

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

Monday, March 9, 2020
1:30 PM
Room 171, State Capitol
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. Chris Richey
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

A. Call to Order

B. Comments by the Chairs

1. Representative Jack Ladyman
2. Senator Missy Irvin

C. Consideration to Adopt February 10, February 12 and February 19, 2020 Meeting Minutes **(Exhibit C-1) (Exhibit C-2) (Exhibit C-3)**

D. Update on the Coronavirus (COVID-19) and the Flu Virus

1. Nathaniel Smith, MD, MPH, Secretary of Health (ADH)
2. Jennifer A. Dillaha, MD, Medical Director, Immunizations and Outbreak Response, ADH
3. Discussion by the Committees

E. Mission of the Arkansas Workers' Compensation Commission

1. David Greenbaum, JD, Chief Executive Officer, Arkansas Workers' Compensation Commission
2. Discussion by the Committees

F. Arkansas Department of Human Services, Division of Medical Services, Review of Rule Which Revises the Payment Rate for Living Choices Assisted Living Home and Community Based Services Medicaid Waiver and Living Choices Assisted Living Medicaid Provider Manual based on a cost study and actuarial analysis conducted for the operating agency, and to implement a revised phase-in of the new final rate. This rule also updates language regarding criminal history background checks and central registry checks and clarifies language regarding eligibility dates for PASSE beneficiaries. **(Exhibit F)**

1. Mark White, Chief Legislative and Intergovernmental Affairs Officer and Chief of Staff
2. Jay Hill, Director, Division of Aging Adult and Behavioral Health Services
3. Patricia Gann, Deputy Director, Division of Aging Adult and Behavioral Health Services
4. 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

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

G. Arkansas Department of Health (ADH), Center for Local Public Health, Review of Rule Pertaining to General Sanitation **(Exhibit G)**

1. Chuck Thompson, Managing Attorney, ADH for the Rules of General Sanitation
2. Lance Jones, Chief Engineer, Environmental Health ADH
3. Jeff Stone, Director, Engineering ADH
4. Discussion and Action by the Committees

H. Review of the Arkansas Tobacco Settlement Commission (ATSC) Quarterly Report for April 2019-June 2019 **(Exhibit H)**

1. Matt Gilmore, Boards and Commissions Coordinator, Arkansas Department of Health (ADH)
2. Discussion and Action by the Committees

I. Below are listed the Interim Study Proposals (ISPs) referred to the House and Senate Public Health, Welfare and Labor Committees to date. The sponsors have been asked to present a brief explanation of their ISP and why it should be adopted for study by the committees. Each ISP will be voted on separately.

1. ISP2019-081- "To Combine the Cosmetology Technical Advisory Committee and the State Board of Barber Examiners" **(Exhibit I-1)**
 - a. Sponsor: Senator John Cooper
2. ISP2019-093- "To Create the Child Maltreatment Investigation Body Camera Pilot Program" **(Exhibit I-2)**
 - a. Sponsor: Senator Alan Clark
3. ISP2019-001- "To Require a Physician to Utilize Treatment Alternatives before Prescribing an Opioid" **(Exhibit I-3)**
 - a. Sponsor: Representative Jim Dotson
4. ISP2019-006- "To Limit Access to a Chiropractic Physician by a Medicaid Recipient" **(Exhibit I-4)**
 - a. Sponsor: Representative Jim Dotson
5. ISP2019-032- "To Require Video Cameras in Certain Classrooms upon Request" **(Exhibit I-5)**
 - a. Sponsor: Representative Jim Sorvillo
6. ISP2019-033- "Concerning the Offense of Cruelty to Animals" **(Exhibit I-6)**
 - a. Sponsor: Representative Jim Sorvillo
7. ISP2019-083- "To Create the Medical Expansion Efficiency Act of 2019; and to Declare an Emergency" **(Exhibit I-7)**
 - a. Sponsor: Representative Josh Miller
8. ISP2019-135- "Study Strategies to Address the Opioid Crises in Arkansas" **(Exhibit I-8)**
 - a. Sponsor: Representative Justin Boyd
9. ISP2019-136- "To Promote the Collection of Labor Market Data; and to Require Employers to Participate in Surveys Conducted by the Bureau of Labor Statistics of the US Department of Labor" **(Exhibit I-9)**
 - a. Sponsor: Senator Kim Hammer
10. ISP2019-138- "Study the Impact of Vapor Products, Alternative Nicotine Products and E-Liquid Products on the Citizens of Arkansas" **(Exhibit I-10)**
 - a. Sponsor: Senator Missy Irvin

11. ISP2019-146- "Study Increasing Access to the Influenza Vaccine in Arkansas by Modernizing the Influenza Vaccine Reimbursement Methodology" **(Exhibit I-11)**
 - a. Sponsor: Representative Justin Boyd
12. ISP2019-147- "Study, Review, and Recommend Protocol and Procedures to Create Standardization and Consistency When Transporting Behavioral Health Patients in a Nonemergency Situation" **(EXHIBIT I-12)**
 - a. Sponsor: Senator Missy Irvin

J. Arkansas Department of Energy and Environment, Division of Environmental Quality, Review of Rule which makes permanent the Prohibition of Issuance of new permits pursuant to Rule 5 for the operation of certain, defined size of Confined Animal Operation in the Buffalo National River Watershed. **(Exhibit J)**

1. Michael Grappe', Director of Special Projects, Arkansas Department of Energy and Environment
2. Bob Blanz, PhD, Associate Director of Water for Division of Environmental Quality, Department of Energy and Environment
3. Mike McAlister, Associate Chief Counsel for Department of Energy and Environment
4. Discussion and Action by the Committees

K. Arkansas Department of Energy and Environment, Division of Environment Quality, Review of Rule 6 for state operation of the National Pollutant Discharge Elimination Systems (NPDES). The purpose of this rule is for the State to adopt rules necessary to qualify the State of Arkansas to receive authorization to implement the state water pollution control permitting program, in lieu of the federal NPDES program, pursuant to the federal Clean Water Act, 33 U.S.C. 1251 et seq. To receive the authorization, it is necessary for the Division of Environmental Quality to have rules as stringent as the federal program administered by the US Environmental Protection Agency. **(Exhibit K)**

1. Michael Grappe', Director of Special Projects, Arkansas Department of Energy and Environment
2. Discussion and Action by the Committees

L. Other Business

M. Adjournment