

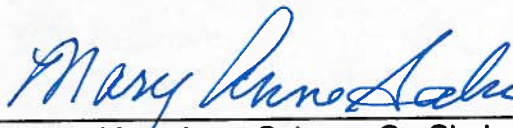
**Arkansas Legislative Council Report
For Emergency Review of
Technical Services Contract**

January 8, 2013

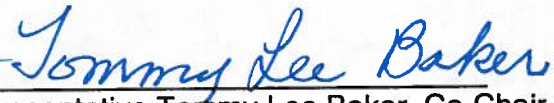
On January 7th, 2013 Senator Mary Anne Salmon and Representative Tommy Lee Baker, Co-Chairs of the Legislative Council and Senator Randy Lavery and Representative Larry Cowling, Co-Chairs of the Review Subcommittee received written notification from Mr. Richard Weiss, Chief Fiscal Officer of the State that review of a technical services contract for the Arkansas Department of Human Services required immediate action. The contract is to provide pharmacy services to the various human development centers in the state.

Under Rule 17 of the Rules of the Arkansas Legislative Council, the Co-Chairs of the Legislative Council and the Co-Chairs of the Review Subcommittee unanimously determined that emergency review of the professional consultant services contract was essential to enable the agency to perform essential services. As such, the Senate Co-Chair and the House of Representatives Co-Chair of Legislative Council may act on behalf of the Legislative Council in regard to this contract, and state herein that this contract shall be filed as reviewed and be reported to the Legislative Council at the next regularly scheduled meeting in accordance with Rule 17.

Respectfully Submitted,



Senator Mary Anne Salmon, Co-Chair
Arkansas Legislative Council



Representative Tommy Lee Baker, Co-Chair
Arkansas Legislative Council

MAS/TLB:vjf

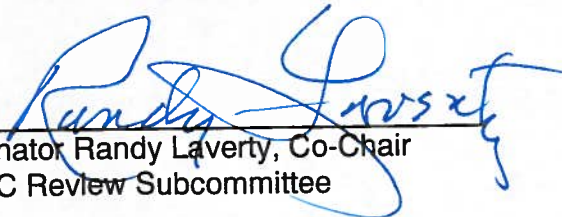
ALC Review Subcommittee Report For Emergency Review of Technical Services Contract

January 8, 2013


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Under Rule 17 of the Rules of the Arkansas Legislative Council, the Co-Chairs of the Legislative Council and the Co-Chairs of the Review Subcommittee unanimously determined that emergency review of the professional consultant services contract was essential to enable the agency to perform essential services. A summary of the contract that was given emergency review (Attachment A) follows along with the letter from DFA (Attachment B).

Respectfully Submitted,



Senator Randy Lavery, Co-Chair
ALC Review Subcommittee



Representative Larry Cowling, Co-Chair
ALC Review Subcommittee

Attachment A

State of Arkansas
OFFICE OF STATE PROCUREMENT
1509 West Seventh Street, Room 300
Little Rock, Arkansas 72201-3966

STATE TERM CONTRACT

THIS IS A TERM CONTRACT ISSUED BY THE OFFICE OF STATE PROCUREMENT. THIS DOES NOT REPRESENT YOUR AUTHORITY TO SHIP. THE ORDERING AGENCY WILL ISSUE A PURCHASE ORDER TO AUTHORIZE SHIPMENT. THIS CONTRACT CONSTITUTES ACCEPTANCE OF YOUR RFP ALONG WITH ALL TERMS AND CONDITIONS THEREIN AND SIGNIFIES THE OFFERER'S KNOWLEDGE AND ACCEPTANCE OF ALL TERMS AND CONDITIONS SET FORTH WITHIN THE REQUEST FOR PROPOSAL.

BUYER: Judy Shirley @ 501-324-9314

AWARD #: SP-13-0006

DESCRIPTION: Pharmacy Service
ESTIMATED CONTRACT VALUE: \$150,000.00
PURCHASE REQUEST NO: 1000599386
AGENCY CONTACT/PHONE: Karen Hicks

SCOPE OF WORK: A blister pack system for unit dose delivery of medications is the method for drug dispensing. This is for both prescription and over-the-counter medications. However, it is understood that not all medications will be able to be provided in a blister pack delivery system for a variety of reasons. The contractor will be expected to provide information on situations when it is anticipated that blister packs cannot be used.

There will be an effective computer system in place that is readily available and capable of providing and maintaining drug profiles on individual clients for medical staff, consulting pharmacists, and the regulatory agency. The system would allow for an effective interface between the staff of various medical facilities and with the contractor. This system must be able to be responsive to medical staff and pharmacist needs while adhering to the regulations for protection of patient privacy.

CONTRACT PERIOD: The term of this contract shall be for a period of twelve (12) months beginning February 1, 2013 through January 31, 2014 with option to renew in six (6) one (1) year increments or a portion thereof upon mutual agreement. In no event shall the total contract term be more than seven (7) years.

INVOICE TO:
As Specified on Agency Purchase Order

FOB DELIVERY LOCATION:
As Specified on Agency Purchase Order

CONTRACT AWARD TO:
Allcare Pharmacy
518 Clay Street
Arkadelphia, AR 71923

CONTACT NAME: Stephen Carroll
PHONE: 870-246-5553
FAX: 870-246-6616
EMAIL: Stephen@allcarepharmacy.com

STATE OF ARKANSAS OFFICE OF STATE PROCUREMENT

BY: _____ DATE _____

Attachment B



**STATE OF ARKANSAS
Department of Finance
and Administration**

OFFICE OF THE DIRECTOR
1509 West Seventh Street, Suite 401
Post Office Box 3278
Little Rock, Arkansas 72203-3278
Phone: (501) 682-2242
Fax: (501) 682-1029
<http://www.state.ar.us/dfa>

January 7, 2013

**Senator Mary Anne Salmon, Co-Chair
Representative Tommy Lee Baker, Co-Chair
Arkansas Legislative Council
Room 171, State Capitol
Little Rock, AR 72201**

RE: Emergency Contract Review

Dear Senator Salmon and Representative Baker:

Pursuant to the Arkansas Legislative Council (ALC) Rule for Emergency Action, the Arkansas Department of Human Services (DHS) has a technical contract that requires immediate review. DHS plans to enter into a pharmaceutical contract with W.P. Malone Inc., dba Allcare Pharmacy, to provide pharmacy services to the various human development centers in Arkansas. Percy Malone, the owner and president of Allcare Pharmacy, has disclosed that he is a current State Senator. As such, it requires ALC approval, pursuant to Ark. Code Ann. § 19-11-264. Because of the time-sensitive nature of this contract, the Office of State Procurement of the Department of Finance and Administration respectfully requests an emergency review of this contract.

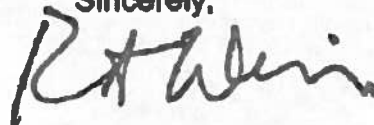
Senator Malone will no longer be in office as of Monday, January 14, 2013, and we understand that there are no scheduled ALC Committee meetings prior to the new General Assembly taking office. We submit this contract for emergency review before Senator Malone leaves office to insure that we are in total compliance with the law.

Furthermore, in accordance with Ark. Code Ann. § 19-11-265, this contract also requires ALC review because it is estimated that the contract amount will exceed \$100,000 in the actual delivery of health or human services. Failure to obtain expedited ALC review could unnecessarily delay the execution of this contract and delivery of required services for DHS Human Development Centers.

The Office of State Procurement confirms that this contract meets the solicitation requirements and criteria and that DHS properly complied with the procurement process. The Office of State Procurement therefore recommends this contract which has fulfilled all necessary legal requirements.

If you have any questions or require additional information, please contact Ray Pierce, Attorney, of the Arkansas Office of State Procurement at 501-324-9317. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Weiss", written in a cursive style.

Richard A. Weiss
Director