

MINUTES
SENATE COMMITTEE ON PUBLIC HEALTH, WELFARE, AND LABOR
HOUSE COMMITTEE ON PUBLIC HEALTH, WELFARE, AND LABOR
Meeting Jointly
Monday, May 2, 2022
10:00 AM
Room A, MAC
Little Rock, Arkansas

Committee members present: Senators Cecile Bledsoe, Chair; Ben Gilmore, Kim Hammer, Dan Sullivan, and David Wallace; Representatives Jack Ladyman, Chair; Deborah Ferguson, Vice-Chair; Fred Allen, Mary Bentley, Bruce Coleman, Jim Dotson, Jon S. Eubanks, Justin Gonzales, Stephen Magie, Mark Perry, Jeff Wardlaw, Carlton Wing;

Other members present: Senators Charles Beckham, Alan Clark, Mark Johnson, and Larry Teague; Representatives Stan Berry, Denise Ennett, Kenneth B. Ferguson, Austin McCollum, and Johnny Rye

Senator Cecile Bledsoe called the meeting to order.

Consideration to Approve the April 4, 2022, Meeting Minutes [Exhibit C]

Representative Carlton Wing made a motion to approve the minutes, with a second by Senator Dan Sullivan, and the motion carried.

Status Update on the COVID-19 Variants

Dr. José R. Romero, MD, Secretary, Arkansas Department of Health (ADH); and Dr. Jennifer Dillaha, MD, Chief Medical Officer, Arkansas Department of Health (ADH); discussed the current status of the COVID-19 variants in Arkansas.

Arkansas Department of Human Services (DHS), Review of Rule [Exhibit E]

Mr. Mark White, Deputy Director and Chief of Staff, Legal, and Legislative Affairs, DHS; and Ms. Mary Franklin, Director of the Division of County Operations, DHS; discussed the proposed rule which amends the Medical Services Policy Sections A and H.

Senator Bledsoe stated that without objection, the rule stands as reviewed.

Arkansas Department of Human Services (DHS), Review of Rule [Exhibit F]

Mr. Mark White, Deputy Director and Chief of Staff, Legal and Legislative Affairs, DHS; and Ms. Elizabeth Pitman, Director of the Division of Medical Services, DHS; discussed the proposed rule which amends the Medicaid State Plan and the Transportation Medical Provider Manual.

Senator Bledsoe stated that without objection, the rule stands as reviewed.

Arkansas Department of Human Services (DHS), Review of Rule [Exhibit G]

Mr. Mark White, Deputy Director and Chief of Staff, Legal and Legislative Affairs, DHS; and Ms. Elizabeth Pitman, Director of the Division of Medical Services, DHS; discussed the proposed rule which amends the Medicaid State Plan and the Pharmacy Manual, allowing pharmacists to enroll individually as atypical providers to prescribe and administer specific drugs as well as test and screen for certain health conditions.

Senator Bledsoe stated that without objection, the rule stands as reviewed.

Arkansas Department of Human Services (DHS), Review of Rule [Exhibit H]

Mr. Mark White, Deputy Director and Chief of Staff, Legal and Legislative Affairs, DHS; and Ms. Elizabeth Pitman, Director of the Division of Medical Services, DHS; discussed the proposed rule which amends the Outpatient Behavioral Health Services Manual and the School-Based Mental Health Services Manual to comply with Act 886 of 2021.

Senator Bledsoe stated that without objection, the rule stands as reviewed.

Arkansas Department of Human Services (DHS), Review of Rule [Exhibit I]

Mr. Mark White, Deputy Director and Chief of Staff, Legal and Legislative Affairs, DHS; and Ms. Elizabeth Pitman, Director of the Division of Medical Services, DHS; discussed the proposed rule which implements the changes made in Act 891 of 2021.

Senator Bledsoe stated that without objection, the rule stands as reviewed.

Arkansas Department of Human Services (DHS), Review of Rule [Exhibit J]

Mr. Mark White, Deputy Director and Chief of Staff, Legal and Legislative Affairs, DHS; and Ms. Elizabeth Pitman, Director of the Division of Medical Services, DHS; discussed the proposed rule which amends the provider manuals to implement Act 637 of 2021 and the State Medicaid Plan Amendment.

Senator Bledsoe stated that without objection, the rule stands as reviewed.

Arkansas Department of Human Services (DHS), Review of Rule [Exhibit K]

Mr. Mark White, Deputy Director and Chief of Staff, Legal and Legislative Affairs, DHS; and Ms. Martina Smith, Director of the Division of Provider Services and Quality Assurance, DHS; discussed the proposed rule which implements Act 760 of 2021, allowing outpatient behavioral health agencies to co-locate with other facility types.

Senator Bledsoe stated that without objection, the rule stands as reviewed.

Arkansas Department of Human Services (DHS), Review of Rule [Exhibit L]

Mr. Mark White, Deputy Director and Chief of Staff, Legal and Legislative Affairs, DHS; and Ms. Martina Smith, Director of the Division of Provider Services and Quality Assurance, DHS; discussed the proposed rule which clarifies the requirements for registry records and criminal background checks for in-home caregivers of Medicaid beneficiaries.

Senator Bledsoe stated that without objection, the rule stands as reviewed.

Arkansas Department of Human Services (DHS), Review of Rule [Exhibit M]

Mr. Mark White, Deputy Director and Chief of Staff, Legal and Legislative Affairs, DHS; and Ms. Martina Smith, Director of the Division of Provider Services and Quality Assurance, DHS; discussed the proposed rule which amends the following manuals; rules for licensure of Nursing Home Administrators in Arkansas and the rules for the Arkansas Long Term Care Facility Nursing Assistant Training Program.

Senator Bledsoe stated that without objection, the rule stands as reviewed.

Arkansas Department of Human Services (DHS), Review of Rule [Exhibit N]

Mr. Mark White, Deputy Director and Chief of Staff, Legal and Legislative Affairs, DHS; and Ms. Martina Smith, Director of the Division of Provider Services and Quality Assurance, DHS; discussed the proposed rule which implements the provisions of Act 721 of 2021. This act requires the rules for Assisted Living Facilities Level 1, rules for Assisted Living Facilities Level 2, and rules for nursing homes be amended.

Senator Bledsoe stated that without objection, the rule stands as reviewed.

Arkansas Department of Human Services (DHS), Review of Rule [Exhibit O]

Mr. Mark White, Deputy Director and Chief of Staff, Legal and Legislative Affairs, DHS; and Ms. Martina Smith, Director of the Division of Provider Services and Quality Assurance, DHS; discussed the proposed rule which revises the definitions in the Rules and Regulation for Adult Day Care Providers.

Senator Bledsoe stated that without objection, the rule stands as reviewed.

Arkansas Department of Health (ADH), Review of Rule [Exhibit P]

Mr. Charles Thompson, Managing Attorney, ADH, discussed the proposed rule which outlines the rules of operation for the Arkansas Kidney Disease Commission.

Senator Bledsoe stated that without objection, the rule stands as reviewed.

Arkansas Department of Health (ADH), Review of Rule [Exhibit Q]

Mr. Bernie Bevill, Radiation Control Section Chief, ADH; and Mr. Charles Thompson, Managing Attorney, ADH; discussed the proposed rule which licenses individuals who apply ionizing radiation to humans for medical purposes such as x-ray equipment and nuclear medicine procedures.

Senator Bledsoe stated that without objection, the rule stands as reviewed.

Review of the Arkansas Tobacco Settlement Commission (ATSC) Quarterly Report for July-September 2021. [Exhibit R] [Handout 1]

Ms. Emily Lane, Project Director for the Arkansas Tobacco Settlement Commission Evaluations, University of Central Arkansas discussed the Arkansas Tobacco Settlement Commission Quarterly Report.

Senator Bledsoe stated that without objection, this report stands as reviewed.

With no further business, the meeting adjourned at 11:15 a.m.