

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025

A Bill

HOUSE BILL 1456

4
5 By: Representative Rose
6 By: Senator Hill

For An Act To Be Entitled

7
8
9 AN ACT TO AMEND THE STATE KIDNEY DISEASE COMMISSION
10 TO BE AN ADVISORY COUNCIL TO THE DEPARTMENT OF
11 HEALTH; AND FOR OTHER PURPOSES.

Subtitle

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13
14 TO AMEND THE STATE KIDNEY DISEASE
15 COMMISSION TO BE AN ADVISORY COUNCIL TO
16 THE DEPARTMENT OF HEALTH.

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18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20
21 SECTION 1. Arkansas Code §§ 20-15-602 - 20-15-605 are amended to read
22 as follows:

23 20-15-602. State Kidney Disease ~~Commission~~ Advisory Council - Creation
24 - Members.

25 (a)(1) There is established a State Kidney Disease ~~Commission~~ Advisory
26 Council to consist of ~~ten (10)~~ seven (7) members.

27 (2) ~~Nine (9)~~ Seven (7) members shall be appointed by the
28 ~~Governor and confirmed by the Senate~~ State Board of Health as follows:

29 (A) Three (3) members who are knowledgeable in renal
30 medicine and the treatment of end-stage renal disease shall be physicians
31 licensed to practice in Arkansas who are actively engaged in the private
32 practice of medicine in this state;

33 (B) One (1) member who is knowledgeable in renal medicine
34 and the treatment of end-stage renal disease shall be a physician licensed in
35 Arkansas who is engaged primarily in the institutional practice of medicine;

36 (C) ~~Two (2) members~~ One (1) member shall be ~~persons~~



1 engaged in hospital administrative activities;

2 (D) ~~Two (2) members~~ One (1) member shall be named from the
3 public at large, but ~~they~~ he or she shall be ~~individuals who have an~~
4 individual who has a demonstrated interest in the treatment and cure of renal
5 diseases and may be a representative from an Arkansas-based nonprofit
6 organization dedicated to the treatment and cure of renal diseases; and

7 (E) One (1) member who shall represent the elderly shall
8 be sixty (60) years of age or older and shall be appointed from the state at
9 large. The member shall not be actively engaged in or retired from any
10 profession, occupation, or industry which is regulated pursuant to this
11 subchapter.

12 ~~(3) The Secretary of the Department of Health, or his or her~~
13 ~~designee, shall be a member of the commission and shall serve as secretary of~~
14 ~~the commission and disbursing officer of funds appropriated to the commission~~
15 ~~for the treatment and cure of renal diseases.~~

16 (b) Members shall be appointed for four-year terms to expire on
17 January 14 of the members' fourth year of the appointed term. Members shall
18 serve until their successors are appointed and qualified.

19 (c) If a vacancy occurs on the ~~commission~~ advisory council due to
20 death, resignation, or other cause, the vacancy shall be filled by
21 appointment of the ~~Governor~~ State Board of Health of a person eligible for
22 the initial appointment, as provided in subsection (a) of this section, for
23 the remainder of the unexpired portion of the term of the member.

24 (d) The ~~commission~~ advisory council shall annually elect one (1) of
25 its members as chair and one (1) of its members as vice chair and such other
26 officers as the ~~commission~~ advisory council deems necessary.

27 (e) The ~~commission shall~~ advisory council may meet as necessary, as
28 determined by the chair of the advisory council, and shall meet at least one
29 (1) time each calendar ~~quarter~~ year and at such other times as may be
30 designated by the ~~commission's~~ advisory council's rules or upon call by the
31 Chair of the State Kidney Disease ~~Commission~~ Advisory Council or upon written
32 request of any ~~four (4)~~ three (3) members.

33 (f) Members shall serve without pay but may receive expense
34 reimbursement in accordance with § 25-16-901 et seq.

35 (g) Members shall qualify by taking the oath of office as prescribed
36 by law.

1 (h) A quorum shall consist of a simple majority of the current
2 appointed members of the advisory council.

3
4 20-15-603. ~~State Kidney Disease Commission~~ Department of Health –
5 Powers and duties.

6 (a) ~~The State Kidney Disease Commission~~ Department of Health, in
7 consultation with the State Kidney Disease Advisory Council, shall ~~have the~~
8 ~~following functions, powers, and duties:~~

9 (1)(A)(i) ~~To establish~~ Administer a program to assist persons
10 suffering from acute or chronic renal failure in obtaining care and treatment
11 requiring kidney dialysis or transplantation.

12 (ii) Services to assist persons requiring
13 transplantation may include dental services necessary for consideration for
14 transplantation and the copayment of immunosuppressant drugs post
15 transplantation.

16 (B) The program shall provide financial assistance for
17 persons suffering from chronic renal diseases who require life-saving care
18 and treatment for the renal disease to the extent as determined by the
19 ~~commission~~ Department of Health that a person is unable to pay for the
20 services on a continuing basis without causing unjust and unusual hardship to
21 himself or herself and his or her immediate family including without
22 limitation a drastic lowering of the standard of living;

23 (2) ~~To develop standards~~ Develop rules for determining
24 eligibility for assistance in defraying the cost of care and treatment of
25 renal disease under this program, to be recommended for adoption by the State
26 Board of Health;

27 (3) ~~To cooperate~~ Cooperate with hospitals, private groups, and
28 organizations and public agencies in the development of positive programs to
29 bring about financial assistance and support of evaluation and treatment of
30 patients suffering from chronic kidney disease;

31 (4) ~~To cooperate~~ Cooperate with the national and state kidney
32 foundations and with medical programs of the state and the United States
33 Government for the purpose of obtaining the maximum amount of federal and
34 private assistance possible in support of a kidney disease treatment program;

35 (5) ~~To establish criteria and standards~~ Establish rules for
36 evaluating the financial ability of persons suffering from chronic kidney

1 disease to pay for their own care, including the availability of third-party
 2 insurance coverage, for the purpose of establishing ~~standards~~ rules for
 3 eligibility for financial assistance in defraying the cost of the care and
 4 treatment from funds appropriated to the ~~commission~~ advisory council for
 5 renal disease treatment purposes;

6 (6) ~~To accept~~ Accept gifts, grants, and donations from private
 7 sources and the United States Government and support from municipal and
 8 county governments to be used for the purposes of this subchapter in
 9 defraying costs incurred by persons suffering from acute or chronic renal
 10 disease who are unable to meet the total cost of life-saving care and
 11 treatment for renal disease; and

12 (7) ~~To accept~~ Accept gifts, grants, and donations from private
 13 sources and the United States Government and support from municipal and
 14 county governments to be used to honor persons who have provided living
 15 kidney donations to Arkansans in need of kidney transplantation.

16 (b) Whereas the current Department of Finance and Administration
 17 accounting system will accept current-year refunds, credit the current-year
 18 appropriation, and allow expenditure of the funds, the ~~commission~~ advisory
 19 council, administered by the Department of Health, may accept prior-year
 20 refunds and contributions and deposit the funds into the agency cash fund in
 21 an account specifically identified as the State Kidney Disease Escrow Account
 22 and disbursed for the purchase of additional services for clients served by
 23 the ~~commission~~ advisory council.

24
 25 ~~20-15-604. State Kidney Disease Commission — Advisory association.~~

26 ~~(a) In developing rules and in determining standards for determining~~
 27 ~~eligibility for financial assistance to persons suffering from chronic renal~~
 28 ~~diseases who require lifesaving care and treatment for such renal diseases,~~
 29 ~~the State Kidney Disease Commission shall consult with and obtain the advice~~
 30 ~~of the Arkansas Association for Kidney Diseases, a nonprofit corporation~~
 31 ~~organized under the laws of this state. This organization is recognized as~~
 32 ~~the representative body to serve as an advisory association to the commission~~
 33 ~~and to the deputy director of the appropriate division as determined by the~~
 34 ~~Secretary of the Department of Health in carrying out their functions and~~
 35 ~~duties under this subchapter.~~

36 ~~(b) Before promulgating rules and eligibility standards, the~~

1 ~~commission shall consult with the advisory association and shall give~~
 2 ~~consideration to its recommendations in performing its duties under the~~
 3 ~~provisions of this subchapter.~~

5 20-15-605. ~~State Kidney Disease Commission~~—Disbursement of funds.

6 (a)(1) The Secretary of the Department of Health shall be the
 7 disbursing officer of funds appropriated by the General Assembly and of other
 8 funds made available to the ~~State Kidney Disease Commission~~ Department of
 9 Health for such purposes.

10 (2) These funds are to provide monetary assistance to defray the
 11 cost incurred by patients suffering from acute or chronic renal disease who
 12 are unable to meet the total cost of their care or treatment from their own
 13 resources or from third-party resources.

14 (b) The secretary shall be governed by the ~~policies, rules, and~~
 15 ~~procedures~~ adopted by the State Board of Health and promulgated by the
 16 ~~commission~~ department under the Arkansas Administrative Procedure Act, § 25-
 17 15-201 et seq., in disbursing funds appropriated, or otherwise made
 18 available, to the ~~commission~~ advisory council for renal disease treatment
 19 purposes.

21 SECTION 2. DO NOT CODIFY. TEMPORARY LANGUAGE. Membership of the
 22 State Kidney Disease Commission – Transition to the State Kidney Disease
 23 Advisory Council.

24 (a) The terms of the members of the State Kidney Disease Commission
 25 shall expire on the effective date of this act.

26 (b) The State Board of Health shall appoint new members to the State
 27 Kidney Disease Advisory Council on and after the effective date of this act.

28 (c) Members of the commission may submit applications to the board for
 29 appointment to the advisory council.