ATTACHMENT 1

AGENDA FROM JUNE 3, 2019, MEETING OF THE
JOINT COMMITTEE ON PUBLIC HEALTH, WELFARE, AND LABOR
TENTATIVE AGENDA (Revised 5-29-2019)
Senate Committee on Public Health, Welfare, and Labor
House Committee on Public Health, Welfare, and Labor
Meeting Jointly

Monday, June 3, 2019
10:00 AM
Room A, MAC
Little Rock, Arkansas

Sen. Missy Irvin, Chair
Sen. David Wallace, Vice-Chair
Sen. Bill Sample
Sen. Ronald Caldwell
Sen. Jimmy Hickey, Jr
Sen. Bart Hester
Sen. Scott Flippo
Sen. Kim Hammer

Rep. Jack Ladyman, Chair
Rep. Deborah Ferguson, Vice-Chair
Rep. Fredrick J. Love
Rep. Jeff Wardlaw
Rep. Chris Richey
Rep. Stephen Magie
Rep. Josh Miller
Rep. Richard Womack
Rep. John Payton
Rep. Mary Bentley

Rep. Michelle Gray
Rep. Justin Gonzales
Rep. Kenneth B. Ferguson
Rep. Justin Boyd
Rep. Karlyn Brown
Rep. Austin McCollum
Rep. Bruce Coleman
Rep. Clint Penzo
Rep. Mark Perry
Rep. Lee Johnson

A. Call to Order

B. Comments by the Chairs
   1. Senator Missy Irvin
   2. Representative Jack Ladyman

C. Consideration of a Motion to Authorize Chairs to Approve Special Expenses Incurred by the House and Senate Interim Committees on Public Health, Welfare and Labor (EXHIBIT C)

D. Consideration to Adopt the December 10, 2018, Meeting Minutes (EXHIBIT D)

E. Arkansas Department of Health (ADH), Pharmacy Services and Drug Control, Review of Rule Regarding the Scheduling of Controlled Substances (EXHIBIT E)
   1. Laura Shue, General Counsel, ADH
   2. Discussion and Action by the Committees

F. Arkansas Department of Health (ADH), Center for Local Public Health/Environmental Health Protection. This Rule Revision Updates Soil Science Terminology and Removes Outdated Portions of this Rule (EXHIBIT F)
   1. Laura Shue, General Counsel, ADH
   2. Discussion and Action by the Committees

G. Arkansas Department of Health (ADH), Center for Local Public Health/Environmental Health Protection. This Rule Updates the Arkansas Code to the 2013 FDA Food Code Guidance, and Requires a Certified Manager to be Employed by the Establishment (EXHIBIT G)
   1. Laura Shue, General Counsel, ADH
   2. Discussion and Action by the Committees

Note: All exhibits for this meeting are available by electronic means and are accessible on the General Assembly's website at www.arkleg.state.ar.us

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H. Arkansas State Department of Human Services (DHS), Division of Medical Services, Review of Rule that Establishes the Rate Calculation Method for Private Duty Nurses for Dates of Services on or after January 1, 2019, State Plan Amendment 2018-015 (EXHIBIT H)
   1. Janet Mann, Director, Division of Medical Services, DHS
   2. Discussion and Action by the Committees

I. Arkansas Department of Environmental Quality (ADEQ), Office of Air Quality, Review of Rule Regarding Regulation 19, which Deals with the Arkansas Plan of Implementation for Air Pollution Control which Adopts the 2015 Ozone National Ambient Air Quality Standard, Promulgated by the U.S. Environmental Protection Agency (EPA) on October 26, 2015 (EXHIBIT I)
   1. Michael Grappe, Chief Program Officer, ADEQ
   2. Discussion and Action by the Committees

J. Arkansas Department of Environmental Quality (ADEQ), Office of Water Quality, Third Party Rulemaking Regulation 2, Establishing Water Quality Standards for Surface Waters of the State of Arkansas, Modification of Arkansas Water Quality Standards for a Segment of the Unnamed Tributary from the Tyson-Waldron Facility to the Confluence with the Poteau River, and for the Poteau River from the Confluence with the Unnamed Tributary to Scott County Road 59 (EXHIBIT J)
   1. Michael Grappe, Chief Program Officer, ADEQ
   2. Jordan Wimpy, Attorney, Mitchell/Williams Law Firm
   3. Discussion and Action by the Committees

   1. Matt Gilmore, Public Health Programs Policy Coordinator, Arkansas Department of Health (Former Director, Arkansas Tobacco Settlement Commission)
   2. John Henderson, M.D., Commission Chair, Physician, Unity Health
   3. Discussion by the Committees

L. Update on Medicaid Reimbursement from the Department of Human Services (DHS)
   1. Dawn Stehle, Deputy Director, Health and Medicaid, DHS
   2. Paula Stone, Deputy Director, Division of Medical Services, DHS
   3. Melissa Stone, Director, Developmental Disabilities Services (DDS) Division, DHS
   4. Janet Mann, Director, Division of Medical Services, DHS
   5. Discussion and Action by the Committees

M. Update on Medicaid Reimbursement from the 3 PASSEs (Provider-Led Arkansas Shared Savings Entity)
   1. Nicole May, Interim Executive Director, Empower Healthcare Solutions
   2. John P. Ryan, President and Chief Executive Officer, Arkansas Total Care
   3. Jason Miller, Plan President, Summit Community Care
   4. Discussion and Action by the Committees

N. Other Business

O. Adjournment
ATTACHMENT 2

AGENDA FROM JUNE 19, 2019, MEETING OF THE ADMINISTRATIVE RULES SUBCOMMITTEE OF THE ARKANSAS LEGISLATIVE COUNCIL
REVISED AGENDA  
Administrative Rules Subcommittee  
of the  
Arkansas Legislative Council

Wednesday, June 19, 2019  
9:00 AM  
Room A, MAC  
Little Rock, Arkansas  

Sen. Lance Eads, Co-Chair  
Sen. Kim Hammer, Vice-Chair  
Sen. Missy Irvin  
Sen. Jonathan Dismang  
Sen. Jane English  
Sen. Keith Ingram  
Sen. Jim Hendren  
Sen. Blake Johnson  
Sen. Cecile Bledsoe, ex officio  
Sen. Terry Rice, ex officio  
Rep. Dan Sullivan, Co-Chair  
Rep. Lane Jean, Vice-Chair  
Rep. Fredrick J. Love  
Rep. Reginald Murdock  
Rep. Matthew J. Shepherd  
Rep. Jon S. Eubanks  
Rep. Bruce Cozart  
Rep. DeAnn Vaught  
Rep. Jeff Wardlaw, ex officio  
Rep. Jim Dotson, ex officio

A. Call to Order.

B. Reports of the Executive Subcommittee.

C. Rules Filed Pursuant to Ark. Code Ann. § 10-3-309.

4. ARKANSAS STATE BANK DEPARTMENT
   a. 47-704.9 Fiduciary Powers and State Banks

2. DEPARTMENT OF COMMUNITY CORRECTION (Ms. Dina Tyler)
   a. Community Service Program AR 8.8 (p. 1)

3. DEPARTMENT OF ENVIRONMENTAL QUALITY, WATER DIVISION (Mr. Micheal Grappe, Mr. Allan Gates, Mr. Jordan Wimpy)

4. DEPARTMENT OF FINANCE AND ADMINISTRATION, OFFICE OF STATE PROCUREMENT (Ms. Mary Kathryn Williams, Mr. David Withrow, Mr. Edward Armstrong)
   a. R8: 19-11-230 Discussions (p. 7)

5. DEPARTMENT OF HEALTH, CENTER FOR LOCAL PUBLIC HEALTH/ENVIRONMENTAL HEALTH PROTECTION (Ms. Laura Shue)
   a. Rules and Regulations Pertaining to Food Service Establishments (p. 10)
   b. Onsite Wastewater Rules and Regulations (p. 11)

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6. DEPARTMENT OF HEALTH, PHARMACY SERVICES AND DRUG CONTROL (Ms. Laura Shue)
   a. List of Controlled Substances (p. 14)

7. DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES (Ms. Janet Mann)
   a. Private Duty Nursing (PDN) Rate Calculation SPA #2018-015 (p. 18)

8. DEPARTMENT OF HUMAN SERVICES, YOUTH SERVICES (Mr. Marq Golden, Ms. Kara Benca)
   a. Division of Youth Services Operations Manual (p. 20)

9. ARKANSAS MINORITY HEALTH COMMISSION (Ms. ShaRhonda Love)
   a. AMHC Bylaws (p. 21)

10. DEPARTMENT OF PARKS AND TOURISM (Mr. Grady Spann)
    a. CY2019 Arkansas State Parks Fees and Rates (p. 22)

11. ARKANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM (Mr. Jay Wills, Ms. Jessica Middleton)
    a. Age of Members – How Established (p. 23)

D. Adjournment.
ATTACHMENT 3

AGENDA FROM JUNE 21, 2019, MEETING OF THE ARKANSAS LEGISLATIVE COUNCIL
AGENDA
Arkansas Legislative Council

Friday, June 21, 2019
9:00 AM
Room A, MAC
Little Rock, Arkansas

A. Call to Order

B. Roll Call.

C. Approval of the Minutes of the Last Meeting, May 17, 2019.


F. Reports of Standing Subcommittees:

Note: All exhibits for this meeting are available by electronic means and are accessible on the General Assembly's website at www.arkleg.state.ar.us

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G. Reports of Interim or Special Committees.

1. Report of the Joint Advanced Communications and Information Technology Committee.

H. Review of Communications:

1. Arkansas Agriculture Department, Request for the Legislative Council's review of the sale of
   property below the appraised price, submitted pursuant to A.C.A. § 22-6-601(h)(2);

2. Arkansas Board of Parole, Monthly performance report on parole applications and outcomes
   for May 2019, submitted pursuant to A.C.A. § 16-93-210;

3. Arkansas Forestry Commission, Monthly activity report for May 2019, submitted pursuant to
   Section 42 of Act 228 of the 2018 Fiscal Session;

4. Arkansas State Police, Monthly activity report for May 2019 regarding activity and
   condition of the Uniformed Employee Health Insurance Plan, submitted pursuant to
   Section 17 of Act 224 of the 2018 Fiscal Session;

5. Arkansas Teacher Retirement System (ATRS): Request for the Legislative Council's
   review of the partial equity ownership investments with the following, submitted pursuant to
   A.C.A § 19-11-1302:
   a. JFL Equity Investors V, L.P.;
   b. Franklin Park Venture Fund Series 2019, L.P.; and
   c. Franklin Park Corporate Finance Access Fund, L.P.;

6. Bureau of Legislative Research, Report on travel recommendations for members of the
   General Assembly attending conferences other than SLC, CSG, NCSL, ALEC, or the Energy
   Council submitted pursuant to Legislative Council travel policy;

   pursuant to A.C.A. § 22-3-311;

8. Commissioner of State Lands, Report of property sold from January 1, 2019 through
   March 31, 2019 by the Commissioner of State Lands Office through the post-auction sale
   process, submitted pursuant to A.C.A. § 26-37-202(b)(3).

9. Department of Community Correction, Report on the Community Correction Centers'
   population totals and Parole and Probation Services' caseload information as of June 10,
   2019;

10. Department of Correction, Statewide Population Report as of June 10, 2019;

11. Department of Finance and Administration:
   a. DFA, Office of the Director, May 2019 general revenue report;
   b. DFA, Division of Building Authority, Monthly performance report pertaining to capital
      improvement activities (design review and construction) for May 2019, submitted
      pursuant to A.C.A. § 22-2-108(13);
   c. DFA, Office of Child Support Enforcement, Semi-Annual report on the performance
      and progress of the Child Support Program for the period of July 1, 2018 through
      December 31, 2018;
12. Department of Human Services:
   b. DHS Division of Medical Services, Monthly report of Medicaid in-state and out-of-state inpatient psychiatric placements for May 2019, submitted pursuant to A.C.A. § 20-46-105;


14. Public Service Commission, Quarterly report of the Extension of Telecommunications Facilities Fund (ETFF) for the quarter ending March 31, 2019, submitted pursuant to A.C.A. § 23-17-404(e)(7)(A)(i);

I. New Business.

J. New Interim Study Proposals and Interim Resolutions:
   1. Interim Study Proposal 2019-124, by Representative Julie Mayberry, requesting that the Arkansas Legislative Council refer to the House Committee on Revenue and Taxation a study of tax issues related to gambling and the use of potential revenue savings realized by the reform of tax policies relating to gambling;

   2. Interim Study Proposal 2019-125, by Representative Julie Mayberry, which is an act to provide a sales and use tax exemption for the sale of used textbooks to students enrolled in an institution of higher education;

   3. Interim Study Proposal 2019-126, by Representative Jack Ladyman, requests that the Arkansas Legislative Council refer to the House Committee on Revenue and Taxation a study of the possibilities for and effects of reducing the sales and use taxes in the state;

   4. Interim Study Proposal 2019-127, by Representative Jana Della Rosa, which is a bill to create a study of public notice and participation in the environmental permitting process;

   5. Interim Study Proposal 2019-129, by Senator Kim Hammer, proposing that Senate Committee on City, County, and Local Affairs conduct an interim study to determine the best practices of fire departments in the state and in the nation that may be implemented in a local community to improve efficiency.

K. Adjournment.
Co-Chairs:

The Administrative Rules Subcommittee met on Wednesday, June 19, 2019, at 9:00 a.m., in Room A, MAC.

1. The Subcommittee reviewed and approved the following rules filed pursuant to Ark. Code Ann. § 10-3-309:

   DEPARTMENT OF COMMUNITY CORRECTION (Ms. Dina Tyler)
   a. Community Service Program AR 8.8

   DEPARTMENT OF ENVIRONMENTAL QUALITY, WATER DIVISION (Mr. Micheal Grappe, Mr. Allan Gates, Mr. Jordan Wimpy)

   DEPARTMENT OF HEALTH, CENTER FOR LOCAL PUBLIC HEALTH/ENVIRONMENTAL HEALTH PROTECTION (Ms. Laura Shue, Mr. Terry Paul, Mr. Chuck Thompson)
   a. Onsite Wastewater Rules and Regulations

   DEPARTMENT OF HEALTH, PHARMACY SERVICES AND DRUG CONTROL (Ms. Laura Shue, Mr. Shane David)
   a. List of Controlled Substances

   DEPARTMENT OF HUMAN SERVICES, MEDICAL SERVICES (Mr. Isaac Linam, Ms. Janet Mann)
   a. Private Duty Nursing (PDN) Rate Calculation SPA #2018-015
DEPARTMENT OF HUMAN SERVICES, YOUTH SERVICES (Mr. Isaac Linam, Mr. Michael Crump, Ms. Kara Benca)

a. Division of Youth Services Operations Manual

ARKANSAS MINORITY HEALTH COMMISSION (Ms. ShaRhonda Love)

a. AMHC Bylaws

DEPARTMENT OF PARKS AND TOURISM (Mr. Grady Spann, Mr. Shea Lewis)

a. CY2019 Arkansas State Parks Fees and Rates

ARKANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM (Mr. Jay Wills, Ms. Jessica Middleton)

a. Age of Members – How Established

2. The following rule was deferred to the August 14, 2019 meeting of the Administrative Rules Subcommittee:

DEPARTMENT OF FINANCE AND ADMINISTRATION, OFFICE OF STATE PROCUREMENT (Ms. Mary Kathryn Williams, Mr. David Withrow, Mr. Edward Armstrong)

a. R8: 19-11-230 Discussions

3. Upon the agency’s request, the following rule was remanded to the Senate and House Interim Committees on Public Health, Welfare and Labor for further discussion and consideration at its July 8, 2019 meeting and therefore deferred to the July agenda of the Administrative Rules Subcommittee:

DEPARTMENT OF HEALTH; CENTER FOR LOCAL PUBLIC HEALTH/ENVIRONMENTAL HEALTH PROTECTION (Ms. Laura Shue, Mr. Terry Paul, Mr. Chuck Thompson)

a. Rules and Regulations Pertaining to Food Service Establishments
Respectfully submitted,

Senator Lance Eads, Co-Chair

Representative Dan Sullivan, Co-Chair