

AGENDA REVISED 5-1-2020 REMOVED 2 BUFFALO RIVER RELATED RULES
Senate Committee on Public Health, Welfare, and Labor
House Committee on Public Health, Welfare, and Labor
Meeting Jointly

Monday, May 4, 2020
1:30 PM
Virtual Meeting, 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

This meeting will be taking place virtually. Members of the public may view the meeting by clicking on the video icon for the meeting on the General Assembly's website. <https://www.arkleg.state.ar.us/>. If any member of the public wishes to make a public comment regarding any of these rules, comments may be submitted to BLRRules@blr.arkansas.gov. by 4:30p.m. on May 1, 2020. Comments will be forwarded to the members of the committees prior to consideration of the rules.

A. Call to Order

B. Comments by the Chairs

C. Consideration to Adopt March 9, 2020 Meeting Minutes (**EXHIBIT C**)

~~D. Big Creek Research Project Report (Assessing the potential impact of a newly permitted and established concentrated hog feeding operation upstream from the Buffalo National River Watershed in an area with karst geology)~~

- ~~1. Mark Cochran, PhD, Vice President, University of Arkansas System, Division of Agriculture~~
- ~~2. Andrew Sharpley, PhD, Distinguished Professor, Department of Crop, Soil and Environmental Sciences~~

~~E. 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.~~

- ~~1. Bob Blanz, PhD, Associate Director of Water for Division of Environmental Quality, Dept. of Energy & Environment~~
- ~~2. Mike McAlister, JD, Associate Chief Counsel, Department of Energy and Environment~~

~~F. Arkansas Department of Energy and Environment, Division of Environmental 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 Clean Water Act, 33~~

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'*.

~~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.~~

- ~~1. Bob Blanz, PhD, Associate Director of Water for Division of Environmental Quality, Dept. of Energy & Environment~~
- ~~2. Mike McAlister, JD, Associate Chief Counsel, Department of Energy and Environment~~

G. Department of Human Services, Division of Medical Services, Review of Rule which makes billing changes to Global OB (obstetrics) services. The Physician/Independent Lab/CRNA Radiation Therapy Center Medicaid Provider Manual is being revised to update the billing instructions for providers submitting global obstetrics claims. **(EXHIBIT G)**

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

H. Department of Human Services, Division of Medical Services, Review of Rule which deals with Ambulatory Surgical Centers and updates the procedure codes in the Ambulatory Surgical Center Provider Manual which implements Act 1236 of 2015. **(EXHIBIT H)**

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

I. Arkansas Department of Health, Division of Pharmacy Services and Drug Control, Review of Rule which updates the scheduling of Controlled Substances. **(EXHIBIT I)**

1. Shane David, Pharm. D., Pharmacy Services Section Chief, Arkansas Department of Health
2. Discussion and Action by the Committees

J. Arkansas Department of Health, Division of Health Facility Services, Review of Rule which changes the requirements of the Home Health Agencies to comply with Act 811 of 2019. **(EXHIBIT J)**

1. Becky Bennett, Section Chief, Health Facility Services, Arkansas Department of Health
2. Discussion and Action by the Committees

K. Arkansas Department of Health, Division of Health Facility Services, Review of Rule which changes the requirements of the Private Care Agencies to comply with Act 811 of 2019. **(EXHIBIT K)**

1. Becky Bennett, Section Chief, Health Facility Services, Arkansas Department of Health
2. Discussion and Action by the Committees

L. Arkansas Department of Health, Division of Health Related Board and Commissions/State Board of Nursing, Review of Rules to Chapter 1 General Provisions, Chapter 2 Licensure: RN, LPN, and LPTN, Chapter 4 Advanced Practice Registered Nurse, Chapter 6 Standards for Nursing Education Programs, Chapter 8 Medication Assistant-Certified, and Chapter 10 Alternative to Discipline. These rule changes are the result of passage of Acts 250, 837, 315, 308, and 583 of 2019. **(EXHIBIT L)**

1. Matt Gilmore, Boards and Commission Coordinator, Arkansas Department of Health
2. Sue Tedford, MN Sc, APRN, Director, Arkansas State Board of Nursing (ASBN)
3. David Dawson, JD, General Counsel, Arkansas State Board of Nursing (ASBN)
4. Discussion and Action by the Committees

M. Other Business

N. Adjournment