

MINUTES
Senate Committee on Public Health, Welfare, and Labor
House Committee on Public Health, Welfare, and Labor
Tuesday, July 7, 2020
1:30 P.M.

Committee Members Present: Senators Missy Irvin, Chair; Jimmy Hickey, Jr., Kim Hammer, and David Wallace, Vice-Chair; Representatives Jack Ladyman, Chair; Mary Bentley, Justin Boyd, Karilyn Brown, Bruce Coleman, Kenneth Ferguson, Justin Gonzales, Michelle Gray, Lee Johnson, Fredrick Love, Austin McCollum, John Payton, and Clint Penzo

Other Legislators Present: Senators Eddie Cheatham and Jonathan Dismang Representatives Vivian Flowers, Aaron Pilkington, Marcus Richmond, Johnny Rye, and Dwight Tosh

Call to Order and Comments by the Chairs: Representative Ladyman called the meeting to order.

Consideration to Adopt Meeting Minutes from June 22, 2020 [Exhibit C] Without objection, the minutes were adopted.

Arkansas Department of Energy and Environment, Division of Air Quality, Review of Rule [Exhibit D] Michael McAlister, JD, Deputy Counsel, Department of Energy and Environment and Will Montgomery, Associate Director, Office of Air Quality, Department of Energy and Environment discussed the changes which consist of the revision of wording. This includes changing “Regulation 19” to “Rule 19”.

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

Arkansas Department of Human Services, Division of County Operations, Review of Rule [Exhibit F] Mary Franklin, Director, Division of County Operations, DHS discussed the changes proposed in order to comply with Tax Cuts and Jobs Act of 2017. Business processes that were not rules were removed in order to clean up policy. No fiscal impact is expected due to the revision of the rule.

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

Arkansas Department of Human Services, Division of Medical Services, Review of Rule [Exhibit G] Elizabeth Pittman, Deputy Director, Division of Medical Services discussed the changes to the Medicaid provider manual for transportation providers; specifically emergency transportation providers. A rate increase of 11% is being proposed based off the information found by a Milliman report. Additional changes include the clarification of certain billing practices. Only Medicaid enrolled providers are covered by this specific rule.

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

Arkansas Department of Health, Emergency Medical Services Section, Review of Rule [Exhibit H] Laura Shue, JD, General Counsel, ADH discussed the updates to the rule such as clarification language and changes to remain in compliance with acts passed in 2019. There are requirements to maintain national certification for EMS providers with the state licensure renewal. Amendments are also being made to remain in compliance with the Red Tape Reduction Act passed. Stakeholders are in favor of the changes being proposed.

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

General Overview of Pandemic Unemployment Assistance within the CARES Act Charisse Childers, PhD, Director, Division of Workforce Services discussed the provision implemented by the CARES Act. Since the system went live, approximately 93,000 applications have been received and 43,000 having been approved. Approximately 16,000 applications are in process meaning they are either incomplete, pending review, or

additional information is needed. Unemployment funds are expected to deplete in late fall of 2020. Efforts to prevent fraud have been made including the creation of a fraud investigation unit. Unemployment benefits can be cut off from individuals who refuse to return to work if given the opportunity. The committee accepted the report as given.

Status of Automated External Defibrillators on Public School Campuses [Exhibit J] Cheria McDonald, BSN, RN, NCSN, State School Nurse Consultant, Department of Education discussed the number of defibrillator-trained staff each public school in Arkansas has on their campuses. This does not include students being trained. The committee accepted the report as given.

Interim Study Proposals

Motion to Adopt for Study/Second

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| Rep. Hammer/Sen. Irvin | ISP2019-150 Requesting the Senate Committee on Public Health, Welfare, and Labor Study Possible Revisions to the Process for Declaring and Addressing a Public Health Emergency in the State of Arkansas. |
| Rep. Gonzales/Rep. Bentley | ISP2019-151 An Act to Amend the Telemedicine Act; To Ensure that Telemedicine is the Least Restrictive Method to Deliver Healthcare Services Remotely. |
| Sen. Irvin/Rep. Boyd | ISP2019-152 An Act to Require the Office of Medicaid Inspector General to Delay Recovery of Improperly Expended Medical Assistance Funds During a Public Health Emergency. |
| Sen. Irvin/Rep. Bentley | ISP2019-153 An Act to Mandate Insurance Coverage and Medicaid Benefits with Regard to Coronavirus Disease 2019. |
| Sen. Irvin/Rep. Boyd | ISP2019-154 To Define the Scope Under Which Medical Professionals May Engage in Emergency Services During the Coronavirus Disease 2019. |
| Sen. Irvin/Rep. Bentley | ISP2019-155 To Provide a Grace Period for Non-Payment of Insurance Premiums to Certain Policyholders; to Declare an Emergency; and for Other Purposes. |
| Sen. Irvin/Rep. Boyd | ISP2019-156 To Suspend Payment Audits of Healthcare Providers; to Provide an Overpayment Recovery Time Limit Toll for Healthcare Providers. |
| Sen. Irvin/Rep. Boyd | ISP2019-157 To Provide Immunity from Liability for Death, Injury, or Property Damage Sustained as a Result |

of an Act of Omission by an Emergency Responder, Healthcare Provider, or Healthcare Facility in the Course of Providing Emergency Management Services During the Covid-19 Public Health Emergency.

Sen. Hammer/ Rep. Boyd

ISP2019-158 Requesting the Senate Committee on Public Health, Welfare, and Labor Study Medical Profession Scope of Practice.

Other Business: Senator Linda Chesterfield discussed the disproportionate impact COVID-19 has had on the African American and Latino communities in the state. Testing sites have been set up including a site in North Little Rock where 25% of those tested, tested positive for COVID-19. Legislators were encouraged to ask for tests and encourage individuals to get tested.

With no further business, the meeting adjourned at 3:40 P.M.