

**MINUTES**  
**SENATE COMMITTEE ON PUBLIC HEALTH, WELFARE, AND LABOR**  
**HOUSE COMMITTEE ON PUBLIC HEALTH, WELFARE, AND LABOR**  
**Meeting Jointly**  
**Wednesday, August 14, 2024**  
**10:00 AM**  
**Room 171, State Capitol**  
**Little Rock, Arkansas**

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Committee members present: Senators Missy Irvin, Chair; Justin Boyd, Bryan King, Fredrick J. Love, Clint Penzo, and David Wallace; Representatives Lee Johnson, Chair; Fred Allen, Mary Bentley, Jon S. Eubanks, Kenneth B. Ferguson, Justin Gonzales, Zack Gramlich, Stephen Magie, Kendra Moore, Mark Perry, Aaron Pilkington, Ryan A. Rose, Bart Schulz, Jeff Wardlaw, and Jeremy Wooldridge

Other members present: Senators Linda Chesterfield, Alan Clark, Tyler Dees, Jonathan Dismang, Jim Dotson, Bart Hester, and Reginald Murdock; Representatives Howard M. Beaty, Jr., Stan Berry, Nicole Clowney, Cameron Cooper, Denise Jones Ennett, Vivian Flowers, Jack Fortner, Grant Hodges, Steve Hollowell, Austin McCollum, Ron McNair, Milton Nicks, Jr., David Ray, Jay Richardson, Johnny Rye, Joy Springer, and Dwight Tosh

Representative Johnson called the meeting to order.

**Consideration to Approve the June 4, 2024, June 5, 2024, and June 12, 2024, Meeting Minutes [Exhibits B1-B3]**

Representative Pilkington made a motion to approve the minutes, seconded by Representative Gramlich, and the motion carried.

**Overview of Arkansas Tobacco Settlement Commission 2022-2023 Biennial Report [Exhibits C1-C2]**

Matt Gilmore, Boards and Commissions Coordinator, Arkansas Department of Health (ADH), and Dr. Robert McGehee, Executive Director, University of Arkansas Medical Sciences, Arkansas Biosciences Institute, gave an overview of accomplishments made with funding from the Arkansas Tobacco Settlement Commission.

**Discussion of Arkansas Medical Marijuana Impact Assessment [Handout D]**

Dr. Joseph Thompson, President and CEO, Arkansas Center for Health Improvement, reviewed the current state of cannabis legalization and discussed the results from the study of the Medical Marijuana Program.

**Presentation of the Jones Eye Institute at the University of Arkansas for Medical Sciences (UAMS) [Handout E]**

Andy Davis, Vice Chancellor of Institutional Relations and Chief Government Affairs Officer, UAMS, and Paul Phillips, M.D., Director of Jones Eye Institute, Pat Walker Chair in Ophthalmology, Chairman, Department of Ophthalmology, UAMS, presented information on the Ophthalmology Department at the Jones Eye Institute and specialized services that are offered.

**Consideration for Adoption of Interim Study Proposal (ISP) [Exhibits F1-F2]**

Representative Johnson stated that, without objection, ISP 2023-111 and ISP 2023-112 are adopted for study.

**ADH, Center for Health Protection, Licensing and Regulation Branch, Health Facility Services Section, Review of Rule, Rules for Home Caregiver Training in Arkansas [Exhibit G]**

Shane David, Branch Chief, Health Systems Licensing, ADH; Craig Smith, Attorney, ADH; and Laura Shue, General Counsel, ADH; discussed rules pertaining to home caregiver aid training that include four hours for Alzheimer's disease and dementia.

Representative Johnson stated that, without objection, this rule stands reviewed.

**ADH, Center for Local Public Health, Environmental Health, Review of Rule, Rules Pertaining to Master, Journeyman, and Restricted Plumber Licenses, Plumbing and Gas Inspector Licenses, Restricted Hospital Maintenance, and Water and Sewer Service Line Installation & REPEALS: Rules and Regulations Pertaining to Plumbing and/or Natural Gas Inspector Certification; Rules and Regulations Pertaining to Restricted Plumbers License – Water and Sewer Service Line Installation; and Rules and Regulations Pertaining to Restricted Plumbers License – Hospital Maintenance [Exhibit H]**

Ric Mayhan, Environmental Health Manager, Protective Health Codes, ADH; Craig Smith, Attorney, ADH; and Laura Shue, General Counsel, ADH; discussed consolidating rules pertaining to standards for the qualifications, examination, and licensing of master plumbers and journeyman plumbers and for the registration of apprentice plumbers, and of plumbing and gas inspectors, restricted hospital maintenance, and water and sewer service line installation.

Representative Johnson stated that, without objection, this rule stands reviewed.

**ADH, Environmental Health Branch, Center for Local Public Health, Review of Rule, Rules Pertaining to Onsite Wastewater Systems [Exhibit I]**

Terry Paul, Branch Chief, Environmental Health, ADH; Craig Smith, Attorney, ADH; and Laura Shue, General Counsel, ADH; discussed removing old language, proposed changes to allow additional use of management practices in subdivision review, and incorporating changes regarding interceptor drains.

Representative Johnson stated that, without objection, this rule stands reviewed.

**ADH, Center for Health Protection, Cosmetology and Massage Therapy Section, Review of Rule, Rules for Massage Therapy in Arkansas [Exhibit J]**

Kelli Kersey, Section Chief, Cosmetology, Massage Therapy and Body Art, ADH; Craig Smith, Attorney, ADH; and Laura Shue, General Counsel, ADH; discussed rules pertaining to learning permits related to massage therapy.

Representative Johnson stated that, without objection, this rule stands reviewed.

**ADH, Division for Health Protection, Cosmetology, Massage Therapy, and Body Art Section, Review of Rule, Rules for Cosmetology and Body Art in Arkansas [Exhibit K]**

Kelli Kersey, Section Chief, Cosmetology, Massage Therapy and Body Art, ADH; Craig Smith, Attorney, ADH; and Laura Shue, General Counsel, ADH; discussed rules incorporating the Rules for Body Art Establishments in Arkansas into the Rules for Cosmetology, creating the Rules for Cosmetology and Body Art.

Representative Johnson stated that, without objection, this rule stands reviewed.

**ADH, Division for Health Protection, Cosmetology, Massage Therapy, and Body Art Section, Review of Rule, REPEAL: Rules Pertaining to Body Art Establishments [Exhibit L]**

Kelli Kersey, Section Chief, Cosmetology, Massage Therapy and Body Art, ADH; Craig Smith, Attorney, ADH; and Laura Shue, General Counsel, ADH; discussed repealing the existing Rules Pertaining to Body Art Establishments.

Representative Johnson stated that, without objection, this rule stands reviewed.

**ADH, Division for Health Advancement, Office of Oral Health, Review of Rule, Rules Pertaining to Dental Hygienists Serving Underserved Areas [Exhibit M]**

Rachel Sizemore, DDS, Director, Office of Oral Health, ADH; Craig Smith, Attorney, ADH; and Laura Shue, General Counsel, ADH; discussed proposed amendments to remove barriers to using Dental Hygiene Collaborative Care permits in public settings and eliminating a rule that required yearly patient assessments by the Dental Hygiene Collaborative Care provider.

Representative Johnson stated that, without objection, this rule stands reviewed.

**Department of Human Services (DHS), Division of Medical Services, Review of Rule, Vaccine Counseling for Early and Periodic Screening, Diagnostic and Treatment [Exhibit N]**

Mitch Rouse, Chief of Staff, DHS, discussed rules pertaining to coverage of vaccine counseling services for parents, legal guardians, and children.

Representative Johnson stated that, without objection, this rule stands reviewed.

**DHS, Division of Medical Services, Review of Rule, Disproportionate Share Hospital (DSH) Audit [Exhibit O]**

Mitch Rouse, Chief of Staff, DHS, discussed rules pertaining to the redistribution of overpayments to other eligible hospitals.

Representative Johnson stated that, without objection, this rule stands reviewed.

**DHS, Division of Medical Services, Review of Rule, Update to Medicare and Medicaid Crossover Billing Rules [Exhibit P]**

Mitch Rouse, Chief of Staff, DHS, discussed rules pertaining to improvements on how claims are paid and reported for Medicare and Medicaid crossover billing.

Representative Johnson stated that, without objection, this rule stands reviewed.

**DHS, Division of Aging, Adult, & Behavioral Health Services, Review of Rule, Assisted Living Choices Rate Increase [Exhibits Q1-Q2]**

Jay Hill, Director, Division of Aging, Adult, and Behavioral Health Services, DHS, and Mitch Rouse, Chief of Staff, DHS, discussed rules pertaining to a proposed increase and combining the current daily rates for urban and rural providers, removing the distinction between the two types of facilities.

Representative Johnson stated that, without objection, this rule stands reviewed.

With no further business, the meeting was adjourned at 11:45 a.m.