

EXHIBIT C

MINUTES

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

February 5, 2018

The House and Senate Interim Committees on Public Health, Welfare and Labor met Monday, February 5, 2018, at 10:00 a.m. in Committee Room A, MAC Building, Little Rock, Arkansas.

Public Health Senate Members Attending: Senators Cecile Bledsoe, Chair; Eddie Cheatham, Vice Chair; John Cooper, Scott Flippo, Stephanie Flowers, and Missy Irvin.

Public Health House Members Attending: Representatives Jeff Wardlaw, Chair; Deborah Ferguson, Vice Chair; Mary Bentley, Bruce Coleman, Justin Gonzales, Kim Hammer, Ken Henderson, Jack Ladyman, Fredrick Love, Robin Lundstrum, Stephen Magie, David Meeks, John Payton, Aaron Pilkington, and Chris Richey.

Other Legislators Attending: Senators Trent Garner, and Jason Rapert. Representatives Charlotte V. Douglas, Les Eaves, Jeremy Gillam, Michelle Gray, Steve Hollowell, Douglas House, Bob Johnson, Mark McElroy, Reginald Murdock, Matthew J. Shepherd, and Dan Sullivan.

Comments by the Chairs

Senator Cecile Bledsoe called the meeting to order, and reminded committee members of the “Stop the Bleed” Training Event that is scheduled for Wednesday, February 28, 2018 at 11:30 a.m. here in Committee Room A and directly outside of this room in the foyer. Senator Bledsoe introduced Senator Trent Garner to speak on the “Stop the Bleed” program, explaining the importance, significance, and origination of this program.

Senator Garner stated that when a loss of blood injury occurs, minutes and seconds of the arrival of first responders is critical to survival. Everyone needs this training—because a passer-by on the streets might be the first responder.

Consideration to Adopt the January 8, 2018 Minutes (EXHIBIT C)

Without objection, the January 8, 2018 meeting minutes were adopted.

Update on Flu Outbreak (Handout #1)

Nate Smith, MD, MPH, Director, Arkansas Department of Health (ADH) and State Health Officer, and Dirk Haselow, MD, PhD, State Epidemiologist, Arkansas Department of Health; presented an update on the flu outbreak, and what the ADH is doing to address this problem.

Dr. Smith stated this is the worst flu outbreak, not only in Arkansas but nationwide as well, in several decades. Dr. Smith included graphs in Handout #1, showing the impact of the influenza epidemic on school absenteeism, the mortality rates according to age group, and other vital statistics of the influenza outbreak.

The ADH is enhancing efforts statewide to get the word out about free flu vaccinations for people who are unable to pay for them and do not have insurance. Dr. Smith will research the issue of Medicaid not paying for a second round of Tamiflu. Suggestions to avoid the flu are frequent hand washing, don't touch anywhere on your face, and avoid sick people as much as possible.

Report from the Arkansas State Medical Board in Accordance with Act 424 of 2017 to Determine the Practicality of Enacting the Interstate Medical Licensure Compact in Arkansas (EXHIBIT D)

Karen Whatley, J.D., Executive Director, Arkansas State Medical Board, presented this issue. Act 424 of 2017 recommended that the Medical Board study the practicality of Arkansas joining the Interstate Medical Licensure Compact. In 2017 the Arkansas State Medical Board began an in-depth analysis of this study.

The main considerations studied regarding whether Arkansas should join the Interstate Medical Licensure Compact were:

- ❖ Whether participation in the compact would reduce the time period for acquiring medical licensure in Arkansas
- ❖ Looking at fiscal impact statements of states who are in the compact
- ❖ Whether the compact would conflict with the purposes of our Centralized Credential Verification Service (CCVS), and acquiring information from other states
- ❖ The legislative changes that would possibly take place; and other issues that have come up throughout this process—most importantly is that the Arkansas Legislature and the Medical Board would have no control over any changes that might be enacted, and no oversight/input on any of the rules the Interstate Medical Licensure Compact issued. The language in the Interstate Medical Licensure Compact states that any of their rules/laws would supersede any rules/laws in the member states.

A summary of this report was presented to the Governor and this committee on December 1, 2017. The Arkansas State Medical Board recommends that Arkansas does *not* join the Interstate Medical Licensure Compact at this time. The average turnaround time for licensure in Arkansas has been reduced from 72 days down to 32 days.

Representative Deborah Ferguson made the following motion regarding the state participating in the Interstate Medical Licensure Compact: I move that the House and Senate Public Health, Welfare and Labor Committees accept the recommendation from the Arkansas State Medical Board and recommend to the Arkansas Legislative Council that the state not join the Interstate Medical Licensure Compact at this time. The motion passed without objection.

Arkansas Department of Environmental Quality (ADEQ), Office of Land Resources, Review of Rule to Incorporate State Law Changes into the Arkansas Remedial Action Trust Fund Regulations, Hazardous Substances Priority List, Regulation 30 (EXHIBIT E)

Kevin White, Associate Director, Office of Land Resources, and Janelle Evyan, Attorney Specialist, both with ADEQ; presented this issue.

ADEQ proposed amendments (consistent with state law according to Act 1073 of 2017 Regular Session) for adoption into Regulation 30. This is the Arkansas Remedial Action Trust Fund Hazardous Substances Site Priority List. These proposed amendments will update the state priority sites list. The proposed effective date of the rule is May 1, 2018. The trust fund balance is approximately \$13.3 million.

Senator Bledsoe stated that without objection this report will stand as reviewed.

Arkansas Department of Environmental Quality (ADEQ), Office of Land Resources, Review of Rule Incorporating State Law Changes & Environmental Protection Agency (EPA) Regulation Changes into Regulation 12 (Storage Tanks) (EXHIBIT F)

Kevin White, Associate Director, Office of Land Resources, and Janelle Evyan, Attorney Specialist, both with ADEQ; presented this issue.

ADEQ proposed amendments for adoption into Regulation 12 (storage tanks), to incorporate federal regulatory changes promulgated by the United States Environmental Protection Agency (EPA), and to incorporate state law changes made by the Arkansas General Assembly concerning storage tanks.

There is an estimated cost of \$2,400 for a walk-through inspection for regulated storage tanks. There will be no cost to state, county, and municipal governments to implement the rule.

Senator Bledsoe stated that without objection this report will stand as reviewed.

Update on the Medicaid Program Status of Waivers, and Implementation of Medicaid Savings (*Handout #2*)

Cindy Gillespie, Director, Department of Human Services (DHS), Dennis Smith, Special Advisor on Medicaid, DHS, and Kelley Linck, Chief Governmental Liaison of Legislative Affairs, DHS; presented an update on the Medicaid program.

Ms. Gillespie gave a brief introduction and description of the items to be discussed. Mr. Smith detailed the Medicaid savings update, which is divided into a three-section report discussed in Handout #2.

Melissa Stone, Director, Division of Developmental Disabilities, DHS, explained and discussed the ‘caps’ that are on all three therapies (physical, occupational, and speech/language) in Developmental Disabilities. Mr. Smith stated he will provide to the committee staff, the number of Prior Authorizations (PA) for all of the therapies that were requested, confirmed, and denied.

Arkansas is behind schedule on individual independent assessments for behavioral health, developmental disabilities, and personal care by approximately 8,000 clients. Representative Wardlaw stated that it is very important that Optum works together with the health providers. He recommended that Optum assessors connect with clients at the office of their health provider.

Representative Hammer requested that Optum, Pine Bluff Psychological Associates, and DHS be placed on the agenda at the next scheduled meeting; to discuss the independent assessments. The committee members expressed concern about Optum’s responsibilities.

Senator Bledsoe reminded everyone of the Health Services Subcommittee meeting this afternoon at 1:30 p.m.

The meeting adjourned at 12:20 p.m.ⁱ

ⁱ **Definition of ‘PASS’:** It is the acronym for **Provider-led Arkansas Shared Savings**. It is a form of organized care.