

AGENDA (REVISED 11-16-2018)
ADDED MORE ISPs
Senate Committee on Public Health, Welfare, and Labor
House Committee on Public Health, Welfare, and Labor
Meeting Jointly

Monday, November 19, 2018
9:00 AM
Room A, MAC
Little Rock, Arkansas

Sen. Cecile Bledsoe, Chair
Sen. Eddie Cheatham, Vice-Chair
Sen. Stephanie Flowers
Sen. Missy Irvin
Sen. David J. Sanders
Sen. John Cooper
Sen. Scott Flippo
Sen. Lance Eads

Rep. Jeff Wardlaw, Chair
Rep. Deborah Ferguson, Vice-Chair
Rep. Fredrick J. Love
Rep. Kim Hammer
Rep. David Meeks
Rep. Chris Richey
Rep. Stephen Magie
Rep. Josh Miller
Rep. Richard Womack
Rep. John Payton

Rep. Jack Ladyman
Rep. Robin Lundstrum
Rep. Mary Bentley
Rep. Justin Gonzales
Rep. Justin Boyd
Rep. Ken Henderson
Rep. Austin McCollum
Rep. Bruce Coleman
Rep. Aaron Pilkington
Rep. Donald Ragland

- A. Call to Order
- B. Comments by the Chairs
1. Senator Cecile Bledsoe
 2. Representative Jeff Wardlaw
- C. Consideration to Adopt both of the September 13, and October 11, 2018, Meeting Minutes (**EXHIBITS C-1 & C-2**)
- D. Brief Discussion of The Following ISPs Which May Be Considered a ‘Scope of Practice Issue’, and Members Could See Them as a Bill in the 92nd General Assembly:
1. **ISP 2017-059** - “An Act to Amend the Definition of Certified Registered Nurse Anesthetists by Removing Supervision Requirements; and for Other Purposes.” (**EXHIBIT D-1**)
 - a. Senator Gary Stubblefield, Sponsor
 - b. Discussion by the Committees
 2. **ISP 2017-002** – “An Act to Create a Licensure for a Certified Advanced Practice Chiropractic Physician; to Amend the Laws Regarding Chiropractic Practices; and for Other Purposes.” (**EXHIBIT D-2**)
 - a. Representative Fredrick Love, Sponsor
 - b. Discussion by the Committees
 3. **ISP 2017-007** – “An Act to Allow Pharmacists to Make Biological Product Substitutions; and for Other Purposes.” (**EXHIBIT D-3**)
 - a. Representative Stephen Magie, Sponsor
 - b. Discussion by the Committees
 4. **ISP 2017-032** – “Requesting that the House Committee on Public Health, Welfare and Labor Study the Need to Limit New Licensure of Lay Midwives in the State of Arkansas.” (**EXHIBIT D-4**)
 - a. Representative Deborah Ferguson, Sponsor
 - b. Discussion 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

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

5. **ISP 2017-034** – “An Act to Create the Community Health Worker Act; and; and for Other Purposes.” **(EXHIBIT D-5)**
 - a. Representative Chris Richey, Sponsor
 - b. Discussion by the Committees
6. **ISP 2017-039** – “An Act to Create the Healthcare Freedom of Conscience Act; and for Other Purposes.” **(EXHIBIT D-6)**
 - a. Representative Brandt Smith, Sponsor
 - b. Discussion by the Committees
7. **ISP 2017-102** – “An Act to Authorize a Pharmacist to Dispense Oral Contraceptives without a Prescription; and for Other Purposes.” **(EXHIBIT D-7)**
 - a. Representative Aaron Pilkington, Sponsor
 - b. Discussion by the Committees
8. **ISP 2017-117** – “An Act to Amend the Definition of ‘Practice of Certified Registered Nurse Anesthesia’; to Clarify the Scope of Practice of a Certified Registered Nurse Anesthetist; to Remove Supervision Requirements; and for Other Purposes.” **(EXHIBIT D-8)**
 - a. Representative Justin Gonzales, Sponsor
 - b. Discussion by the Committees
9. **ISP 2017-118** – “An Act to Authorize the Arkansas Medicaid Program to Recognize an Advanced Practice Registered Nurse as a Primary Care Provider; and for Other Purposes.” **(EXHIBIT D-9)**
 - a. Representative Justin Gonzales, Sponsor
 - b. Discussion by the Committees
10. **ISP 2017-119** – “An Act to Create the Transition to Prescriptive Authority Act; to Amend the Prescriptive Authority of Advanced Practice Registered Nurses; and for Other Purposes.” **(EXHIBIT D-10)**
 - a. Representative Justin Gonzales, Sponsor
 - b. Discussion by the Committees
11. **ISP 2017-121** – “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’; to Increase Access to Telemedicine Healthcare Services; and for Other Purposes.” **(EXHIBIT D-11)**
 - a. Representative Dan Sullivan, Sponsor
 - b. Discussion by the Committees
12. **ISP 2017-131** – “An Act to Modify the Definition of ‘Ophthalmic Dispensing’ to Include the Preparation and Dispensing of Contact Lenses; and for Other Purposes.” **(EXHIBIT D-12)**
 - a. Representative Stephen Magie, Sponsor
 - b. Discussion by the Committees
13. **ISP 2017-132** – “An Act to Authorize a Licensed Dispensing Optician to Refract Eyes and Dispense Eyeglasses in Certain Conditions; and for Other Purposes.” **(EXHIBIT D-13)**
 - a. Representative Stephen Magie, Sponsor
 - b. Discussion by the Committees
14. **ISP 2017-134** – “An Act to Establish the Arkansas Anesthesiologist Assistant Act; to Provide for Licensure of Anesthesiologist Assistants; and for Other Purposes.” **(EXHIBIT D-14)**
 - a. Representative Stephen Magie, Sponsor
 - b. Discussion by the Committees

*The following ISPs need to be adopted for interim study,
and referred to the Health Services Subcommittee:*

15. **ISP 2017-135** – “An Act to Allow Pharmacists to Make Biological Product Substitutions; and for Other Purposes.” **(EXHIBIT D-15)**
 - a. Representative Stephen Magie, Sponsor
 - b. Discussion and Action by the Committees

16. **ISP 2017-136** – “An Act to Amend the Definition of ‘Practice of Optometry’; to Expand the Types of Ophthalmic Surgery that May Be Performed by Optometrists; to Permit the Prescription and Administration of Certain Drugs through All Routes of Administration by Optometrists; to Modernize the Practice of Optometry; and for Other Purposes.” **(EXHIBIT D-16)**
 - a. Representative Josh Miller, Sponsor
 - b. Discussion and Action by the Committees
 17. **ISP 2017-137** – “Requesting the House Committee on Public Health, Welfare, and Labor Study Eliminating the Barriers to Dispensing of Medications by Physicians.” **(EXHIBIT D-17)**
 - a. Representative Stephen Magie, Sponsor
 - b. Discussion and Action by the Committees
 18. **ISP 2017-138** – “Requesting the House Committee on Public Health, Welfare, and Labor Study the Transfer of Regulatory Oversight of Advanced Practice Registered Nurses to the Arkansas State Medical Board.” **(EXHIBIT D-18)**
 - a. Representative Stephen Magie, Sponsor
 - b. Discussion and Action by the Committees
 19. **ISP 2017-139** – “An Act to Amend the Definition of ‘Practice of Pharmacy’ to Authorize a Pharmacist to Initiate Therapy and Administer or Dispense, or Both, Tobacco Cessation Pharmacotherapy; to Authorize a Physician to Administer or Dispense, or Both, Tobacco Cessation Pharmacotherapy; and for Other Purposes.” **(EXHIBIT D-19)**
 - a. Representative Justin Boyd, Sponsor
 - b. Discussion and Action by the Committees
 20. **ISP 2017-140** – “An Act to Amend the Definition of ‘Practice of Pharmacy’ to Allow Vaccines and Immunizations to Be Given to a Person from Seven (7) Years of Age to Eighteen (18) Years of Age under a General Written Protocol; and for Other Purposes.” **(EXHIBIT D-20)**
 - a. Representative Jimmy Gazaway, Sponsor
 - b. Discussion and Action by the Committees
 21. **ISP 2017-142** – “An Act to Remove the Requirement for a Collaborative Practice Agreement as Applicable to Advanced Practice Registered Nurses; to Improve Healthcare Accessibility in Arkansas by Clarifying the Process Necessary for an Advanced Practice Registered Nurse to Qualify for Prescriptive Authority; and for Other Purposes.” **(EXHIBIT D-21)**
 - a. Representative Robin Lundstrum, Sponsor
 - b. Discussion and Action by the Committees
 22. **ISP 2017-143** – “An Act to Create the Arkansas Genetic Counselor Licensure Act; and for Other Purposes.” **(EXHIBIT D-22)**
 - a. Representative Greg Leding, Sponsor
 - b. Discussion and Action by the Committees
 23. **ISP 2017-144** – “An Act to Authorize an Advanced Practice Registered Nurse Who Has Served a Rural Community to Practice without a Collaborative Practice Agreement; and for Other Purposes.” **(EXHIBIT D-23)**
 - a. Representative Aaron Pilkington, Sponsor
 - b. Discussion and Action by the Committees
 24. **ISP 2017-145** – “An Act to Amend the Arkansas Athletic Trainers Act; and for Other Purposes.” **(EXHIBIT D-24)**
 - a. Senator Trent Garner, Sponsor
 - b. Discussion and Action by the Committees
- E. Arkansas State Board of Nursing (ASBN), Review of Rules which Update: Chapter 1) General Provisions; Chapter 2) Licensure for RN, LPN, AND LPTN (Licensed Psychiatric Technician Nurse); Chapter 3) Registered Nurse Practitioner; Chapter 4) Advanced Practice Registered Nurse; Chapter 6) Standards for Nursing Education Programs; and Chapter 7) Rules of Procedure. **(EXHIBIT E)**
1. Sue Tedford, MNsc, APRN, Executive Director, Arkansas State Board of Nursing
 2. Fred Knight, JD, General Counsel, Arkansas Board of Nursing
 3. Discussion and Action by the Committees

- F. Arkansas State Department of Human Services (DHS), Division of County Operations, Review of Rule which Revises Medical Services Policy to Clarify that Children Who Are Adopted or in a Pre-adoptive Placement, May Continue to Receive Medicaid Whether or not a Title IV-E Subsidy Payment is Being Made. Medical Services Policy Manual, Section K-111. **(EXHIBIT F)**
 - 1. Larry Crutchfield, Assistant Director, County Operations, Department of Human Services
 - 2. Lisa Teague, Program Manager, County Operations, Department of Human Services
 - 3. Discussion and Action by the Committees

- G. Arkansas Department of Health (ADH), Health Systems Licensing & Regulations, Review of Rule for Massage Therapy, Cupping Rule Revision to Update Language to Reflect Act 530 of 2017. **(EXHIBIT G)**
 - 1. Laura Shue, General Counsel, Arkansas Department of Health
 - 2. Discussion and Action by the Committees

- H. Arkansas Department of Health, Outbreak Response Section, Review of Rule which Updates the Current Communicable Disease List, to Agree with Federal Guidance and to Clarify Bacterial Isolate Submission Requirements. **(EXHIBIT H)**
 - 1. Laura Shue, General Counsel, Arkansas Department of Health
 - 2. Discussion and Action by the Committees

- I. Unplanned Pregnancy Prevention, Annual Report as Required by Act 943 of 2015 **(EXHIBIT I)**
 - 1. Ann Clemmer, Senior Associate Director, Arkansas Department of Higher Education
 - 2. Discussion by the Committees

- J. Annual Report on Vision Screening in Arkansas Public Schools, as Required by A.C.A. 6-18-1803. **(EXHIBIT J)**
 - 1. Cheria Lindsey, BSN, RN NCSN, State School Nurse Consultant, Arkansas Department of Education
 - 2. Discussion by the Committees

- K. Report from the Office of the Medicaid Inspector General
 - 1. Elizabeth Smith, Inspector General
 - 2. Discussion by the Committees

- L. Other Business

- M. Adjournment