

**MINUTES**  
**Senate Health Services Subcommittee of Public Health Committee**  
**House Health Services Subcommittee of Public Health Committee**  
**Wednesday, August 12, 2020**  
**1:30 P.M.**

Subcommittee Members Present: Senators Jimmy Hickey, Jr., Chair; Ronald Caldwell, and Bill Sample Representatives Deborah Ferguson, Chair; Justin Boyd, Jack Ladyman, Ex-Officio; Fredrick Love, Mark Perry

Other Legislators Present: Senators Kim Hammer and Mark Johnson Representatives Bruce Coleman, Cameron Cooper, Marsh Davis, Jana Della Rosa, Vivian Flowers, Jimmy Gazaway, Steve Hollowell, Steve Magie, and Clint Penzo

**Call to Order and Comments by the Chairs:** Representative D. Ferguson called the meeting to order and announced that no questions would be asked in reference to ISP2019-135 presented by Representative Boyd at the request of the Attorney General due to an ongoing investigation into opioid pharmaceutical companies. No action is needed on any of the Interim Studies being proposed.

**ISP2019-135–“Study Strategies to Address the Opioid Crisis in Arkansas”** Representative Justin Boyd discussed the changes made to prescription drug monitoring programs, facilitated access to naloxone under a statewide protocol, mandated any prescribing of a controlled substance beginning in January of 2021, and worked on crisis stabilization units.

Renee Mallory, Deputy Director for Public Health Programs, Arkansas Department of Health discussed the naloxone training that takes place through a grant. Once the program has been completed, a dose of Narcan is given to those who finish training. There is also a “Dose of Reality” program that provides education to Arkansans on the hazards of prescription and drug misuse. The program is geared towards children, but can also be beneficial for adults.

Kirk Lane, Arkansas Drug Director discussed statistics including the number of Arkansans lost in recent years due to drug overdoses. In 2018, 426 deaths occurred due to drug overdose. In 2019, however, the number decreased to 352 deaths. Arkansas is the second highest prescribing state in the nation. The prescribing rate is down to 93.2% opioid prescriptions for every 100 people; the lowest rate since 2005. Doctor shopping has also decreased. 80% of heroin users started by utilizing prescription drugs.

John Kirtley, Pharm.D., Executive Director, Arkansas State Board of Pharmacy discussed the focus of the board being education and diversion prevention. Education starts in pharmacy school that requires a course in addiction. Diversion prevention starts with a criminal background check. This targets the potential for criminal activities. Even those without a criminal background have diverted drugs within pharmacies. Because of this, a long-term approach has been taken to avoid this. Strategies utilized include: shrink report tools are provided to pharmacists, educational outreach programs throughout the state, and showing movies like *Chasing the Dragon*.

**ISP2019-043–“To Establish the Arkansas Anesthesiologist Assistant Act; And to Provide for Licensure of Anesthesiologist Assistants’** Representative Magie discussed Anesthesia Assistances which are individuals who attend four years of college then go on to complete four years of anesthesia assistant school. Arkansas does not currently have anesthesia schooling available. Some hospitals within Arkansas do, however, train assistances. The bill offers individuals the opportunity to train, and they

would fall under the Arkansas State Medical Board in reference to guidelines they must follow while training.

**ISP2019-044–“To Authorize a Licensed Dispensing Optician to Refract Eyes and Dispense Eyeglasses in Certain Conditions”** Representative Magie discussed how the bill would allow opticians to refract the eyes of an individual wanting to purchase glasses. This would not include a complete eye exam. If the optician is unable to refract the consumer’s eyes to 20/20 vision, they would need to advise the consumer to have a routine exam.

**ISP2019-045–“To Modify the Definition of “Ophthalmic Dispensing” to Include the Preparation and Dispensing of Contact Lenses”** Representative Magie discussed the limits of when contacts can be sold within an eye doctor’s practice. The bill would allow licensed opticians sell contact lenses to individuals who are not necessarily their patients based on a valid prescription. It also opens the doors for consumers to find better prices on their contact lenses within the state of Arkansas rather than out of state.

**ISP2019-150–“Study Possible Revisions to the Process for Declaring and Addressing a Public Health Emergency in the State of Arkansas”** Senator Hammer and Representative Gazaway discussed the intent of the proposed piece of legislation being to insert the Legislature into the process of addressing statewide emergency situations. It allows the General Assembly to come together within 8 days of an emergency, an immediate termination of the emergency if the Legislature does not agree with the extension of the emergency, and a built in a ¾ county threshold. This is in the event the Governor may not do a statewide emergency, but just 1 county at a time. A stop-gap is also built in so every 45 days after the initial meeting of the Legislature to allow committees the opportunity to meet. This would allow for the insertion of the Legislature at incremental times throughout future emergencies. Suggestions on how to better the proposals were requested by both presenting the ISP.

**ISP2019-158–“Requesting the Senate Committee on Public Health, Welfare, and Labor Study Medical Profession Scope of Practice”** Senator Hammer discussed the lack of reference when it comes to scope of practice. Consultants would evaluate areas of practice to identify each scope to identify any realignments that might be possible based on national standards.

With no further business, the meeting was adjourned at 3:24 PM.