

Minutes
Senate Committee on Public Health, Welfare, and Labor
House Committee on Public Health, Welfare, and Labor
Tuesday, June 09, 2020
1:00 P.M.

Committee Members Present in Committee Room A: Senators Missy Irvin, Chair; Bill Sample, Kim Hammer, and Scott Flippo Representatives Jack Ladyman, Chair; Austin McCollum, Bruce Coleman, Clint Penzo, Frederick Love, Jeff Wardlaw, Josh Miller, Justin Gonzales, Karilyn Brown, Lee Johnson, Mark Perry, and Mary Bentley

Committee Members Present on Zoom: Senator Ronald Caldwell Representative Stephen Magie

Other Legislators Present: Representatives Denise Garner, Dwight Toah, Jack Fortner, Jamie Scott, Keith Slape, Marcus Richmond, and Steve Hollowell

Call to Order and Comments: Representative Ladyman called the meeting to order, and expressed his thanks to everyone in attendance. Senator Irvin discussed the planning of future meetings.

Arkansas Department of Human Services, Division of Medical Services, Review of Rule [Exhibit J]

Mark White, Chief Legislative and Intergovernmental Affairs Officer and Chief of Staff, DHS discussed the proposed a 1.4% rate increase for personal care providers who provide in home services for beneficiaries who need help with daily living activities. The rate was recommended by the rate review required by an executive order put into place by the Governor. The rate increase is pending currently, but the personal care rate will continue to be examined throughout 2020. An additional increase may be proposed later in the fall.

Public Testimony

Jim Metzger, Economist discussed the projections found in the Milliman data, which was used to propose the 1.4% rate increase. The average hourly rate found in the Milliman report was lower than the average hourly rate define by the Bureau of Labor Statistics for Arkansas providers in the year 2018. The overhead rate was underestimated by Milliman according to surveys filled out by providers. It is 41% rather than the report's estimated 30%.

Matt McClure, Vice Chair, Board of Home Care Association discussed their content with the proposal, and their willingness to accept the rate being proposed.

Representative Miller made a motion to defer the rule back to the agency until the next meeting. Without objection, the motion carried.

Arkansas Energy and Environment Department, Office of the Chief Counsel, Review of Amendments

[Exhibit Q] Michael Grappe, Director of Special Projects Arkansas Department of Energy and Environment discussed the rule which would allow municipalities to have the opportunity to train and certify their code enforcement officers to manage environmental issues.

Representative Ladyman stated that without objection the rule stands as reviewed.

Buffalo River Conservation Committee Report [Exhibit R] Wes Ward, BRCC, Chair and Secretary, Arkansas Department of Agriculture discussed the efforts of the BRCC including the establishment of a 17 member subcommittee that focused on these efforts. 4 sites of unpaved roads have been identified as well as 3 other sites

that were recommended for water and waste water treatment facilities. The USDA also announced \$2.3 million dollars going towards Arkansas for water quality, forrest health, and wildlife habitats.

Big Creek Research Project Report [Exhibit S] Andrew Sharpley, PhD, Division of Agriculture, University of Arkansas discussed the farm that was established in 2013 and began being monitored in September of 2013. The factors being monitored included the fate and impact of nutrients applied from the swine slurry. The impact of farm operations on water quality was also evaluated along with manure treatment options. Data related to the water indicate it is well below the drinking water standard at this time.

Arkansas Department of Energy and Environment, Division of Environmental Quality, Review of Rule [Exhibit U]

Representative Bentley made a motion to consider the rule as not reviewed. Without objection, the motion carried.

Other Business: Jennifer Dillaha, MD, State Epidemiologist, Arkansas Department of Health discussed the most recent cases of COVID-19. The total number of cases in Arkansas was 9,740 with a total number of 2,955 active cases. Directives implemented are communicated with stakeholders rather than specific legislators or the legislature as a whole. The legislature requested more opportunities to voice their input in the future, so directives may be developed on more of a county by county basis. People under the age of 19 have been more likely to contract COVID-19. Measures are being taken to begin an attempt to lower the spread among this age group. Measures are also being reviewed in relation to nursing homes. Baseline testing has started in nursing homes, so cases that have gone undetected can be identified and treated. The timeline of allowing vistors into homes depends on the baseline testing process. The anti body tests are available and approved by the FDA, but they haven't been validated. The anti body test, however, can't be used to diagnose COVID-19 until weeks after the virus. Information regarding whether or not individuals can contract COVID-19 after already having it is still lacking.

With no other business, the meeting adjourned at 4:16 p.m.