only'*.**

- F. Arkansas Department of Human Services, Division of County Operations, Review of Rule which updates the financial eligibility policy with the new changes in federal tax law in compliance with 3 federal acts. Tax Cuts and Jobs Act of 2017 (TCJA, P.L. 115-97), Helping Ensure Access for Little Ones, Toddlers, and Hopeful Youth by Keeping Insurance Delivery Stable Act (Healthy Kids Act, P.L. 115-120) and the Bipartisan Budget Act of 2018 (BBA of 2018, P.L. 115-123). This rule revises the Medical Services Policy Manual Section E to comply with these acts. **(Exhibit F)**
1. Mark White, Chief Legislative & Governmental Affairs Officer and Chief of Staff, DHS
  2. Mary Franklin, Director, Division of County Operations, DHS
  3. Discussion and Action by the Committees
- G. Arkansas Department of Human Services, Division of Medical Services, Review of Rule which revises the Ambulance Service Rates in the Medicaid Transportation Program and clarifies who can sign the physician certification statement, how to calculate the number of miles traveled, exclusions, and billing process. This rule revises the Medicaid Transportation Provider Manual and the Medicaid State Plan with State Plan Amendment 2020-0009. **(Exhibit G)**
1. Mark White, Chief Legislative & Governmental Affairs Officer and Chief of Staff, DHS
  2. Janet Mann, Director, Division of Medical Services, DHS
  3. Discussion and Action by the Committees
- H. Arkansas Department of Health, Emergency Medical Services Section, Review of Rule pertaining to changes in state law Act 315 of 2019, Act 426 of 2019, Act 820 of 2019, Act 958 of 2019 and Act 990 of 2019. These revisions include clean-up language, typographical errors, timeframe requirement for data submission, licensure renewal continuing education hours, EMSP instructor candidate and affiliation requirements, more robust violations section, update equipment lists for ambulances, and criminal background check requirements. **(Exhibit H)**
1. Greg Brown, Branch Chief, Trauma and Emergency Medical Services Section, Arkansas Department of Health (ADH)
  2. Christy Kresse, Emergency Medical Services Section Chief, ADH
  3. Laura Shue, JD, General Counsel, ADH
  4. Discussion and Action by the Committees
- I. General Overview of Pandemic Unemployment Assistance within the CARES Act
1. Charisse Childers, PhD, Director, Division of Workforce Services (Unemployment Insurance)
  2. Discussion by the Committees
- J. Status of Automated External Defibrillators on Public School Campuses (ACA §6-10-122) **(Exhibit J)**
1. Cheria McDonald, BSN, RN, NCSN, State School Nurse Consultant, Department of Education
  2. Discussion by the Committees
- K. Below are listed Interim Study Proposals (ISPs). The sponsor has been asked to present a brief explanation of their ISP and why it should be adopted for study by the committee. Each ISP will be voted on separately.
1. Interim Study Proposal 2019-150 by Sen. Kim Hammer  
Requesting the Senate Committee on Public Health, Welfare, and Labor study possible Revisions to the Process for Declaring and Addressing a Public Health Emergency in the State of Arkansas. **(Exhibit K-1)**
  2. -Interim Study Proposal 2019-151 by Rep. Aaron Pilkington  
An Act to Amend the Telemedicine Act; To Ensure that Telemedicine is the least Restrictive Method to Deliver Healthcare Services Remotely; To Expand the definition of "Professional Relationship" and the Delivery of Healthcare Services Provided Via Telemedicine; and for other Purposes. **(Exhibit K-2)**
  3. Interim Study Proposal 2019-152 by Sen. Missy Irvin  
An Act to Require the Office of Medicaid Inspector General to Delay Recovery of Improperly Expended Medical Assistance Funds During a Public Health Emergency; And for Other Purposes. **(Exhibit K-3)**
  4. Interim Study Proposal 2019-153 by Sen. Missy Irvin  
An Act to Mandate Insurance Coverage and Medicaid Benefits with Regard to Coronavirus Disease 2019 (Covid-19); To Declare an Emergency; and for Other Purposes. **(Exhibit K-4)**

5. Interim Study Proposal 2019-154 by Sen. Missy Irvin  
To Define the Scope under which Medical Professionals may Engage in Emergency Services During the Coronavirus Disease 2019 (Covid-19) Outbreak; To Declare an Emergency; and for Other Purposes. **(Exhibit K-5)**

6. Interim Study Proposal 2019-155 by Sen. Missy Irvin  
To Provide a Grace Period for Non-Payment of Insurance Premiums to Certain Policyholders; to Declare an Emergency; and for Other Purposes. **(Exhibit K-6)**

7. Interim Study Proposal 2019-156 by Sen. Missy Irvin  
To Suspend Payment Audits of Healthcare Providers; to Provide an Overpayment Recovery Time Limit Toll for Healthcare Providers; to Declare an Emergency; and for Other Purposes. **(Exhibit K-7)**

8. Interim Study Proposals 2019-157 by Sen. Missy Irvin  
To Provide Immunity from Liability for Death, Injury, or Property Damage sustained as a Result of an Act of Omission by an Emergency Responder, Healthcare Provider, or Healthcare Facility in the Course of Providing Emergency Management Services During the Covid-19 Public Health Emergency; to Declare an Emergency; and for Other Purposes. **(Exhibit K-8)**

9. Interim Study Proposals 2019-158 by Sen. Kim Hammer  
Requesting the Senate Committee on Public Health, Welfare, and Labor Study Medical Profession Scope of Practice **(Exhibit K-9)**

L. Other Business

M. Adjournment