

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1323

5 By: Representative Shepherd  
6 By: Senator Rapert  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 20 OF  
10 THE ARKANSAS CODE CONCERNING PUBLIC HEALTH AND  
11 WELFARE; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

15 TO MAKE TECHNICAL CORRECTIONS TO TITLE 20  
16 OF THE ARKANSAS CODE CONCERNING PUBLIC  
17 HEALTH AND WELFARE.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 20-13-503(9) and (10), concerning the  
23 definitions relating to the statewide emergency poison control-drug  
24 information-toxicological laboratory services program, is amended to read as  
25 follows:

26 (9) "PC-DI-TL services system" means the Poison Control-Drug  
27 Information-Toxicological Laboratory Services Unitary System with three (3)  
28 definite and permanent components: UAMS-Pharmacy, UAMS-Library, and the  
29 Chemistry Branch of the Public Health Laboratory of the ~~Division of Health of~~  
30 ~~the Department of Health and Human Services~~ Department of Health;

31 (10) "Toxicology laboratory services" means those services  
32 provided the PC-DI-TL services system by the Chemistry Branch of the Public  
33 Health Laboratory of the ~~Division of Health of the Department of Health and~~  
34 ~~Human Services~~ Department of Health, which is that permanent component within  
35 the ~~unitary~~ PC-DI-TL services system charged with toxicology laboratory  
36 services responsibility;



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3 SECTION 2. Arkansas Code § 20-13-1603(b), concerning rules for the  
4 community paramedic licensure program, is amended to read as follows:

5 (b) The rules shall consider quality assurance and adequate data  
6 collection to evaluate the utilization and effectiveness of the community  
7 paramedic licensure program.

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9 SECTION 3. Arkansas Code § 20-14-209(a), concerning administrative  
10 support for the Governor's Commission on People with Disabilities, is amended  
11 to read as follows:

12 (a) The appropriate division as determined by the Director of the  
13 ~~Department of Health and Human Services~~ Department of Human Services or any  
14 other agency or division as the Governor shall designate shall provide  
15 administrative support to the Governor's Commission on People with  
16 Disabilities.

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18 SECTION 4. Arkansas Code Title 20, Chapter 15, Subchapter 22, is  
19 repealed.

20 ~~Subchapter 22 — Task Force on Alpha-gal~~

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22 ~~20-15-2201. Findings — Purpose.~~

23 ~~(a) The General Assembly finds:~~

24 ~~(1) Alpha-gal allergies are a reaction to galactose-alpha-1, 3-~~  
25 ~~galactose, when the body is overloaded with immunoglobulin E antibodies on~~  
26 ~~contact with the galactose carbohydrate;~~

27 ~~(2) Bites from the lone star tick, which transfer this~~  
28 ~~carbohydrate to the victim, have been implicated in the development of this~~  
29 ~~delayed allergic response which is triggered by the consumption of mammalian~~  
30 ~~meat products;~~

31 ~~(3) Alpha-gal allergies most often occur in the central and~~  
32 ~~southern states such as Arkansas, where the lone star tick is more prevalent;~~

33 ~~(4) A typical allergic reaction to Alpha-gal has a delayed~~  
34 ~~onset, occurring four to eight (4-8) hours after the consumption of mammalian~~  
35 ~~meat products, instead of the typical rapid onset with most food allergies;~~

36 ~~(5) Since the reaction to eating mammal meat is delayed by~~

1 ~~several hours, the proper diagnosis is often missed or misdiagnosed;~~

2 ~~(6) People who are affected by Alpha gal have to be constantly~~  
 3 ~~vigilant about the ingredients they consume, because an allergic reaction can~~  
 4 ~~be severe and life threatening; and~~

5 ~~(7) As doctors are not required to report the number of patients~~  
 6 ~~suffering with Alpha gal, the true number of affected individuals is unknown.~~

7 ~~(b) The purpose of this subchapter is to promote awareness and~~  
 8 ~~encourage efforts to treat Alpha gal in the state.~~

9 ~~(c) This section shall expire on December 31, 2016.~~

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 11 ~~20-15-2202. Task Force on Alpha gal — Creation.~~

12 ~~(a) The Task Force on Alpha gal is created.~~

13 ~~(b) The task force shall be composed of the following sixteen (16)~~  
 14 ~~members:~~

15 ~~(1) One (1) senator appointed by the President Pro Tempore of~~  
 16 ~~the Senate;~~

17 ~~(2) Two (2) members of the House of Representatives appointed by~~  
 18 ~~the Speaker of the House of Representatives;~~

19 ~~(3) The Director of the Department of Health or his or her~~  
 20 ~~designee, serving as an ex-officio, nonvoting member;~~

21 ~~(4) The Insurance Commissioner or his or her designee, serving~~  
 22 ~~as an ex-officio, nonvoting member;~~

23 ~~(5) The Secretary of the Arkansas Agriculture Department or his~~  
 24 ~~or her designee, serving as an ex-officio, nonvoting member;~~

25 ~~(6) Three (3) members who are employed by the Department of~~  
 26 ~~Health and designated by the Director of the Department of Health;~~

27 ~~(7) One (1) member who is designated by the Arkansas Hospitality~~  
 28 ~~Association;~~

29 ~~(8) One (1) member who is designated by the Arkansas State Board~~  
 30 ~~of Nursing;~~

31 ~~(9) One (1) member who is designated by the Arkansas Pharmacists~~  
 32 ~~Association;~~

33 ~~(10) One (1) member who is designated by the American Academy of~~  
 34 ~~Allergy, Asthma, and Immunology;~~

35 ~~(11) One (1) member who is designated by the American College of~~  
 36 ~~Allergy, Asthma, and Immunology; and~~

1           ~~(12) Two (2) members who are designated by the Division of~~  
 2 ~~Agriculture of the University of Arkansas.~~

3           ~~(c) The terms of the legislative members of the task force shall~~  
 4 ~~expire on December 31, 2016.~~

5           ~~(d) Nonlegislative members shall serve at the pleasure of the~~  
 6 ~~organizations they represent.~~

7           ~~(e) Vacancies on the task force shall be filled in the same manner as~~  
 8 ~~provided for the initial appointment.~~

9           ~~(f) The chair shall be one (1) of the legislative members of the task~~  
 10 ~~force and shall be selected by the legislative members of the task force.~~

11           ~~(g) The task force shall meet as often as is deemed necessary by the~~  
 12 ~~chair.~~

13           ~~(h) The members of the task force shall serve without compensation and~~  
 14 ~~shall not receive per diem, mileage, or stipends.~~

15           ~~(i) The task force shall receive staff support from the Bureau of~~  
 16 ~~Legislative Research.~~

17           ~~(j) This section shall expire on December 31, 2016.~~

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 19           ~~20-15-2203. Task Force on Alpha-gal — Duties.~~

20           ~~(a) The Task Force on Alpha-gal shall make recommendations designed to~~  
 21 ~~improve and increase knowledge and treatment throughout the state for Alpha-~~  
 22 ~~gal, especially for emergency room healthcare professionals.~~

23           ~~(b) The task force shall submit a report to the Legislative Council,~~  
 24 ~~the Senate Committee on Public Health, Welfare, and Labor, and the House~~  
 25 ~~Committee on Public Health, Welfare, and Labor no later than October 1, 2016.~~

26           ~~(c) This section shall expire on December 31, 2016.~~

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 28           SECTION 5. Arkansas Code § 20-78-106(c)(2), concerning availability of  
 29 children's advocacy records during an investigation, is amended to read as  
 30 follows:

31           (2)(A)(i) The circuit court shall issue protective orders under  
 32 the Arkansas Rules of Criminal Procedure or the Arkansas Rules of Civil  
 33 Procedure, as applicable, to ensure that those items of evidence for which  
 34 there is a reasonable expectation of privacy and that otherwise should be  
 35 sealed are not distributed to persons or institutions ~~without a~~ that have no  
 36 legitimate interest in the evidence ~~and that otherwise should be sealed.~~

1 (ii) There is a reasonable expectation of privacy in  
 2 the following items:

- 3 (a) Audio or videotapes of a child witness;
- 4 (b) Photographs of a child witness;
- 5 (c) Name of a child victim; and
- 6 (d) Medical records of a child victim.

7 (B)(i) The administrative hearing officer or  
 8 administrative law judge shall issue protective orders to ensure that those  
 9 items of evidence for which there is a reasonable expectation of privacy and  
 10 that otherwise should be sealed are not distributed to persons or  
 11 institutions ~~without a~~ that have no legitimate interest in the evidence ~~and~~  
 12 ~~that otherwise should be sealed.~~

13 (ii) There is a reasonable expectation of privacy in  
 14 the following items:

- 15 (a) Audio or videotapes of a child witness;
- 16 (b) Photographs of a child witness;
- 17 (c) Name of a child victim; and
- 18 (d) Medical records of a child victim.

19 (C)(i) The circuit court may enforce the orders with  
 20 criminal or civil contempt or sanctions, as appropriate.

21 (ii) The circuit court may modify or vacate a  
 22 protective order for good cause.

23 (iii) If a protective order was entered and has not  
 24 been vacated, the remedy for a violation of the protective order is limited  
 25 to criminal or civil contempt or sanctions by the circuit court in which the  
 26 protective order was entered.

27  
 28 SECTION 6. Arkansas Code § 20-82-201(b), concerning membership of the  
 29 Arkansas Child Abuse/Rape/Domestic Violence Commission, is amended to remove  
 30 an obsolete term and read as follows:

31 (b) The membership of the commission shall consist of the following:

- 32 (1) A representative of domestic violence programs or domestic  
 33 violence service providers in Arkansas;
- 34 (2) A representative of the Department of Arkansas State Police;
- 35 (3) A physician specializing in the treatment of child abuse;
- 36 (4) A prosecuting attorney who is a member of the Arkansas

- 1 Prosecuting Attorneys Association;
- 2           (5) A defense attorney;
- 3           (6) A representative of a victim-witness program;
- 4           (7) A representative of the Arkansas Law Enforcement Training
- 5 Academy;
- 6           (8) A representative of education;
- 7           (9) A representative of the Division of Children and Family
- 8 Services of the Department of Human Services;
- 9           (10) A representative of a parents' group;
- 10           (11) A mental health professional specializing in the treatment
- 11 of child abuse or domestic violence or rape;
- 12           (12) A representative of the Department of Correction Reduction
- 13 of Sexual Victimization Program;
- 14           (13) A representative of city or county law enforcement;
- 15           (14) A representative of children with disabilities;
- 16           (15) A district judge or circuit judge;
- 17           (16) ~~A chancery judge;~~
- 18 ~~(17)~~ A representative of the State Crime Laboratory;
- 19 ~~(18)~~ (17) A representative of the Department of Health;
- 20 ~~(19)~~ (18) A representative of rape crisis centers;
- 21 ~~(20)~~ (19) A representative of the Arkansas Hospital Association;
- 22 ~~(21)~~ (20) A representative of the Office of the Attorney
- 23 General;
- 24 ~~(22)~~ (21) Three (3) members at large;
- 25 ~~(23)~~ (22) A court-appointed special advocate representative;
- 26 ~~(24)~~ (23) A guardian ad litem;
- 27 ~~(25)~~ (24) A representative of area health education center
- 28 programs;
- 29 ~~(26)~~ (25) A faculty member from a four-year college or
- 30 university with experience in the study of human trafficking or a closely
- 31 related area of study;
- 32 ~~(27)~~ (26) A representative from the Department of Labor; and
- 33 ~~(28)~~ (27) A healthcare provider experienced in the treatment of
- 34 human trafficking victims.

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36 SECTION 7. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

1           It is the intent of the General Assembly that:

2                   (1) The enactment and adoption of this act shall not expressly  
3 or impliedly repeal an act passed during the regular session of the Ninety-  
4 First General Assembly;

5                   (2) To the extent that a conflict exists between an act of the  
6 regular session of the Ninety-First General Assembly and this act:

7                           (A) The act of the regular session of the Ninety-First  
8 General Assembly shall be treated as a subsequent act passed by the General  
9 Assembly for the purpose of:

10                                   (i) Giving the act of the regular session of the  
11 Ninety-First General Assembly its full force and effect: and

12                                   (ii) Amending or repealing the appropriate parts of  
13 the Arkansas Code of 1987; and

14                                   (B) Section 1-2-107 shall not apply; and

15                           (3) This act shall make only technical, not substantive, changes  
16 to the Arkansas Code of 1987.

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