

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

A Bill

HOUSE BILL 1580

4
5 By: Representatives Scott, Ennett, V. Flowers, M. Hodges, Murdock
6 By: Senator Elliott

For An Act To Be Entitled

9 AN ACT TO CREATE THE COMMISSION ON RACIAL INEQUITIES
10 IN MATERNAL MORTALITY; AND FOR OTHER PURPOSES.

Subtitle

14 TO CREATE THE COMMISSION ON RACIAL
15 INEQUITIES IN MATERNAL MORTALITY.

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20 SECTION 1. TEMPORARY LANGUAGE. DO NOT CODIFY. Commission on Racial
21 Inequalities in Maternal Mortality – Creation – Duties.

22 (a) As used in this section:

23 (1) "Maternal mortality" means the death of a woman during
24 pregnancy or within one (1) year of the end of the pregnancy; and

25 (2) "Severe maternal morbidity" means unexpected outcomes of
26 labor and delivery that result in significant short-term or long-term
27 consequences to a woman's health.

28 (b) There is created the Commission on Racial Inequalities in Maternal
29 Mortality.

30 (c)(1) The Commission on Racial Inequalities in Maternal Mortality
31 shall consist of the following members:

32 (A) The Chair of the Arkansas Legislative Black Caucus or
33 his or her designee from the membership of the Arkansas Legislative Black
34 Caucus;

35 (B) The Secretary of the Department of Health or his or
36 her designee;



1 (C) One (1) representative of the Arkansas Minority Health
 2 Commission;

3 (D) One (1) representative from the Maternal Mortality
 4 Review Committee;

5 (E) One (1) representative from the Arkansas Medical,
 6 Dental, and Pharmaceutical Association, Inc.;

7 (F) One (1) representative of the Arkansas Medical
 8 Society, Inc., who shall specialize in childbirth or maternal health,
 9 including without limitation obstetrician-gynecologists, maternal-fetal
 10 medicine specialists, and family medicine physicians;

11 (G) One (1) representative of District VII of the American
 12 College of Obstetricians and Gynecologists, who shall specialize in
 13 childbirth or maternal health, including without limitation obstetrician-
 14 gynecologists, maternal-fetal medicine specialists, and family medicine
 15 physicians;

16 (H) One (1) representative of the Arkansas Affiliate of
 17 American College of Nurse-Midwives;

18 (I)(i) Ten (10) members appointed by the Governor.

19 (ii) The members appointed by the Governor under
 20 subdivision (c)(1)(I)(i) of this section shall satisfy the following
 21 requirements:

22 (a) One (1) member shall be a public health
 23 professional who specializes in racial inequities in maternal health;

24 (b) One (1) member shall be a medical
 25 professional who practices in a birthing center;

26 (c) One (1) member shall be a doula;

27 (d) Two (2) individuals shall be
 28 representatives of different Black-led or Brown-led community-based
 29 organizations that provide services to or advocate on behalf of Black and
 30 Brown women; and

31 (e) One (1) member shall be a member of an
 32 organization specializing in mental and maternal health in Black and Brown
 33 communities;

34 (J) One (1) member appointed by the Speaker of the House
 35 of Representatives from the membership of the House of Representatives;

36 (K) One (1) member appointed by the President Pro Tempore

1 of the Senate from the membership of the Senate; and

2 (L) Up to three (3) additional members appointed by the
3 cochairs to ensure representation of communities of color and other
4 marginalized groups to fulfill the purpose of the Commission on Racial
5 Inequalities in Maternal Mortality.

6 (2) Each member of the Commission on Racial Inequalities in
7 Maternal Mortality shall:

8 (A) Have evidence-based knowledge or lay knowledge,
9 expertise, or experience related to maternal mortality and severe maternal
10 morbidity;

11 (B) Reflect the broad racial and geographic diversity in
12 the state with the majority of the members being from Black and Brown
13 communities and representing the communities that are most impacted by
14 inequities in maternal health outcomes in the state; and

15 (C) Be appointed within thirty (30) days after the
16 effective date of this act.

17 (3)(A) If a vacancy occurs on the Commission on Racial
18 Inequalities in Maternal Mortality, the vacancy shall be filled by the same
19 process as the original appointment.

20 (B) If a vacancy has not been filled by the original
21 appointing authority within two (2) weeks of the date the vacancy occurs, the
22 cochairs of the Commission on Racial Inequities in Maternal Mortality may
23 fill the vacancy.

24 (d)(1) The lead sponsors of this act shall:

25 (A) Call the first meeting of the Commission on Racial
26 Inequalities in Maternal Mortality within sixty (60) days of the effective
27 date of this act; and

28 (B) At the first meeting of the Commission on Racial
29 Inequalities in Maternal Mortality, act as cochairs of the Commission on
30 Racial Inequalities in Maternal Mortality until cochairs of the Commission on
31 Racial Inequalities in Maternal Mortality are elected under subdivision
32 (d)(2) of this section.

33 (2) At the first meeting of the Commission on Racial
34 Inequalities in Maternal Mortality, the members of the Commission on Racial
35 Inequalities in Maternal Mortality shall elect two (2) cochairs from its
36 legislative members.

1 (3) The Commission on Racial Inequalities in Maternal Mortality
2 shall meet at least four (4) times in locations across the state in
3 communities experiencing high or disparate rates of maternal mortality or
4 severe maternal morbidity.

5 (4)(A) The legislative members of the Commission on Racial
6 Inequalities in Maternal Mortality shall be paid per diem and mileage as
7 authorized by law for attendance at meetings of interim committees of the
8 General Assembly.

9 (B) The nonlegislative members of the Commission on Racial
10 Inequalities in Maternal Mortality shall not be compensated but may be
11 reimbursed under § 25-16-901 et seq. for expenses actually incurred in the
12 performance of their duties.

13 (5) The Commission on Racial Inequalities in Maternal Mortality
14 shall establish rules and procedures for conducting its business.

15 (6)(A) A majority of the members of the Commission on Racial
16 Inequalities in Maternal Mortality shall constitute a quorum for transacting
17 business of the Commission on Racial Inequalities in Maternal Mortality.

18 (B) An affirmative vote of a majority of a quorum present
19 shall be required for the passage of a motion or other action of the
20 Commission on Racial Inequalities in Maternal Mortality.

21 (7) The Bureau of Legislative Research shall provide staff for
22 the Commission on Racial Inequalities in Maternal Mortality.

23 (e)(1) The purpose of the Commission on Racial Inequalities in
24 Maternal Mortality is to examine and make recommendations to reduce or
25 eliminate racial inequities in maternal mortality and severe maternal
26 morbidity in the state.

27 (2) To achieve the purpose stated in subdivision (e)(1) of this
28 section, the Commission on Racial Inequalities in Maternal Mortality shall:

29 (A) Investigate and report on:

30 (i) Evidence-based, best, or promising practices,
31 including without limitation approaches taken by other state or grassroots
32 organizations to reduce or eliminate racial inequities in maternal mortality
33 or severe maternal morbidity, including without limitation community-driven
34 strategies, approaches, and policies, including without limitation access to
35 racially and ethnically diverse, culturally competent, and affordable doula
36 services, the accessibility and affordability of birthing centers and

1 maternal medical homes, and the diversity and cultural competency of maternal
2 healthcare providers;

3 (ii) Barriers to accessing prenatal and postpartum
4 care, how the prenatal and postpartum care is delivered, and the quality of
5 the prenatal and postpartum care;

6 (iii) How historical and current structural,
7 institutional, and individual forms of racism, including without limitation
8 implicit bias or discrimination, affect the incidence and prevalence of
9 maternal mortality and severe maternal morbidity in communities of color and
10 potential community-level and state-level solutions, which may include
11 without limitation information related to mandatory, evidence-based implicit
12 bias training for hospital facilities and birthing centers in the state;

13 (iv) The availability of data collected by the
14 state, including without limitation outpatient data, and what additional data
15 is needed, including without limitation data related to family interviews,
16 resources, and staffing;

17 (v) The definition of and associated limitations in
18 defining severe maternal morbidity, including without limitation:

19 (a) What conditions or outcomes constitute
20 severe maternal morbidity;

21 (b) Extending the timeframe within which
22 severe maternal morbidity should be measured to one (1) year; and

23 (c) Data and screening criteria necessary to
24 track and measure severe maternal morbidity;

25 (vi) The availability, affordability, and adequacy
26 of insurance coverage, public or private, relative to prenatal and postpartum
27 care, including without limitation insurance coverage for doula services;

28 (vii) Any relevant findings of the Arkansas Minority
29 Health Commission and the Maternal Mortality Review Committee; and

30 (viii) Any other factors that the Commission on
31 Racial Inequalities in Maternal Mortality considers relevant to reducing and
32 eliminating racial inequities in maternal mortality and severe maternal
33 morbidity in the state; and

34 (B) Recommend specific solutions and legislation necessary
35 to address the issues studied by the Commission on Racial Inequalities in
36 Maternal Mortality under this section.

1 (f)(1) Within one (1) year of the effective date of this act, the
2 Commission on Racial Inequalities in Maternal Mortality shall file with the
3 President Pro Tempore of the Senate; the Speaker of the House of
4 Representatives; the Secretary of the Department of Health; the Joint Budget
5 Committee; the House Committee on Public Health, Welfare, and Labor; and the
6 Senate Committee on Public Health, Welfare, and Labor a final written report
7 of its activities, findings, and recommendations, including drafts of
8 proposed legislation.

9 (2) At each meeting of the Commission on Racial Inequalities in
10 Maternal Mortality, the cochairs shall provide an update on the status of the
11 report required under this subsection.

12 (g) The Commission on Racial Inequalities in Maternal Mortality
13 expires on December 31, 2022.

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