

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H3/11/21
A Bill

SENATE BILL 212

By: Senators K. Hammer, Irvin
By: Representatives Warren, Cloud

For An Act To Be Entitled

AN ACT TO CREATE THE ARKANSAS PANS/PANDAS ADVISORY COUNCIL; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE ARKANSAS PANS/PANDAS ADVISORY COUNCIL; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code Title 23, Chapter 79, Subchapter 19, is amended to add additional sections to read as follows:

23-79-1903. Arkansas PANS/PANDAS Advisory Council – Creation – Membership – Duties.

(a) There is created the Arkansas PANS/PANDAS Advisory Council to consist of the following members:

(1) Two (2) members of the House of Representatives appointed by the Speaker of the House of Representatives;

(2) Two (2) members of the Senate appointed by the President Pro Tempore of the Senate;

(3) One (1) member who is a medical professional with two (2) years of professional experience working with PANS/PANDAS patients, appointed by the Governor;

(4) One (1) member who is a medical professional with two (2) years of professional experience working with PANS/PANDAS patients, appointed



by the council;

(5) The Secretary of the Department of Health or his or her designee, serving as an ex officio nonvoting member;

(6) The Insurance Commissioner or his or her designee, serving as an ex officio nonvoting member;

(7) Three (3) members appointed by the Governor who are employed by a public school district, one (1) member to be a public school nurse, one (1) member to be a public school counselor, and one (1) member to be a public school teacher;

(8) One (1) member who is designated by the Arkansas Hospital Association, Inc.;

(9) One (1) member who is designated by the Arkansas State Board of Nursing;

(10) One (1) member who is designated by the Arkansas Pharmacist's Association;

(11) One (1) member who is designated by the American Academy of Allergy, Asthma, and Immunology;

(12) Two (2) members who are parents, appointed by the Governor;
and

(13) One (1) member who is designated by the Arkansas Medical, Dental, and Pharmaceutical Association, Inc.

(b)(1) Upon appointment to the council, the initial members shall draw lots to determine the length of their terms.

(2) Appointments shall be for a term of four (4) years.

(3) Vacancies on the council shall be filled in the same manner as provided for the initial appointment.

(4) The new appointee shall serve for the remainder of the unexpired term.

(c) Members shall serve at the pleasure of the organizations they represent or of the Governor, as indicated.

(d)(1) The President Pro Tempore of the Senate shall appoint the Chair of the Arkansas PANS/PANDAS Advisory Council who shall be one (1) of the legislative members of the council.

(2) The Speaker of the House of Representatives shall appoint the Vice Chair of the Arkansas PANS/PANDAS Advisory Council who shall be one (1) of the legislative members of the council.

(e)(1) A majority of the membership shall constitute a quorum.

(2) A majority vote of those members present shall be required for any action of the council.

(f)(1) The council shall meet as often as is deemed necessary by the chair.

(2) The council shall meet at the State Capitol Building in Little Rock, Arkansas.

(g) Legislators shall be paid per diem and mileage as authorized by law for attendance at meetings of interim committees of the General Assembly.

(h)(1) The council shall receive staff support from the Bureau of Legislative Research.

(2) The council shall receive assistance from the Children's Postinfectious Autoimmune Encephalopathy Center of Excellence at the University of Arizona Steele Children's Research Center with the preparation of any reports required by this subchapter.

(i) The council may:

(1) Make recommendations designed to improve and increase knowledge and develop mechanisms to increase clinical awareness and treatment throughout the state for pediatric acute-onset neuropsychiatric syndrome, also known as "PANS", and pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections, also known as "PANDAS", especially for healthcare professionals;

(2) Operate along with the interdisciplinary panel on PANS/PANDAS at the University of Arkansas for Medical Sciences to determine quarterly information, including case statistics, outcome measures, and other relevant information;

(3) Make recommendations concerning standard practice guidelines for the diagnosis and treatment of PANS/PANDAS for adult and pediatric patients who have been diagnosed with PANS/PANDAS;

(4) Provide outreach to educators and parents;

(5) Develop a network of volunteer experts on PANS/PANDAS to serve as resources within this state; and

(6) Consider any related topics associated with the council's charge.

(j)(1) The council shall report to the Senate Committee on Insurance and Commerce, the House Committee on Insurance and Commerce, the Senate

Committee on Public Health, Welfare, and Labor, and the House Committee on Public Health, Welfare, and Labor, as requested.

(2) The report described in subdivision (j)(1) of this section shall be submitted to the Legislative Council for final review.

23-79-1904. Sunset.

This subchapter shall expire on December 31, 2023, unless extended by the General Assembly.

SECTION 2. TEMPORARY LANGUAGE. DO NOT CODIFY. Arkansas PANS/PANDAS Advisory Council – Appointment of members.

The members of the Arkansas PANS/PANDAS Advisory Council shall be appointed by May 1, 2021.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that pediatric acute-onset neuropsychiatric syndrome, also known as "PANS", and pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections, also known as "PANDAS", are misunderstood disorders that affect pediatric and adult patients in Arkansas, and the Arkansas PANS/PANDAS Advisory Council has been working to inform healthcare providers and healthcare insurers about options available to treat PANS and PANDAS, but members of the Arkansas PANS/PANDAS Advisory Council have been limited in their work by the fear of exposure to coronavirus disease 2019 (COVID-19), severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), or mutations of either of those respective viruses; that numerous healthcare providers and healthcare insurers do not have sufficient knowledge about PANS and PANDAS to adequately respond to requests for treatment and coverage, and due to the effects of coronavirus disease 2019 (COVID-19) and severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), or mutations of either of those respective viruses, on the people of this state, the Arkansas PANS/PANDAS Advisory Council has ongoing projects that need immediate attention; that the Arkansas PANS/PANDAS Advisory Council expired December 31, 2020; and that this act is immediately necessary to allow the Arkansas PANS/PANDAS Advisory Council to continue to provide education to healthcare providers and healthcare insurers about the treatment and impact of PANS/PANDAS on patients and their families.

Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/K. Hammer