

MINUTES
SENATE COMMITTEE ON PUBLIC HEALTH, WELFARE, AND LABOR
House Committee on Public Health, Welfare, and Labor
Meeting Jointly
Tuesday, July 5, 2022
10:00 AM
Room A, MAC
Little Rock, Arkansas

Committee members present: Senators Cecile Bledsoe, Chair; Scott Flippo, Vice-Chair; Breanne Davis, Ben Gilmore, and David Wallace; Representatives Jack Ladyman, Chair; Fred Allen, Mary Bentley, Joe Cloud, Bruce Coleman, Jim Dotson, Jon S. Eubanks, Justin Gonzales, John Payton, Clint Penzo, Mark Perry, Aaron Pilkington, and Carlton Wing

Other members present: Senator Jonathan Dismang; Representatives Stan Berry, Cameron Cooper, Gary Deffenbaugh, Jimmy Gazaway, Stephen Meeks, David Ray, Marcus Richmond, Johnny Rye, Keith Slape, and Joy Springer

Senator Bledsoe called the meeting to order.

Approval of the May 31, and June 1, 2022, Meeting Minutes [Exhibits C1-C2]

Senator Flippo made a motion to approve the minutes, seconded by Senator Wallace, and the motion carried.

Arkansas Medicaid Formulary Requirements

Dr. John Vinson, Pharm. D., Chief Executive Officer, Arkansas Pharmacists Association; Mr. Kyle Lomex, Owner, Southern Pharmacy, Leachville; Dr. Brandon Cooper, Pharm. D., Soo's Pharmacy, Jonesboro; Mr. Mark White, Deputy Director and Chief of Staff, Legal, and Legislative Affairs, DHS; and Ms. Elizabeth Pitman, Director of Division of Medical Services, DHS; discussed the brand name requirements and rebates for medications.

Update on Pharmacists Association Request for Funding from the American Rescue Plan (ARPA) [Exhibit E]

This agenda item will be discussed at the upcoming meeting on August 8, 2022.

Psychiatric Residential Treatment Centers Rate Review Status

Mr. Mark White, Deputy Director and Chief of Staff, Legal, and Legislative Affairs, DHS, and Ms. Elizabeth Pitman, Director of Division of Medical Services, DHS, discussed the rate review status of psychiatric residential treatment facilities.

Department of Energy and Environment, Division of Environmental Quality, Review of Rule [Exhibit G]

Mr. Michael McAlister, Managing Attorney, Department of Energy and Environment, and Mr. Daniel Pilkington, Senior Attorney, Department of Energy and Environment, discussed the proposed rule regarding Arkansas Pollution Control and Ecology Commission Rule 27, which deals with the licensing of operators of Solid Waste Management Facilities, as well as training and certification requirements for environmental officers.

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

Department of Human Services (DHS), Division of Developmental Disabilities Services, Review of Rule [Exhibit H]

Mr. Mark White, Deputy Director and Chief of Staff, Legal, and Legislative Affairs, DHS, and Ms. Melissa Weatherton, Director, Division of Developmental Disabilities Services, DHS, discussed the proposed rule pertaining to ADDT and EIDT transportation services, removing the services from the Transportation Provider Manual, including them as optional services, and updating the reimbursement methodology.

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

Department of Human Services, Division of Medical Services, Review of Rule [Exhibit I]

Mr. Mark White, Deputy Director and Chief of Staff, Legal, and Legislative Affairs, DHS, and Ms. Elizabeth Pitman, Director, Division of Medical Services, DHS, discussed the proposed rule regarding skilled nursing facility payment methodology.

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

Arkansas Department of Health (ADH), Division of Health Related Boards and Commissions, Board of Examiners in Speech-Language Pathology and Audiology, Review of Rule [Exhibit J]

Mr. Mark Gilmore, Boards and Commissions Coordinator, ADH, discussed the proposed rules which implement changes to comply with Acts 135, 725, 748, 767, 829, and 968 of 2021.

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

Arkansas Department of Health, Division of Health Facility Services, Review of Rule [Exhibit K]

Mr. Chuck Thompson, Managing Attorney, ADH, and Mr. Mark Gilmore, Boards and Commissions Coordinator, ADH, discussed the proposed rule which establishes minimum standards of licensure for Home Health Agencies.

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

Arkansas Department of Health, Division of Health Facility Services Section, Review of Rule [Exhibit L]

Mr. Chuck Thompson, Managing Attorney, ADH, and Mr. Mark Gilmore, Boards and Commissions Coordinator, ADH, discussed the proposed rule which ensures high quality professional care for terminally ill patients and their families to comply with Act 311 of 2021.

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

Arkansas Department of Health, Division of Cosmetology, Body Art, & Massage Therapy, Review of Rule [Exhibit M]

Mr. Chuck Thompson, Managing Attorney, ADH, discussed the proposed rule which establishes standards to regulate the vocation of massage therapy and to comply with Acts 135, 136, 725, 746, 748, and 811 of 2021.

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

Arkansas Department of Health, Division of Center for Health Advancement, Review of Rule [Exhibit N]

Mr. Craig Smith, Attorney, ADH, discussed the proposed rule which regulates the licensing of interpreters for individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf and impose penalties for persons or entities that violate these rules and to comply with Acts 135 and 725 of 2021.

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

Arkansas Department of Health, Division of Environmental Health Services, Review of Rule [Exhibit O]

Mr. Don Adams, Interim Chief of Staff, Deputy Director for Administration, ADH, and Ms. Laura Shue, General Counsel, ADH, discussed the proposed rule which establishes procedures for the State Board of Sanitarians and to comply with Acts 135 and 725 of 2021.

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

Arkansas Department of Health, Division of Environmental Health Services, Review of Rule [Exhibit P]

Mr. Lance Jones, Director, Engineering, ADH, and Ms. Laura Shue, General Counsel, ADH, discussed the proposed rule which establishes minimum licensing standards for water operators and to comply with Acts 135, 725, and 811 of 2021.

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

With no further business, the meeting adjourned at 11:25 a.m.

DRAFT