

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1434

5 By: Representatives C. Fite, S. Berry, D. Garner, M. Gray, McCullough, Warren
6 By: Senators Hill, B. Ballinger, B. Davis, K. Hammer, G. Leding
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE ALZHEIMER'S DISEASE AND DEMENTIA
10 ADVISORY COUNCIL; TO PROVIDE FOR THE POWERS AND
11 DUTIES OF THE ALZHEIMER'S DISEASE AND DEMENTIA
12 ADVISORY COUNCIL; TO PROVIDE FOR THE IMPLEMENTATION
13 OF A STATE ALZHEIMER'S PLAN; AND FOR OTHER PURPOSES.
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Subtitle

16 TO CREATE THE ALZHEIMER'S DISEASE AND
17 DEMENTIA ADVISORY COUNCIL; AND TO PROVIDE
18 FOR THE IMPLEMENTATION OF A STATE
19 ALZHEIMER'S PLAN.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code Title 20, Chapter 8, is amended to add an
26 additional subchapter to read as follows:

27 Subchapter 11 – Alzheimer's Disease and Dementia Advisory Council
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29 20-8-1101. Alzheimer's Disease and Dementia Advisory Council –
30 Creation – Membership.

31 (a) There is created the Alzheimer's Disease and Dementia Advisory
32 Council, which shall consist of the following members:

33 (1) A member of the House of Representatives, to be appointed by
34 the Speaker of the House of Representatives, who shall serve as a cochair of
35 the council;

36 (2) A member of the Senate, to be appointed by the President Pro



1 Tempore of the Senate, who shall serve as a cochair of the council;

2 (3) One (1) individual who is a family caregiver of an
3 individual living with Alzheimer's disease or another dementia, to be
4 appointed by the Secretary of the Department of Health;

5 (4) The Executive Director of the Arkansas Healthcare
6 Association or his or her designee;

7 (5) The Executive Director of Alzheimer's Arkansas Programs and
8 Services or his or her designee;

9 (6) The Executive Director of the Arkansas Chapter of the
10 Alzheimer's Association or his or her designee;

11 (7) The Arkansas State Director of the Arkansas State Office of
12 AARP, Inc. or his or her designee;

13 (8) The Executive Director of the Arkansas Minority Health
14 Commission or his or her designee;

15 (9) The Executive Director of The Broyles Foundation or his or
16 her designee;

17 (10) The President of the Arkansas Hospital Association or his
18 or her designee;

19 (11) The President of the Arkansas Medical Society or his or her
20 designee;

21 (12) One (1) individual representing the Arkansas Association of
22 Area Agencies on Aging, to be appointed by the Secretary of the Department of
23 Health;

24 (13) One (1) individual who represents home care providers, to
25 be appointed by the Secretary of the Department of Health;

26 (14) One (1) physician who has experience diagnosing and caring
27 for patients with Alzheimer's disease, to be appointed by the Secretary of
28 the Department of Health;

29 (15) One (1) individual representing the University of Arkansas
30 for Medical Sciences Centers on Aging, to be appointed by the Secretary of
31 the Department of Health;

32 (16) One (1) individual who conducts research regarding
33 Alzheimer's disease or other dementias, to be appointed by the Secretary of
34 the Department of Health;

35 (17) One (1) individual from a statewide association
36 representing the interests of nursing professionals, to be appointed by the

1 Secretary of the Department of Health;

2 (18) The Secretary of the Department of Health or his or her
3 designee, who shall be a nonvoting member;

4 (19) The Secretary of the Department of Human Services or his or
5 her designee, who shall be a nonvoting member; and

6 (20) The long-term care ombudsman for the Division of Aging,
7 Adult, and Behavioral Health Services of the Department of Human Services or
8 his or her designee, who shall be a nonvoting member.

9 (b)(1)(A) Each voting member shall serve for a term of two (2) years.

10 (B) If a suitable successor who meets the requirements of
11 this section is not available to be appointed to a position on the council,
12 the current member may be reappointed for an additional term of two (2)
13 years.

14 (2) If a vacancy occurs on the council, the vacancy shall be
15 filled by the same process as the original appointment.

16 (c)(1) The legislative members of the commission shall be paid per
17 diem and mileage as authorized by law for attendance at meetings of interim
18 committees of the General Assembly.

19 (2) Nonlegislative members of the council shall not be
20 compensated but may be reimbursed under § 25-16-901 et seq. for expenses
21 actually incurred in the performance of their duties.

22 (d)(1) The cochair of the council shall call the first meeting of the
23 council within thirty (30) days of the initial appointment of members.

24 (2) Meetings of the council shall be held at least one (1) time
25 every quarter but may occur more often at the call of the cochair.

26 (3) The council shall establish rules and procedures for
27 conducting its business.

28 (4)(A) A majority of the voting members of the council shall
29 constitute a quorum for transacting business of the council.

30 (B) An affirmative vote of a majority of a quorum present
31 shall be required for the passage of a motion or other council action.

32 (5) The Bureau of Legislative Research shall provide staff for
33 the council as necessary to assist the council in the performance of its
34 duties.

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36 20-8-1102. Duties.

1 The Alzheimer's Disease and Dementia Advisory Council shall:

2 (1) Examine the:

3 (A) Needs of individuals living with Alzheimer's disease
4 or other dementias;

5 (B) Services available in the state for individuals living
6 with Alzheimer's disease or other dementias and their family caregivers; and

7 (C) Ability of healthcare providers and facilities to meet
8 the current and future needs of individuals living with Alzheimer's disease
9 or other dementias;

10 (2) Consider and make findings and recommendations on the
11 following, which shall be known as the "State Alzheimer's Plan":

12 (A) Trends in the state's Alzheimer's disease and other
13 dementias populations and service needs, including without limitation:

14 (i) The state's role in providing or facilitating
15 long-term care, family caregiver support, and assistance to those individuals
16 with early-stage or early-onset Alzheimer's disease or other dementias;

17 (ii) The state's policies regarding individuals with
18 Alzheimer's disease or other dementias;

19 (iii) The fiscal impact of Alzheimer's disease and
20 other dementias on publicly funded healthcare programs; and

21 (iv) The establishment of a surveillance system to
22 better determine the number of individuals diagnosed with Alzheimer's disease
23 or other dementias and to monitor changes to the number of individuals
24 diagnosed with Alzheimer's disease or other dementias;

25 (B) Existing resources, services, and capacity relating to
26 the diagnosis and care of individuals living with Alzheimer's disease or
27 other dementias, including without limitation:

28 (i) The type, cost, and availability of Alzheimer's
29 disease and other dementias care services;

30 (ii) The availability of healthcare workers who can
31 serve people with dementia, including without limitation neurologists,
32 geriatricians, and direct care workers;

33 (iii) Dementia-specific training requirements for
34 public and private employees who interact with people living with Alzheimer's
35 or other dementias, including without limitation long-term care workers, case
36 managers, adult protective services, law enforcement, and first responders;

1 (iv) Home-based and community-based services,
2 including without limitation respite care for individuals diagnosed with
3 Alzheimer's disease or other dementias and their families;

4 (v) Quality care measures for home-based and
5 community-based services and residential care facilities; and

6 (vi) State-supported Alzheimer's and other dementias
7 research conducted at universities located in this state;

8 (C) Policies and strategies that address:

9 (i) Increasing public awareness of Alzheimer's
10 disease and other dementias;

11 (ii) Educating healthcare providers to increase
12 early detection and diagnosis of Alzheimer's disease and other dementias;

13 (iii) Improving the health care received by
14 individuals diagnosed with Alzheimer's disease and other dementias;

15 (iv) Evaluating the capacity of the healthcare
16 system in meeting the growing number and needs of those individuals with
17 Alzheimer's disease and other dementias;

18 (v) Increasing the number of healthcare
19 professionals available to treat the growing aging and Alzheimer's disease
20 and dementia populations;

21 (vi) Improving services provided in the home and
22 community to delay and decrease the need for institutionalized care for
23 individuals with Alzheimer's disease or other dementias;

24 (vii) Improving long-term care, including without
25 limitation assisted living, for those individuals with Alzheimer's disease or
26 other dementias;

27 (viii) Assisting unpaid Alzheimer's disease and
28 other dementias caregivers;

29 (ix) Increasing and improving research on
30 Alzheimer's disease and other dementias;

31 (x) Promoting activities to maintain and improve
32 brain health;

33 (xi) Improving the collection of data and
34 information related to Alzheimer's disease and other dementias and their
35 public health burdens;

36 (xii) Improving public safety for and addressing the

1 safety-related needs of those individuals with Alzheimer's disease or other
2 dementias;

3 (xiii) Addressing legal protections for and legal
4 issues faced by individuals with Alzheimer's disease or other dementias; and

5 (xiv) Improving the ways in which the state
6 government evaluates and adopts policies to assist individuals diagnosed with
7 Alzheimer's disease or other dementias and their families.

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9 20-8-1103. Reports.

10 (a) By October 1, 2022, and by October 1 of each subsequent year, the
11 Alzheimer's Disease and Dementia Advisory Council shall submit to the
12 Governor, the Speaker of the House of Representatives, and the President Pro
13 Tempore of the Senate an annual report on the status of implementation of the
14 State Alzheimer's Plan recommendations under § 20-8-1102, any barriers to
15 implementation, and any proposed legislation.

16 (b) Every four (4) years, the council shall issue an updated plan
17 addressing the items in § 20-8-1102 and any other issues the council deems
18 necessary and relevant toward addressing Alzheimer's disease and other
19 dementias.

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21 20-8-1104. Implementation reports.

22 (a) By October 1 of each even-numbered year, the state agencies
23 identified in the State Alzheimer's Plan shall submit a report to the
24 Governor, the Speaker of the House of Representatives, and the President Pro
25 Tempore of the Senate that includes without limitation:

26 (1) The steps the state agency has taken to implement the
27 recommendations in the plan; and

28 (2) If applicable, the state agency's reasons for failing to
29 implement all or any part of the plan.

30 (b) The Alzheimer's Disease and Dementia Advisory Council shall
31 include the council's analysis of the status of state agencies'
32 implementation of the plan in the report required under § 20-8-1103.

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34 SECTION 2. DO NOT CODIFY. Initial appointments to Alzheimer's Disease
35 and Dementia Advisory Council.

36 Members of the Alzheimer's Disease and Dementia Advisory Council shall

1 be appointed within ninety (90) days of the effective date of this act.

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APPROVED: 3/17/21