



Sen. Missy Irvin
Rep. Jack Ladyman
Chairs, Public Health Committee
State Capitol
Little Rock, AR. 72201

Dear Sen. Irvin and Rep. Ladyman,

I am writing on behalf of Kindred at Home, one of the state's largest providers of in-home personal care services, to express our concern at the personal care rate that DHS is proposing of \$18.24 per hour of service provided.

This rate would have likely been appropriate had Arkansas voters not passed a minimum wage increase in 2018. However, since the voters passed this increase, it will mean a required pay increase of \$2.50 per hour per personal care aide beginning in January in addition to the employer's portion of the payroll tax expense. The minimum wage increase is significant for our business because most of our personal care aides make slightly above minimum wage. The minimum wage increase combined with the accompanying employer payroll tax increase totals approximately \$2.90 per hour. The Milliman study only recommended an increase in rate of 24 cents. This math does not work.

We believe that the study by Milliman was flawed and should be redone. The Milliman study used data from providers that predates the increase in the minimum wage (the study was conducted in 2019 and used 2018 data). At a minimum, the study should be repeated during the first quarter of 2021 using payroll data after all of the mandated minimum wage changes went into effect. Using data that does not include constitutionally mandated wage increase is placing an unfunded mandate on the providers.

The \$18.24 per hour does not just cover the wage of the personal care aide, but it also includes the expenses that must be paid for required administrative staff, supervisors, building space and utilities.

If Covid-19 has taught us anything, it is that there is immense value in providing services in clients' homes to help prevent unnecessary visits to higher levels of care.

We respectfully ask the Public Health committee to require the Department of Human Services to conduct a new cost survey in the 1st quarter of 2021 using actual 2021 payroll and expense numbers.

Respectfully submitted,
Kim Steed
Kindred at Home

June 5, 2020

Arkansas Committee on Public Health, Welfare and Labor
Meeting Monday, June 8, 2020
Agenda Item J

Public Comments submitted by: Arkansas Association of Area Agencies on Aging

A rate increase is desperately needed to ensure these essential in-home services continue to be available to our seniors and adults with physical disabilities.

The proposed 24 cent increase per hour in the rate is not sufficient to cover the \$ 2.50, plus fringe, of added expense mandated by the minimum wage.

An Executive order asked for the rates to be reviewed in light of the minimum wage increases, yet Milliman's reports makes no mention of minimum wage increases nor do its factors reflect the rapid inflationary rates driven by the minimum wage amendment.

The rate should be established at a minimum of \$ 21.08 per hour or \$ 5.27 per unit of service.

If the proposed rate is approved today, at a minimum please require DHS to get a corrected study that accurately reflects wages and factors in the rapid inflationary pressures of the minimum wage increases. The Milliman study was blatantly flawed in that regard.

Older people deserve to remain in their homes for as long as possible. Please help them do that by paying a fair rate for these services.

Thank you, Committee.

June 5, 2020

Arkansas Committee on Public Health, Welfare and Labor
Meeting Monday, June 8, 2020
Agenda Item D

Public Comments submitted by: Arkansas Association of Area Agencies on Aging

These changes are in the spirit of legislation which created ACT 811 in the last general session. DHS has committed, through response to public comment, to adjust a few sections of the proposed rules to address concerns or inconsistencies existing in the proposed rule submission. With those adjustments made the 5A supports the proposed rules.

Price, Phil

From: Norma Senyard <norma.senyard@gmail.com>
Sent: Friday, June 5, 2020 9:16 AM
To: BLR Rules
Subject: I support a permanent moratorium on CAFOs in the Buffalo River watershed

I strongly support adoption of the revision to Reg 5 making permanent the moratorium on medium and large CAFO's in the Buffalo River watershed.

Norma Senyard
norma.senyard@gmail.com

Sent from my iPad

Price, Phil

From: Corey Duncan <coreybduncan@gmail.com>
Sent: Friday, June 5, 2020 9:18 AM
To: BLR Rules
Subject: Support for Reg 5

I strongly support adoption of the revision to Reg 5 making permanent the moratorium on medium and large CAFO's of all types in the Buffalo River watershed.

Thanks,
Corey Duncan
Fayetteville, AR

Price, Phil

From: Judith Sapsford <judithsapsford64@gmail.com>
Sent: Friday, June 5, 2020 9:25 AM
To: BLR Rules
Subject: Comments to The joint Public Health, Welfare, and Labor committee

'I strongly support adoption of the revision to Reg 5 making permanent the moratorium on medium and large CAFO's in the Buffalo River watershed'
Judith Sapsford-Boroujeni

Price, Phil

From: Nancy Williams <ngwilliams1@icloud.com>
Sent: Friday, June 5, 2020 7:49 AM
To: BLR Rules
Subject: Adopt the revision

'I strongly support adoption of the revision to Reg 5 making permanent the moratorium on medium and large CAFO's in the Buffalo River watershed'.

Sent from my iPhone

Price, Phil

From: Eunice Millett <eunicemillett@hotmail.com>
Sent: Friday, June 5, 2020 7:39 AM
To: BLR Rules
Subject: Moratorium on CAFO's

To whom it may concern,

I strongly support adoption of the revision to Reg 5 making permanent the moratorium on medium and large CAFOs in the Buffalo River watershed.

Thank you
Eunice Millett
1675 Cleveland St
Fayetteville AR

Sent from my iPad

Price, Phil

From: Marj Bernhardt <mbernhardt78@yahoo.com>
Sent: Friday, June 5, 2020 7:27 AM
To: BLR Rules
Subject: Moratorium on medium & large CAFOs

I strongly support adoption of the revision to Reg 5 making permanent the moratorium on medium and large CAFO's in the Buffalo River watershed. We/you need to protect our national River!

Thanks!
Marj Bernhardt

Sent from Yahoo Mail for iPhone

Price, Phil

From: SUSAN BOLDING <s.d.bolding@gmail.com>
Sent: Friday, June 5, 2020 12:55 PM
To: BLR Rules
Subject: Moratorium

I strongly support permanent moratorium on hog farms in around the Buffalo a River. PLEASE preserve this National river. The first to be designed a National river in the United States.

Susan Bolding

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Sent from Gmail Mobile

Price, Phil

From: Francis Millett <millettt@uark.edu>
Sent: Friday, June 5, 2020 12:47 PM
To: BLR Rules
Subject: Reg 5: Permanent moratorium on medium and large CAFO's in the Buffalo River watershed

I strongly support adoption of the revision to Reg 5 making permanent the moratorium on medium and large CAFO's in the Buffalo National River watershed.

I have been a resident of Arkansas since 1972, and have canoed and hiked on the Buffalo National River every year since it became the first National River in 1972 by an act of congress. Our children were born and raised in Arkansas, and have spent a great deal of time on the river both with us and as part of scouting and youth church activities.

The Buffalo National River is a national treasure, and draws over 1 million visitors a year from all over the world, and contributes over \$40 million a year to the state's economy.

DEQ has found that engineering standards as applied to C&H CAFO near Big Creek in a karst area were not adequate to protect Big Creek and the Buffalo River. Also, possible remediation methods for waste disposal (sewage treatment, sludge removal, concrete holding tanks, or phosphorus removal from the watershed) have not proven to be technically or financially feasible. Therefore, a permanent moratorium is the best solution.

There is strong evidence that the Big Creek watershed has been contaminated by C&H with excess nutrients. If this were replicated on several other tributaries of the Buffalo River, water quality, recreational opportunities, and aquatic life would surely suffer. Hence the need for a permanent moratorium.

Sincerely,

Francis Millett
1675 W. Cleveland St.
Fayetteville, AR 72701

Price, Phil

From: Diane Stinebaugh <dianeadams14@gmail.com>
Sent: Friday, June 5, 2020 1:57 PM
To: BLR Rules
Subject: Buffalo River Watershed

I strongly support adoption of the revision to Reg 5 making permanent the moratorium on medium and large CAFO's in the Buffalo River watershed

thank you

Diane Stinebaugh

Price, Phil

From: Duane Woltjen <ozarktraveler1@att.net>
Sent: Friday, June 5, 2020 2:49 PM
To: BLR Rules
Subject: Buffalo watershed hog CAFO ban

Comments for record to The joint Public Health, Welfare, and Labor committee:

My wife Judith and I ask you to ban hog CAFOs in the Buffalo River Watershed in perpetuity. These operations are simply and clearly incompatible with maintaining water quality of the groundwater and surface water of the Buffalo River necessary for continued use as a National River in spite of mitigation strategies as abundantly demonstrated by C&H history.

Duane & Judith Woltjen
821 N. Applebury Drive
Fayetteville, AR 72701

479-521-7032
Ozarktraveler1@att.net

6 June 2020

Bureau Legislative Research Rules

Subject: Public Health Joint House and Senate Meeting June 8, 2020

Comments regarding Agenda Item S, Rule 5, Rule 6 and Permanent Moratorium on Medium and Large Concentrated Animal Feeding Operations, (CAFO) in the Buffalo National River Watershed

Please note that in the Summary of Big Creek Research and Extension Team (BCRET) Final Report, BCRET states: ***“There is potential that long term continued application of slurry to pastures in excess of nutrient requirements may contribute to degradation in water quality, absence the use of techniques to reduce nutrient availability in the slurry.”*** Acceptance of these findings by the scientific community at large is further evidenced by publication of portions of the report in peer-reviewed journals.

Please further note that BCRET was appointed specifically to monitor C & H Hog Farm’s impact on the quality of critical water features on and surrounding the farm.

Monitoring began in 2013 and has continued for almost eight years. In my view, it seems common sense to conclude that eight years IS “long term continued application of hog waste slurry in excess of nutrient requirements”. Most, or all of C & H application fields were rated as having excess Phosphorus - in excess of agronomic need, which means the slurry is available for run-off into surface and ground water.

Item H: Quoting from this paragraph, “One farm generally changes water quality at the field level, **but the cumulative effects of many farms can influence water quality at the larger watershed, such as Big Creek and the Buffalo National River.**”

These BCRET acknowledgements of potential impact to water quality of our Nation’s first National River justify and are worthy of a permanent Moratorium on medium and large CAFOS in the Buffalo River Watershed.

Thank you for the opportunity to comment.

Alice B. Andrews, 501-912-4597 or alice209ok@yahoo.com

Price, Phil

From: Elizabeth Hale <elizabethphale@gmail.com>
Sent: Friday, June 5, 2020 9:49 AM
To: BLR Rules
Subject: Support of revision to Reg 5

I strongly support adoption of the revision to Reg 5 making permanent the moratorium on medium and large CAFO's in the Buffalo River watershed.

Elizabeth Hale
West Fork, AR

Price, Phil

From: Nancy Owens <nanded@arkansas.net>
Sent: Friday, June 5, 2020 10:24 AM
To: BLR Rules
Subject: Moratorium on CAFOs in the Buffalo River watershed

I strongly support making this permanent !
Respectfully,
Nancy Owens

Sent from my iPhone

Price, Phil

From: David Hughey <dhugh44@gmail.com>
Sent: Friday, June 5, 2020 9:51 AM
To: BLR Rules
Subject: I support the effort to make permanent the moratorium on CAFO's on the Buffalo river and on its' tributaries.

David Hughey

Price, Phil

From: Lucas Parsch <lparsch@uark.edu>
Sent: Friday, June 5, 2020 11:46 AM
To: BLR Rules
Subject: Proposed moratorium on CAFOs in Buffalo River Watershed

Dear Committee:

I support adoption of the proposed revision to Reg 5 making permanent the moratorium on medium and large CAFOs in the Buffalo River watershed. Rationale: The BCRET study showed that Ph and N concentrations in Big Creek were greater downstream than upstream of the C&H Farm.

Thank you.

Lucas D. Parsch
Fayetteville AR