

MINUTES**JOINT PERFORMANCE REVIEW COMMITTEE****June 6, 2018**

The Joint Performance Review Committee met Wednesday, June 6, 2018 at 1:00 p.m., in Room A, MAC Building, Little Rock, Arkansas.

Committee members present: Senators Missy Irvin, Senate Chair, Jane English, and Trent Garner. Representatives Mark Lowery, House Chair, Scott Baltz, Kenneth Ferguson, David Fielding, Jack Fortner, David Hillman, Josh Miller, Chris Richey, Brandt Smith, and Dan Sullivan.

Other members present: Senators Jason Rapert and Larry Teague. Representatives Fred Allen, Linda Chesterfield, Vivian Flowers, Michael John Gray, Kim Hammer, Ken Henderson, Fredrick Love, Austin McCollum, David Meeks, Laurie Rushing, Johnny Rye, and James Sorvillo.

Call to Order

Representative Lowery called the meeting to order.

Comments by Co-Chairs

Representative Lowery explained that a review of the programs and funding administered by the Arkansas Tobacco Settlement Commission (ATSC) was requested by a JPR Committee member.

Senator Irvin briefly reviewed topics presented during the May 29, 2018 JPR Committee meeting. She advised that issues surrounding school safety will be reviewed again at future committee meetings.

Update Provided by the Arkansas Tobacco Settlement Commission (ATSC) Regarding Their Funding, Programs, Activities, and Achievements [Exhibit C, C-1]

Matt Gilmore, Executive Director, Arkansas Tobacco Settlement Commission (ATSC), and Mary Franklin, ATSC Commissioner, and Director, Division of County Services, Arkansas Department of Human Services, were recognized. Mr. Gilmore gave an overview of the ATSC and the programs it administers, beginning with historical background about the Tobacco Settlement Agreement. In the late 1990s, Arkansas joined forty-six states in a lawsuit filed against tobacco companies for monies lost due to healthcare costs associated with tobacco use. In early 2000, the tobacco companies reached an agreement to pay approximately \$206 billion over 25 years to the states, with Arkansas receiving \$45 to \$50 million. The ATSC has two staff members, Mr. Gilmore and his administrative specialist, who report directly to the full Commission. The Commission consists of nine members, four appointed by elected officials, with the other five being state agency directors or their designees. Funding for the operation of the ATSC is based on the interest earned from the annual payments. Initiated Act 1 of 2000 established several programs and funding formulas for these programs, including:

- Four programs administered by the University of Arkansas for Medical Sciences (UAMS)
- The Arkansas Bioscience Institute with five participating institutions
- The Fay W. Boozman College of Public Health
- The UAMS East Regional Campus
- The Arkansas Department of Health-Tobacco Prevention Program
- The Tobacco Settlement Medicaid Expansion Program

Mr. Gilmore explained that the University of Central Arkansas (UCA) is designated as a third-party evaluator and its role is to assist the ATSC in preparing reports and monitoring programs. He then outlined a summary of services for the past two years, focusing on four sections: education, service, research, and economic impact. Program details are:

Education:

- 273,000 community education encounters were conducted by health care professionals community members, doctors, and caregivers, with a focus on young people.
- Tobacco prevention programs were offered in small communities through their local health units
- 126 students graduated from the UAMS College of Public Health

Service:

- 50,000 clinic encounters occurred through the Centers for Aging in eight locations, including instructing and teaching caregivers and family members
- Physicians currently see approximately 40 patients each day at the recently opened clinic at the UAMS East Regional campus
- 51,000 individuals received services through the Tobacco Settlement Medicaid Expansion Program in four population groups: low income, pregnant women, seniors, and extended hospitalization coverage. Recently added are individuals on the Developmentally Disabled waiting list
- 50,000 screenings for blood pressure, glucose, cholesterol and other tests were performed through the Minority Health Initiative and the UAMS East clinics

Research:

- The Arkansas Bioscience Institute and The College of Public Health are both research-based institutions partnered with Arkansas Children's Hospital, the University of Arkansas Division of Agriculture, Arkansas State University, and UAMS
- Research areas include agricultural, nutritional, engineering, and tobacco-related illnesses
- The College of Public Health received a \$7 million contract/grant over a five-year period to fund the Arkansas Center for Health Disparities, which will focus on Arkansas's persistent gaps between the health status of minorities and non-minorities in Arkansas

Economic impact:

- \$120 million was leveraged over two years by five of the programs to secure outside monies. For every dollar spent, the programs receive a two-dollar return
- The UAMS East Regional Campus prescription assistance program assisted 850 individuals, which provided \$1.3 million in savings
- The UAMS Centers for Aging reported \$740,000 in volunteer hours in non-cash donations
- The Arkansas Bioscience Institute supports 300 full-time employees across five institutions, funded by outside money

Mr. Gilmore responded to questions concerning the criteria used by the ATSC to determine the effectiveness of its programs. He described working closely with the UCA evaluation team who provides reports and indicators to gauge the progress of the programs. Other tools used are a review of Best Practices, and the use of data from the U.S. Centers for Disease Control (CDC) provided by subject-matter experts in health initiatives.

Legislators held detailed and in-depth discussions with Mr. Gilmore on topics including:

- The funding mechanism used to distribute the monies to the different programs

- The specific amounts of funding
- Restrictions on the use of the monies
- The success of the programs, in particular tobacco cessation, as compared to other states
- Effectiveness and efficiencies in the utilization of the monies

Becky Hall, Center Director, UAMS East, West Helena, Arkansas, recognized at the request of Representative Richey, described their medical residency program and the newly-opened clinic in his district. Ms. Hall explained that a residency program similar to others in the state was part of language included in the Initiated Act following the Tobacco Settlement Agreement. Development of the infrastructure necessary for a residency program occurred during the past fifteen years. She said that availability of specialists and board-certified physicians was necessary to establish a family practice center and medical center, which will open at UAMS East on October 23, 2018. The opening of the clinic will provide the foundation for residency programs in that area.

Mr. Gilmore was asked to compile a comprehensive and detailed breakdown of all of the monies the programs receive, including the specific amounts spent on cessation programs versus actual healthcare.

Representative Lowery advised members that the most recent Annual Report of the Tobacco Settlement Agreement, dated 2016, is available on the Arkansas Bureau of Legislative Research's website.

Discussion of the Federal "Stark Law" (Section 1877 of the Social Security Act) [Exhibit D]

Representative Lowery referenced the January 25, 2018 JPR Committee meeting where issues raised by healthcare providers were discussed, particularly contracts between UAMS and the Conway Regional Medical Center. Questions were asked during that discussion concerning contractual arrangements and whether or not any violations of the federal "Stark Law" had occurred. Representative Lowery requested an analysis of the subject matter of the contractual arrangements be prepared by the Bureau of Legislative Research and provided to the Committee. He noted that Exhibit D contains a summary of the Stark Law written by the Bureau of Legislative Research and is included in today's meeting documents. He further advised that the UAMS Chancellor will be meeting with the Administrator of the Conway Regional Medical Center, as well as reaching out to other stakeholders to review concerns raised during the January 25th committee meeting. He believes the meeting acted as a positive catalyst in the matter.

Representative Lowery announced that the subject of school safety will again be addressed at the future meeting scheduled for July.

There being no further business, the meeting adjourned at 11:00 a.m.