

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

# A Bill

HOUSE BILL 1580

By: Representatives Scott, Ennett, V. Flowers, M. Hodges, Murdock

By: Senator Elliott

## For An Act To Be Entitled

AN ACT TO CREATE THE COMMISSION ON RACIAL INEQUITIES  
IN MATERNAL MORTALITY; AND FOR OTHER PURPOSES.

### Subtitle

TO CREATE THE COMMISSION ON RACIAL  
INEQUITIES IN MATERNAL MORTALITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY. Commission on Racial Inequalities in Maternal Mortality – Creation – Duties.

(a) As used in this section:

(1) "Maternal mortality" means the death of a woman during pregnancy or within one (1) year of the end of the pregnancy; and

(2) "Severe maternal morbidity" means unexpected outcomes of labor and delivery that result in significant short-term or long-term consequences to a woman's health.

(b) There is created the Commission on Racial Inequalities in Maternal Mortality.

(c)(1) The Commission on Racial Inequalities in Maternal Mortality shall consist of the following members:

(A) The Chair of the Arkansas Legislative Black Caucus or his or her designee from the membership of the Arkansas Legislative Black Caucus;

(B) The Secretary of the Department of Health or his or her designee;



(C) One (1) representative of the Arkansas Minority Health Commission;

(D) One (1) representative from the Maternal Mortality Review Committee;

(E) One (1) representative from the Arkansas Medical, Dental, and Pharmaceutical Association, Inc.;

(F) One (1) representative of the Arkansas Medical Society, Inc., who shall specialize in childbirth or maternal health, including without limitation obstetrician-gynecologists, maternal-fetal medicine specialists, and family medicine physicians;

(G) One (1) representative of District VII of the American College of Obstetricians and Gynecologists, who shall specialize in childbirth or maternal health, including without limitation obstetrician-gynecologists, maternal-fetal medicine specialists, and family medicine physicians;

(H) One (1) representative of the Arkansas Affiliate of American College of Nurse-Midwives;

(I)(i) Ten (10) members appointed by the Governor.

(ii) The members appointed by the Governor under subdivision (c)(1)(I)(i) of this section shall satisfy the following requirements:

(a) One (1) member shall be a public health professional who specializes in racial inequities in maternal health;

(b) One (1) member shall be a medical professional who practices in a birthing center;

(c) One (1) member shall be a doula;

(d) Two (2) individuals shall be representatives of different Black-led or Brown-led community-based organizations that provide services to or advocate on behalf of Black and Brown women; and

(e) One (1) member shall be a member of an organization specializing in mental and maternal health in Black and Brown communities;

(J) One (1) member appointed by the Speaker of the House of Representatives from the membership of the House of Representatives;

(K) One (1) member appointed by the President Pro Tempore

of the Senate from the membership of the Senate; and

(L) Up to three (3) additional members appointed by the cochairs to ensure representation of communities of color and other marginalized groups to fulfill the purpose of the Commission on Racial Inequalities in Maternal Mortality.

(2) Each member of the Commission on Racial Inequalities in Maternal Mortality shall:

(A) Have evidence-based knowledge or lay knowledge, expertise, or experience related to maternal mortality and severe maternal morbidity;

(B) Reflect the broad racial and geographic diversity in the state with the majority of the members being from Black and Brown communities and representing the communities that are most impacted by inequities in maternal health outcomes in the state; and

(C) Be appointed within thirty (30) days after the effective date of this act.

(3)(A) If a vacancy occurs on the Commission on Racial Inequalities in Maternal Mortality, the vacancy shall be filled by the same process as the original appointment.

(B) If a vacancy has not been filled by the original appointing authority within two (2) weeks of the date the vacancy occurs, the cochairs of the Commission on Racial Inequities in Maternal Mortality may fill the vacancy.

(d)(1) The lead sponsors of this act shall:

(A) Call the first meeting of the Commission on Racial Inequalities in Maternal Mortality within sixty (60) days of the effective date of this act; and

(B) At the first meeting of the Commission on Racial Inequalities in Maternal Mortality, act as cochairs of the Commission on Racial Inequalities in Maternal Mortality until cochairs of the Commission on Racial Inequalities in Maternal Mortality are elected under subdivision (d)(2) of this section.

(2) At the first meeting of the Commission on Racial Inequalities in Maternal Mortality, the members of the Commission on Racial Inequalities in Maternal Mortality shall elect two (2) cochairs from its legislative members.

(3) The Commission on Racial Inequalities in Maternal Mortality shall meet at least four (4) times in locations across the state in communities experiencing high or disparate rates of maternal mortality or severe maternal morbidity.

(4)(A) The legislative members of the Commission on Racial Inequalities in Maternal Mortality shall be paid per diem and mileage as authorized by law for attendance at meetings of interim committees of the General Assembly.

(B) The nonlegislative members of the Commission on Racial Inequalities in Maternal Mortality shall not be compensated but may be reimbursed under § 25-16-901 et seq. for expenses actually incurred in the performance of their duties.

(5) The Commission on Racial Inequalities in Maternal Mortality shall establish rules and procedures for conducting its business.

(6)(A) A majority of the members of the Commission on Racial Inequalities in Maternal Mortality shall constitute a quorum for transacting business of the Commission on Racial Inequalities in Maternal Mortality.

(B) An affirmative vote of a majority of a quorum present shall be required for the passage of a motion or other action of the Commission on Racial Inequalities in Maternal Mortality.

(7) The Bureau of Legislative Research shall provide staff for the Commission on Racial Inequalities in Maternal Mortality.

(e)(1) The purpose of the Commission on Racial Inequalities in Maternal Mortality is to examine and make recommendations to reduce or eliminate racial inequities in maternal mortality and severe maternal morbidity in the state.

(2) To achieve the purpose stated in subdivision (e)(1) of this section, the Commission on Racial Inequalities in Maternal Mortality shall:

(A) Investigate and report on:

(i) Evidence-based, best, or promising practices, including without limitation approaches taken by other state or grassroots organizations to reduce or eliminate racial inequities in maternal mortality or severe maternal morbidity, including without limitation community-driven strategies, approaches, and policies, including without limitation access to racially and ethnically diverse, culturally competent, and affordable doula services, the accessibility and affordability of birthing centers and

maternal medical homes, and the diversity and cultural competency of maternal healthcare providers;

(ii) Barriers to accessing prenatal and postpartum care, how the prenatal and postpartum care is delivered, and the quality of the prenatal and postpartum care;

(iii) How historical and current structural, institutional, and individual forms of racism, including without limitation implicit bias or discrimination, affect the incidence and prevalence of maternal mortality and severe maternal morbidity in communities of color and potential community-level and state-level solutions, which may include without limitation information related to mandatory, evidence-based implicit bias training for hospital facilities and birthing centers in the state;

(iv) The availability of data collected by the state, including without limitation outpatient data, and what additional data is needed, including without limitation data related to family interviews, resources, and staffing;

(v) The definition of and associated limitations in defining severe maternal morbidity, including without limitation:

(a) What conditions or outcomes constitute severe maternal morbidity;

(b) Extending the timeframe within which severe maternal morbidity should be measured to one (1) year; and

(c) Data and screening criteria necessary to track and measure severe maternal morbidity;

(vi) The availability, affordability, and adequacy of insurance coverage, public or private, relative to prenatal and postpartum care, including without limitation insurance coverage for doula services;

(vii) Any relevant findings of the Arkansas Minority Health Commission and the Maternal Mortality Review Committee; and

(viii) Any other factors that the Commission on Racial Inequalities in Maternal Mortality considers relevant to reducing and eliminating racial inequities in maternal mortality and severe maternal morbidity in the state; and

(B) Recommend specific solutions and legislation necessary to address the issues studied by the Commission on Racial Inequalities in Maternal Mortality under this section.

(f)(1) Within one (1) year of the effective date of this act, the Commission on Racial Inequalities in Maternal Mortality shall file with the President Pro Tempore of the Senate; the Speaker of the House of Representatives; the Secretary of the Department of Health; the Joint Budget Committee; the House Committee on Public Health, Welfare, and Labor; and the Senate Committee on Public Health, Welfare, and Labor a final written report of its activities, findings, and recommendations, including drafts of proposed legislation.

(2) At each meeting of the Commission on Racial Inequalities in Maternal Mortality, the cochairs shall provide an update on the status of the report required under this subsection.

(g) The Commission on Racial Inequalities in Maternal Mortality expires on December 31, 2022.