

EXHIBIT C

MINUTES

HOUSE & SENATE INTERIM COMMITTEES ON PUBLIC HEALTH, WELFARE AND LABOR

January 11, 2016

The House and Senate Interim Committees on Public Health, Welfare and Labor met Monday, January 11, 2016 at 1:00 p.m. in Room 171, State Capitol, Little Rock, Arkansas.

Public Health Senate Members Attending Were: Senators Cecile Bledsoe, Chair; Stephanie Flowers, Vice Chair; John Cooper, Scott Flippo, Keith Ingram, Missy Irvin, and Gary Stubblefield.

Public Health House Members Attending Were: Representatives Kelley Linck, Chair; Deborah Ferguson, Vice Chair; Mary Bentley, Justin Boyd, Ken Bragg, David Branscum, Charlene Fite, Kim Hammer, Fredrick Love, Robin Lundstrum, Stephen Magie, David Meeks, Josh Miller, Betty Overbey, John Payton, Chris Richey, Dan Sullivan, Jeff Wardlaw, and Richard Womack.

Other Legislators Attending Were: Senator Greg Standridge. Representatives Jim Dotson, Kenneth Ferguson, Lanny Fite, Michelle Gray, and Nelda Speaks.

Comments by the Chairs

Representative Kelley Linck called the meeting to order.

Consideration to Approve the Minutes from the December 7 & 8, 2015 Meetings (EXHIBITS C-1 & C-2)
Without objection the minutes from the December 7 & 8, 2015 meetings were approved.

New Work Requirements for Supplemental Nutrition Assistance Program (SNAP), Previously Known as the Food Stamp Program, for Recipients Who Are Able-Bodied Adults Without Dependents (*Handout #1*)
Mark White, Deputy Director, Department of Human Services, and Daryl Bassett, Director, Department of Workforce Services (WFS), presented a brief overview of the new work requirements for the Supplemental Nutrition Assistance Program (SNAP). The new requirement states that able-bodied adults without dependent children (ABAWD) may not draw SNAP benefits for more than 3 months in a 3 year period—unless they meet the new work requirement. This work requirement may be met in one of 3 ways:

- ◆ Work at least an average of 20 hours a week, or
- ◆ Participate in a work fair, or
- ◆ Participate in job searches, job training, or job education, sponsored by Arkansas Workforce Services

Mr. White stated the new work requirements apply to able-bodied adults between the ages of 18-49, with no dependent children; unless they are disabled, elderly, pregnant, a woman caring for a small child, or a student enrolled in school. For currently enrolled SNAP beneficiaries, this rule will be in full effect by June 30, 2016. Anyone who enrolls in SNAP on or after January 1, 2016, it will take effect immediately.

Mr. Bassett briefly outlined the process that Arkansas Workforce Services has in place to evaluate the able-bodied adult SNAP beneficiaries as to their job placement readiness. Those who are not job-placement-ready, will be offered job training and/or job education. Workforce Services has a special program for veterans.

The SNAP program is 100% federally funded, except for the administrative costs which are shared 50/50 by state and federal governments. Arkansas receives \$28 million in federal SNAP funds. Senator Stephanie Flowers requested a detailed list of on-the-job training programs, broken down by demographics. Mr. Bassett agreed to provide this information to the committees.

Arkansas Department of Environmental Quality, Review of Rules and Regulations Regarding Regulation #18, Arkansas Air Pollution Control Code (EXHIBIT E)

Stuart Spencer, Associate Director, Office of Air Quality, Arkansas Department of Environmental Quality (ADEQ), presented the proposed revision of the state air code, to be consistent with the federal rule changes. These changes were made after EPA's periodic re-evaluation and revisions of the National Ambient Air Quality Standards (NAAQS) and other federal air pollution control regulations. The changes will also ensure Arkansas retains permitting authority within the state.

The committees heard testimony from Stuart Spencer, Associate Director, Office of Air Quality, Arkansas Department of Environmental Quality. Following committee discussion, the committees recommended review of the rule.

Arkansas Department of Environmental Quality, Review of Rules and Regulations Regarding Regulation #19, Arkansas Plan of Implementation for Air Pollution Control (EXHIBIT F)

Stuart Spencer, Associate Director, Office of Air Quality, Arkansas Department of Environmental Quality, presented this proposed changes. These changes will satisfy the requirements of Sections 110 and 161 of the Clean Air Act. They will also implement the federal rule changes that were made after the EPA periodic re-evaluation of the NAAQS, provide necessary updates, clarify Regulation 19, and eliminate typographical errors.

The committees heard testimony from Stuart Spencer, Associate Director, Office of Air Quality, Arkansas Department of Environmental Quality. Following committee discussion, the committees recommended review of the rule.

Arkansas Department of Environmental Quality, Review of Rules and Regulations Regarding Regulation #26, Regulations of the Arkansas Operating Air Permit Program (EXHIBIT G)

Stuart Spencer, Associate Director, Office of Air Quality, Arkansas Department of Environmental Quality, presented the proposed revisions of the state operating air permit program. These changes will ensure continued compliance with federal rule changes that were made after EPA's periodic re-evaluation and revisions of the National Ambient Air Quality Standards (NAAQS), and other federal air pollution control regulations. The changes will also clarify Regulation 26 and eliminate typographical and formatting errors.

Charles Miller, Executive Director of the Arkansas Environmental Federation, stated the Federation is in support of the proposed changes to Regulations 18, 19, and 26 of the Arkansas Air Pollution Control Code.

The committees heard testimony from Stuart Spencer, Associate Director, Office of Air Quality, Arkansas Department of Environmental Quality. Following committee discussion, the committees recommended review of the rule.

Arkansas Department of Health, Center of Health Protection, Review of Rules and Regulations Pertaining to Arkansas Prescription Drug Monitoring Program from Acts 1208 and 901 of 2015 (EXHIBIT H)

Robert Brech, Chief Financial Officer, Arkansas Department of Health, presented the proposed amendments to the Arkansas Prescription Drug Monitoring Program rules and regulations. The proposed amendments will also ensure continued compliance with Acts 901 and 1208 of 2015.

The committees heard testimony from Robert Brech, Chief Financial Officer, Arkansas Department of Health. Following committee discussion, the committees recommended review of the rule.

Arkansas Department of Health, Health Systems Licensing and Regulation, Review of Rules and Regulations Regarding Cosmetology in Arkansas (EXHIBIT I)

Robert Brech, Chief Financial Officer, Arkansas Department of Health, presented the proposed revisions to the rules and regulations for Cosmetology. These revisions include:

- ◆ Updates to antiquated language
- ◆ Reformatting for easier readability
- ◆ New language regarding inspections, to allow timing flexibility by the agency
- ◆ Processes for those with multiple repeat violations
- ◆ New language for change of ownership & name change processes
- ◆ Standards for cleaning, disinfecting, & sterilization
- ◆ Course instruction & content standards
- ◆ Required privacy protection of client medical information received by licensees prior to performing treatment
- ◆ Scope of treatment allowed by licensed cosmetologist & aesthetician
- ◆ Additional clarifications regarding physical facilities and equipment

The committees heard testimony from Robert Brech, Chief Financial Officer, Arkansas Department of Health. Following committee discussion, the committees recommended review of the rule.

Arkansas Department of Health, Center for Local Public Health, Environmental Health, Review of Rules and Regulations Pertaining to Body Art (EXHIBIT J)

Robert Brech, Chief Financial Officer, Arkansas Department of Health, presented the proposed revisions. Twenty specific proposed changes were made to the rules and regulations pertaining to body art, as listed in Exhibit J (a detailed summary of the proposed changes). Minor changes were also made providing clarification, correct grammar, consistency, and an update of the wording to match the code.

Senator Flowers suggested the Arkansas Department of Health needs to post the Arkansas rules and regulations pertaining to licensure of body art branding; and the penalties for 'branding' without a license on college campuses. Mr. Brech said he would take this under advisement.

The committees heard testimony from Robert Brech, Chief Financial Officer, Arkansas Department of Health. Following committee discussion, the committees recommended review of the rule.

Department of Human Services, Division of Medical Services, Review of Rules and Regulations Pertaining to Patient-Centered Medical Homes 1-15 and Section V-8-15 Which Clarifies total Cost of Care Calculations Criteria and Changes in Enrollment Criteria (EXHIBIT K)

Tami Harlan, Chief Operating Officer, Division of Medical Services, Department of Human Services, presented the proposed changes to Patient-Centered Medical Homes 1-15 and Section V-8-15. This rule revises the criteria for enrollment and for calculating the total cost of care. It also transfers the location of this information to the Arkansas Health Care Payment Improvement Initiative (APII) website (www.paymentinitiative.org/), removes a reporting requirement for participating providers, and provides new timeline updates.

The committees heard testimony from Tami Harlan, Chief Operating Officer, Division of Medical Services, Department of Human Services. Following committee discussion, the committees recommended review of the rule.

Department of Human Services, Division of Medical Services, Review of Rules and Regulations Pertaining to State Plan Amendment 2015-010 and Manual Updates Which Changes the Name from Program Integrity to Office of Medicaid Inspector General (EXHIBIT L)

Tami Harlan, Chief Operating Officer, Division of Medical Services, Department of Human Services, presented the proposed change, which moves the Office of Integrity under the directive of the Office of the Medicaid Inspector General. This will change the name of the program and become effective January 1, 2016, to be in compliance with Act 1499 of 2013

The committees heard testimony from Tami Harlan, Chief Operating Officer, Division of Medical Services, Department of Human Services. Following committee discussion, the committees recommended review of the rule.

Department of Human Services, Division of Medical Services, Review of Rules and Regulations Pertaining to Pharmacy 3-15 which is Updating the Pharmacy Manual to Create a Pharmacy Medication Return Requirement (EXHIBIT M)

Tami Harlan, Chief Operating Officer, Division of Medical Services, Department of Human Services, presented the Pharmacy Manual update of Section 213.20 that will address the prescription refill limit. This will allow pharmacies a maximum of 14 days to reverse original prescriptions and refills that were not provided to the recipient.

The committees heard testimony from Tami Harlan, Chief Operating Officer, Division of Medical Services, Department of Human Services. Following committee discussion, the committees recommended review of the rule.

ADOPTION FOR STUDY & BRIEF DISCUSSION: ISP2015-157 – “Requesting the Arkansas Legislative Council of the Ninetieth Arkansas General Assembly to Refer to the Senate Committee on Public Health, Welfare, and Labor a Study of the Present Statutory Framework Regarding Waste Tires with the Goal of Finding Solutions to the Continuing Problems that Escape the Existing Framework.” Sponsor, Senator Linda Chesterfield (EXHIBIT N)

Senator Cecile Bledsoe presented and explained Interim Study Proposal, ISP2015-157. Senator Bledsoe made a motion to adopt this ISP, and to send it to the Labor & Environment Subcommittee for further study. The motion passed.

Report from the Division of Behavioral Health, Department of Human Services, Regarding Implementation of Act 161 of 2015 which Removed the Existing Outcomes Assessment Tool from Rehabilitative Services for Persons with Mental Illness (RSPMI) Certification Manual (EXHIBIT O)

Robbie Nix, Business Operations Manager, Division of Behavioral Health Services, Department of Human Services, presented the monthly update on the progress of implementing Act 161 of 2015.

Mr. Nix announced that the Division of Behavioral Health has scheduled an introductory meeting for February 24, 2016 at 1:00 p.m., in the large conference room at the Arkansas State Hospital in Little Rock. This meeting is to inform stakeholders of Act 161 and the process of implementation. This meeting is open to legislators, agencies, and providers. Senator Bledsoe suggested that Mr. Price send a reminder of this meeting to all of the committee members. Mr. Nix stated he would email the meeting information to Mr. Price.

The meeting adjourned at 2:40 p.m.