Public Hearing on Proposed Amendments to the Rules Pertaining to the

Prescription Drug Monitoring Program

Date: September 24, 2019

Time: 9:00am to 9:22am

Location: Arkansas Department of Health—Dr. Joseph Bates Auditorium
4815 West Markham St.
Little Rock, AR 72205

Attendants:
Laura Rothfeldt Arkansas Department of Health
Rodney Baker Arkansas Veterinary Medical Association
Laura Shue Arkansas Department of Health
DeShawn Bryant Arkansas Department of Health
Michael St. Clair Arkansas Department of Health
Jamie Turpin Arkansas Department of Health

Comment #1 (Rodney Baker)—

Mr. Baker asked the program in Section VII (a) (1) (D) if the date of January 1, 2019 was an accurate date for the rule update.

Response #1

As mandated in Act 820 of 2017, “On or before January 1, 2019, the department shall contract with a vendor to make the Prescription Drug Monitoring Program interactive and to provide same-day reporting in real-time, if funding and technology are available.”

Comment #2 (Rodney Baker)—

Mr. Baker questioned how a veterinarian is to query a patient in the Prescription Drug Monitoring Program web portal, specifically if the vet is mandated to query to animal patient or the human owner.
Response #2

To comply with the mandatory use law enacted by Act 820 of 2017, the veterinarian is to search the web portal using the animal’s name as the first name, the owners last name and the animal’s date of birth. Searching in this manner will report only prescriptions filled under the animal’s name and not human patient information.

Comment #3 (Rodney Baker)—

In Section IV (d)(2)(C)(ii)(a), the language mentions “palliative care”. Mr. Baker asked if a definition of “palliative care” could be added to the rules. On 9/24/2019 at 11:02 am, Mr. Baker followed up via email on a suggested definition for “palliative care.” “Palliative care” means an interdisciplinary approach to specialized medical and nursing care for patients with chronic conditions. It focuses on providing relief from the symptoms, pain, physical stress, and mental stress at any stage of illness. The goal is to improve quality of life for both the patient and their family.

Response #3

After reviewing Mr. Baker’s suggestion on a definition and internal research on definitions for “palliative care” in current statute, the program suggests the addition of the definitions below:

“Hospice” or “hospice care” means an autonomous, centrally administered, medically directed, coordinated program providing a continuum of home, outpatient, and home-like inpatient care for the terminally ill patient and family, employing an interdisciplinary team to assist in providing palliative and supportive care to meet the special needs arising out of the physical, emotional, spiritual, social and economic stresses which are experienced during the final stages of illness and during dying and bereavement, with such care being available 24 hours a day, 7 days a week and provided on the basis of need regardless of ability to pay.

“Palliative care” means patient-centered and family-centered medical care offered throughout the continuum of an illness that optimizes quality of life by anticipating, preventing, and treating the suffering caused by a serious illness to address physical, emotional, social, and spiritual needs and facilitate patient autonomy, access to information, and choice, including without limitation:

(A) Discussion of the patient's goals for treatment;

(B) Discussions of treatment options appropriate to the patient, including hospice care, if needed; and

(C) Comprehensive pain and symptom management
Comment #4 (Rodney Baker)—

Mr. Baker pointed out the word regulation/regulations was found throughout the markup rules. And commented that this needed to be changed to rules.

Response #4

The program will remove the word regulation when referencing the Arkansas Code throughout the rules as mandated by Act 315 of 2019.

Comment #5 (Rodney Baker)—

Mr. Baker pointed out that in Section VII(a)(2)(A-B) that the information in (A) and (B) was repetitive and redundant.

Response #5

The language in Section VII(a)(2)(A-B) is from past language and will not be edited.