

INTERIM JOINT COMMITTEE ON HEALTH, WELFARE, AND FAMILY SERVICES

Minutes of the 3rd Meeting of the 2021 Interim

August 26, 2021

Call to Order and Roll Call

The 3rd meeting of the Interim Joint Committee on Health, Welfare, and Family Services was held on Thursday, August 26, 2021, at 8:30 AM, at the Kentucky State Fair, 937 Phillips Lane, Louisville, Kentucky, Senator Ralph Alvarado, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Ralph Alvarado, Co-Chair; Representative Kimberly Poore Moser, Co-Chair; Senators Julie Raque Adams, Karen Berg, Danny Carroll, David P. Givens, Denise Harper Angel, Jason Howell, Alice Forgy Kerr, Stephen Meredith, Michael J. Nemes, and Max Wise; Representatives Danny Bentley, Adam Bowling, Josh Bray, Tom Burch, Ryan Dotson, Daniel Elliott, Ken Fleming, Deanna Frazier, Mary Lou Marzian, Melinda Gibbons Prunty, Felicia Rabourn, Josie Raymond, Steve Riley, Scott Sharp, Steve Sheldon, Nancy Tate, Russell Webber, Susan Westrom, and Lisa Willner.

Guests: Kristi Putnam, Chief of Staff to the Chief Executive Officer and President, Ramel Bradley, Director of Outreach, AppHarvest; Dr. Connie White, Deputy Commissioner for Clinical Services, Department for Public Health, Cabinet for Health and Family Services; John Inman, Chief Policy Officer, Teresa Cooper, Director of Government Affairs, Kentucky Primary Care Association; Wayne Linscott, Chief Executive Officer, Tara Stanfield, Chief Integrated Care Officer, HealthFirst Bluegrass Community Health Center; Pam Spradling, Director of Strategic Planning and Development, Big Sandy Community Health Center; Tammy Collett, Regional Director, Mountain Comprehensive Community Health Center; Nancy Galvagni, President, Bud Warman, Vice President, Member Engagement, Melanie Moch, Vice President, Information Services, Kentucky Hospital Association; and Todd Trapp, Assistant Director, Division of Family Support, Department for Community Based Services, Cabinet for Health and Family Services.

LRC Staff: DeeAnn Wenk, Ben Payne, Chris Joffrion, Samir Nasir, Becky Lancaster, and Hillary Abbott.

Approval of Minutes

A motion to approve the minutes of the July 21, 2021, meeting was made by Senator Nemes, seconded by Senator Meredith, and approved by voice vote.

AppHarvest

Kristi Putnam, Chief of Staff to the Chief Executive Officer and President, AppHarvest, discussed AppHarvest's mission to build a resilient food system for America in Appalachia and reasons why the need for such a system is growing. She reviewed how AppHarvest has proposed establishing a new local supply chain; and how controlled environment agriculture works to solve agriculture's biggest environmental and social issues regarding labor, efficiency, pesticides, runoff, food waste, and climate. She discussed the number and growth of AppHarvest employees from 2018 to 2021. The number of companies working as a supply chain provider for AppHarvest in different counties, and how Kentucky can lead in the AgTech Ecosystem industry.

Ramel Bradley, Director of Outreach, AppHarvest, discussed the rural and urban connection regarding economic and food insecurities and health outcomes. He reviewed AppHarvest's partnership with Kentucky State University and the Carter G. Woodson Academy Container farm launch in Lexington. Ms. Putnam discussed using American Rescue Plan Act (ARPA) funding in six eligible areas to address rural and urban food deserts and company highlights regarding the Morehead operations, new farm development, and non-dilutive capital.

In response to questions and comments from Senator Alvarado, Ms. Putnam stated that the Netherlands is approximately the size of Eastern Kentucky and the second largest exporter of fresh produce in the world.

In response to questions and comments from Senator Meredith, Mr. Bradley stated that a food desert is an area or community that does not have access to fresh, affordable foods and grocery stores are scarce. Ms. Putnam stated that she can provide information that specifically defines a food desert and the per capita by county data food deserts in Kentucky.

In response to questions and comments from Representative Bentley, Mr. Bradley stated that AppHarvest grows tomatoes hydroponically using a drip irrigated, close loop system with a 10 acre retention pond to collect rain water. Mr. Bradley stated that AppHarvest has a partnership with Mastronardi Produce to grade the tomatoes.

In response to questions and comments from Representative Gibbons Prunty, Mr. Bradley stated that AppHarvest has partnered with six high schools in Eastern Kentucky to teach students about their process. Students partner with restaurants in their community to supply produce and completed an event that highlighted foods grown by the students.

In response to questions and comments from Representative Dotson, Ms. Putnam stated that Mastronardi Produce is the distributor for AppHarvest.

In response to questions and comments from Representative Raymond, Ms. Putnam stated that AppHarvest opened in October of 2020 and discussed earnings expectations.

Kentucky Health Metrics Update on Chronic Diseases

Dr. Connie White, Deputy Commissioner for Clinical Services, Department for Public Health (DPH), Cabinet for Health and Family Services (CHFS), discussed Kentucky's chronic disease status per America's health rankings in 2020 and the use of community health workers to improve health outcomes.

In response to questions and comments from Senator Alvarado, Dr. White stated that Kentucky has indoor, smoke-free policies in some communities but not in the entire state.

In response to questions and comments from Senator Meredith, Dr. White stated that DPH is reviewing what foods are put into the boxes that are given to people. She stated that community health workers are required to have a high school diploma or a GED and must complete trainings to achieve the community health worker status. She stated that the Alzheimer's association has meetings with DPH regarding Alzheimer and dementia care and caregiver. She stated that there is no grant funding for active Alzheimer and dementia research or work by DPH.

In response to questions and comments from Representative Fleming, Dr. White stated that Kentucky has increased colon cancer screenings along with other states.

In response to questions and comments from Representative Sheldon, Dr. White stated that DPH is trying to get a vaping ban in the 100 percent tobacco free schools and communities that are smoke free.

In response to questions and comments from Representative Bentley, Dr. White stated that a higher number of sexual partners could put someone at a higher risk of being exposed to human papillomavirus (HPV).

In response to questions and comments from Representative Bowling, Dr. White stated that the annual American Health Rankings addresses states that have changed rankings and notes by what degree. States with similar social settings typically have around the same rankings in health outcomes each year.

In response to questions and comments from Representative Raymond, Dr. White stated that most of DPH efforts has been to making sure people receive cancer screenings, chronic disease checkups, and childhood vaccinations.

Primary Care Services and Community Health Workers

John Inman, Chief Policy Officer, Kentucky Primary Care Association (KPCA), reviewed KPCA's mission. He discussed that KPCA offers services, behavioral and physical health services, dental services, outreach programs, and school clinics. Wayne Linscott, Chief Executive Officer, HealthFirst Bluegrass Community Health Center, reviewed HealthFirst Bluegrass Community Health Center's mission, status, sites, and project projections. Tara Stanfield, Chief Integrated Care Officer, HealthFirst Bluegrass Community Health Center, reviewed the common issues that community health workers (CHWs) deal with and the supports that CHWs provide to community members. She reviewed the future goals for CHWs to also be staff with relatable life experience.

Pam Spradling, Director of Strategic Planning and Development, Big Sandy Community Health Center, discussed how CHWs at Big Sandy Community Health Center assist clients with coordinating care, home visits, clinic visits, telehealth visits, phone calls, health education, navigation services, and links to community resources to help alleviate barriers to better health outcomes. She testified that CHWs are eligible to be certified through DPH with continuing education units each year.

In response to questions and comments to Representative Moser, Ms. Spradling stated that CHW services are not billable however, Big Sandy Community Health Center is able to bill Medicare for chronic care management when CHWs are working under direct supervision of a provider.

Tammy Collett, Regional Director, Mountain Comprehensive Community Health Center, testified about an experience of a CHW working with a patient to overcome specific needs and challenges to properly take required medications.

In response to questions and comments from Senator Berg, Ms. Collett stated that her center pays CHWs an average of \$15 per hour and with the new CHW certification the center, they may be able to employ someone without a clinical background.

In response to questions and comments from Senator Alvarado, Ms. Spradling stated that the CHWs 40 hour training is provided by the Appalachian Kentucky Healthcare Access Network. She stated that her center does not require CHWs have a medical background.

Health Care Issues Facing Kentucky's Hospitals and Their Patients

Nancy Galvagni, President, Kentucky Hospital Association (KHA), discussed the stress Kentucky hospitals are facing from the flood of COVID-19 patient admissions. Most patient admissions to the intensive care units and patients on ventilators are unvaccinated. She discussed the nursing shortage, the growing need for access to ambulance services, and reviewed the impact of COVID-19 on behavioral health and substance use disorder

(SUD) issues. She discussed the rise in the use of opioids and other drugs during the COVID-19 pandemic. She discussed the compliance with the federal transparency law and gave a brief update on the hospital rate improvement plan.

In response to questions and concerns from Senator Alvarado, Ms. Galvagni stated that a plan needs to be put together to ensure an appropriate workforce going forward.

In response to questions and concerns from Senator Meredith, Ms. Galvagni stated that KHA's goal is to serve the patient not to run ambulance services unless there is no other choice.

In response to questions and concerns from Senator Carroll, Ms. Galvagni stated that the Kentucky Board of Emergency Medical Services regulates ambulance services regarding staffing the ambulances.

In response to questions and concerns from Representative Willner, Ms. Galvagni stated that she has also heard that ambulance services are not being provided for some mental health or behavioral health calls and that some people are not transferred to hospitals with mental health units.

In response to questions and concerns from Representative Moser, Ms. Galvagni stated that there were several things done during the pandemic that would continue to be helpful.

In response to questions and concerns from Senator Carroll, Ms. Galvagni stated that she has not heard of hospitals prioritizing vaccinated patients over non-vaccinated patients. She stated that hospitals are working together to get all patients treated at a facility.

Consideration of Referred Administrative Regulations

The following referred administrative regulations were placed on the agenda for consideration: **201 KAR 002:061 Proposed** - Procedures followed by the Kentucky Board of Pharmacy in the investigation and hearing of complaints; **201 KAR 026:115 Proposed** - Definition of psychological testing; **201 KAR 026:121 Proposed** - Scope of practice and dual licensure; **201 KAR 026:125 Proposed** - Health service provider designation; **201 KAR 026:130 Proposed** - Grievances and administrative complaints; **201 KAR 026:155 Proposed** - Licensed psychologist: application procedures and temporary license; **201 KAR 026:171 Proposed** - Requirements for clinical supervision; **201 KAR 026:180 Proposed** - Requirements for granting licensure as a psychologist by reciprocity; **201 KAR 026:185 Proposed** - Requirements for granting licensure as a psychologist to an applicant licensed in another state; **201 KAR 026:190 Proposed** - Requirements for supervised professional experience; **201 KAR 026:200 Proposed** - Education requirements; **201 KAR 026:230 Proposed** - Examinations and applications; **201 KAR 026:250 Proposed** - Employment of a psychological associate; **201 KAR 026:280 Proposed** - Licensed

psychological associate: application procedures and temporary license; **201 KAR 026:290 Proposed** - Licensed psychological practitioner: application procedures; **201 KAR 026:310 Proposed** - Telehealth and telepsychology; **201 KAR 032:030 Proposed** – Fees; **201 KAR 032:035 Proposed** - Supervision of marriage and family therapy associates; **201 KAR 032:060 Proposed** - Continuing education requirements; **201 KAR 035:010 Proposed** - Definitions for 201 KAR Chapter 35; **201 KAR 035:020 Proposed** – Fees; **201 KAR 035:025 Proposed** – Examinations; **201 KAR 035:040 Proposed** - Continuing education requirements; **201 KAR 035:050 Proposed** – Curriculum of study; **201 KAR 035:055 Proposed** - Temporary registration or certification; **201 KAR 035:070 Proposed** - Supervision experience; **201 KAR 035:075 Proposed** - Substitution for work experience for an applicant for certification as an alcohol and drug counselor; **201 KAR 035:080 Proposed** - Voluntary inactive and retired status; **907 KAR 001:038 Proposed** - Hearing Program coverage provisions and requirements; **922 KAR 001:490 Proposed** - Background checks for foster and adoptive parents and relative and fictive kin caregivers; **922 KAR 002:300 Proposed** - Emergency child care approval; and **922 KAR 005:020 Proposed** - Batterer intervention provider certification standards. The administrative regulations above have been reviewed by the committee.

Legislative Hearing on the Community Services Block Grant (CSBG) Preliminary State Plan

Todd Trapp, Assistant Director, Division of Family Support, Department for Community Based Services, Cabinet for Health and Family Services, gave an overview of the federal fiscal year (FFY) 2020-2021 Community Services Block Grant (CSBG) Preliminary State Plan. A motion to approve the FFY 2020-2021 CSBG Preliminary State Plan was made by Senator Meredith, seconded by Representative Bentley, and approved by voice vote.

Adjournment

There being no further business, the meeting was adjourned at 10:57 AM.