



Arkansas Department of Health

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Governor Asa Hutchinson
José R. Romero, MD, Secretary of Health

PROPOSED REVISIONS TO THE ARKANSAS KIDNEY DISEASE COMMISSION RULES

September 15, 2021

PURPOSE

The Arkansas Department of Health (Department) is seeking Governor Hutchinson's review of proposed amendments to the Arkansas Kidney Disease Commission (AKDC) Rules.

BACKGROUND

The AKDC duly adopts and promulgates its Rules for the administration of its programs pursuant to the authority expressly conferred to it by Act 450 of 1971. The AKDC was brought under ADH during Act 910 "transformation." ADH advised AKDC the necessity for updates and clarification of the Rules which had not been amended in many years.

KEY POINTS

The proposed rule:

- Clarifies eligibility requirements
- Delineates the operations of the Commission
- Adds language from Act 910 of 2019

DISCUSSION

The Arkansas Kidney Disease Commission (AKDC) is initiating the process for the revision of the Arkansas Kidney Disease Commission Rules. The following revisions are being proposed:

In Accordance with Act 910 of 2019 language will be added to the Authority section of the rules stating that the Secretary of the Arkansas Department of Health is the disbursing officer of funds appropriated by the Arkansas General Assembly and any other funds made available to the Commission.

A residency requirement has been added to the eligibility requirements of applicants who wish to participate in the Commission's programs. In addition, financial eligibility of individuals who wish to participate will now be limited to those whose annual income does not exceed 250% of

the Federal Poverty Level (FPL) percentage for the year in which they are applying for assistance.

If an Applicant has insurance coverage, they must provide proof of that coverage. Applicants shall be required to apply and provide evidence of acceptance/denial from all applicable pharmaceutical company patient assistance programs. This is to ensure that the AKDC will only be the payor of last resort.

The revisions also create a formulary that will include nutritional supplements designed for kidney dialysis patients.

RECOMMENDATION

ADH recommends that the proposed amendments to the Rules for the Administration of Arkansas Kidney Disease Commission be approved.