

# 93<sup>rd</sup> General Assembly Review

January 11, 2021 –

October 15, 2021



## Membership

### SENATE – SENATOR HICKEY

- 88,000 Arkansans
- 7 Women / 28 Men
- 27 R / 7 D / 1 Independent
- 4 Freshmen
- 3 Term Limited
  - Bledsoe, Teague, Elliott

### HOUSE – REPRESENTATIVE SHEPHERD

- 30,000 Arkansans
- 25 Women / 75 Men
- 76 R / 24 D
- 22 Freshmen / 11 Fifth Term

## BUDGET – REVENUE STABILIZATION ACT

- State General Revenue – Total \$5.84 billion
  - Category A: \$5.65 billion
  - Category B: \$73.7 million
  - Category C: \$99.7 million
  - Category D: \$17.1 million



## Regular Session Effective Date of new Acts (Jan. 11 – Oct. 15, 2021)

- Census Data (Sept 30)
- Arkansas Constitution Art. 5
  - 90 days after final adjournment (*sine die*) OR
  - Recess longer than 90 days
- Emergency clause or specific date exemption
- July 28 (from April 27)
- Jan. 13, 22 (from Oct. 15)



## Session Statistics



- Through April 28
  - Regular Bills: 1,675
  - Resolutions: 181
  - Acts: 1,112
- Through October 15
  - 983 House
  - 744 Senate
  - 1,727 (without resolutions)
- TOTAL ACTS: 1,727



## PRIORITY 1: Medicaid Expansion (Act 530)

- Arkansas Health and Opportunity for Me
  - AR HOME
- Qualified Health Plans
- Rural HOMEs
- Maternity HOMEs
- Success HOMEs
- June '21 – public comment
- Submit waiver
- August '21- QHP rates
- October '21 – CMS approval
- January 1, '22 – START



## Medicaid Funding – Soft Drink Tax



- Soft Drink Tax – Special Session of 1992
- 1992 – hospital Medicaid outpatient rates CUT
- 1994 – ballot measure
  - 2/3 to overturn
- \$40 million
  - FMAP Matched (\$130+m)



## No Patient Left Alone (Act 311)

- Effective March 10, 2021
- Medicare Conditions of Participation
  - Infection Control
  - Visitation
- Duty to Patient
- Public Relations



## COVID Public Health Authority Limits

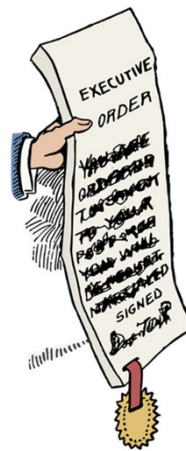


- Act 1002 (April 28, 2021)
  - Government mask mandates
- Act 697
  - CLEAR face mask
- Act 977 (April 28, 2021)
  - COVID vax mandates
- Act 1030
  - Vaccine Passports



## Executive Orders Codified

- Immunity for Healthcare Workers
  - Act 510 (April 1, 2021)
- Worker's Compensation
  - Business Liability Protections
    - Act 559 (April 5, 2021)
  - Workplace Acquired Infection
    - Act 353 (March 15, 2021)
- Telemedicine
  - Act 829 (April 21, 2021)



## Scope of Practice



- CRNA Supervision
  - Act 449
- APN Full Practice Board
  - Act 412
- PCPs for Medicaid
  - Act 569
- Pharmacists Prescribe Vax
  - Act 406
- Certified Nurse Midwives
  - Act 607



## Criminal Investigation Assistance

- Blood sample taken (Act 990)
  - by non-physician
    - Consent
    - Warrant or court order
  - Physician or nurse
    - Exigent circumstances
- Healthcare providers can make samples available to coroner-issued subpoenas (Act 708)
  - Antemortem blood
  - Urine
  - Other biological fluids
  - Other toxicological samples



## Education and Licensure

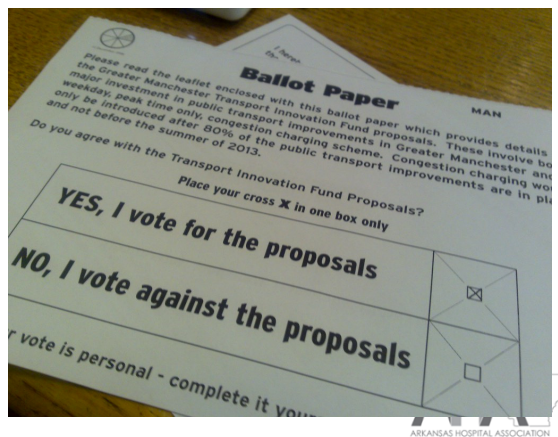


- Multiyear license or registration by Medical Board (Act 803)
- LPN and MA education provided by post-secondary institution, hospital, SNF consortium (Act 759)
- PA representative on Medical Board (Act 634)



## Ballot Referrals

- 60% approval to refer future Constitutional Amendments (HJR 1005)
- Religious Freedom (SJR 14)
- Legislature calls Special Sessions (SJR 10)



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## Extended Session

- REDISTRICTING



- Act 1115 – employers that mandate COVID vaccines must offer alternatives
  - Weekly testing
  - Positive antibody test










## School Masking/Unemployment Special Session (Aug. 4 – Aug. 6, 2021)

- School board decides
- Unemployment benefits (federal) refused





## Tax Special Session (Dec. 7 – Dec. 10, 2021)

TAX LEGISLATION TAKING EFFECT JANUARY 1, 2022		
<p><b>ACT 1 &amp; ACT 2</b> (2<sup>ND</sup> EXTRAORDINARY SESSION) REDUCES THE TOP INCOME TAX RATE FROM 5.9% TO 5.5% FOR 2022.</p> 	<p><b>ACT 376</b></p>   <p>REDUCES THE ADDITIONAL REGISTRATION FEE FOR A HYBRID VEHICLE TO \$50.00.</p>	<p><b>ACT 362</b> CREATES THE ELECTIVE PASS-THROUGH ENTITY TAX ACT.</p> 
<p><b>ACT 1013</b> REDUCES SALES &amp; USE TAX RATE FOR SALES OF USED MOTOR VEHICLES THAT HAVE A SALES PRICE OF AT LEAST \$4,000 BUT LESS THAN \$10,000 TO 3.5%.</p> 	<p><b>ACT 841</b> CREATES AN INCOME TAX CREDIT FOR RETIRED LAW ENFORCEMENT OFFICERS WHO WORK ON BEHALF OF THE DIVISION OF ARKANSAS STATE POLICE TO INVESTIGATE COLD CASES.</p> 	

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## Fiscal Session 2022 (Feb. 14 – Mar. 15, 2022)

- Act 213 (SB 54) – Appropriation for Medical Services
  - House: 91 Y / 3 N / 6 not voting
  - Senate: 31 Y / 0 N / 3 absent



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## Questions?

Jodiane Tritt, JD  
(501) 859-5805 (Cell)  
jtritt@arkhospitals.org

