

IN THE SENATE

SENATE BILL NO. 1174

BY FINANCE COMMITTEE

AN ACT

1 APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE MED-  
2 ICAID DIVISION FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF AUTHORIZED  
3 FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2018; PROVIDING FOR  
4 GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EX-  
5 PENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE  
6 INTENT FOR PROGRAM INTEGRITY; REQUIRING MONTHLY MEDICAID TRACKING  
7 REPORTS; PROVIDING FOR TRANSFER OF APPROPRIATIONS BETWEEN CERTAIN  
8 PROGRAMS; REQUIRING BIANNUAL REPORTS ON MEDICAID MANAGED CARE IMPL-  
9 MENTATION; REQUIRING A REPORT ON FLEXIBLE RECEIPT AUTHORITY; PROVIDING  
10 FOR LEGISLATIVE INTENT ON NON-EMERGENCY MEDICAL TRANSPORTATION; APPRO-  
11 PRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR  
12 THE MEDICAID DIVISION FOR FISCAL YEAR 2017; REDUCING THE APPROPRIATION  
13 TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE ENHANCED MEDICAID PLAN  
14 FOR FISCAL YEAR 2017; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF  
15 HEALTH AND WELFARE FOR THE ENHANCED MEDICAID PLAN FOR FISCAL YEAR 2017;  
16 AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR  
17 2017; PROVIDING FOR LEGISLATIVE INTENT ON NON-EMERGENCY MEDICAL TRANS-  
18 PORTATION; AND DECLARING AN EMERGENCY.  
19

20 Be It Enacted by the Legislature of the State of Idaho:

21 SECTION 1. There is hereby appropriated to the Department of Health and  
22 Welfare, the following amounts to be expended according to the designated  
23 programs and expense classes, from the listed funds for the period July 1,  
24 2017, through June 30, 2018:

	FOR	FOR	FOR		
	PERSONNEL	OPERATING	TRUSTEE AND		
	COSTS	EXPENDITURES	BENEFIT	TOTAL	
			PAYMENTS		
25					
26					
27					
28					
29	I. MEDICAID ADMINISTRATION AND MEDICAL MGMT:				
30	FROM:				
31	Cooperative Welfare (General)				
32	Fund	\$6,395,900	\$7,621,300	\$424,100	\$14,441,300
33	Cooperative Welfare (Dedicated)				
34	Fund		8,883,800		8,883,800
35	Cooperative Welfare (Federal)				
36	Fund	<u>9,890,600</u>	<u>37,370,100</u>	<u>1,503,100</u>	<u>48,763,800</u>
37	TOTAL	\$16,286,500	\$53,875,200	\$1,927,200	\$72,088,900

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	TRUSTEE AND	
	COSTS	EXPENDITURES	BENEFIT	TOTAL
			PAYMENTS	
1				
2				
3				
4				
5	II. COORDINATED MEDICAID PLAN:			
6	FROM:			
7	Cooperative Welfare (General)			
8	Fund		\$164,519,500	\$164,519,500
9	Hospital Assessment			
10	Fund		16,863,100	16,863,100
11	Cooperative Welfare (Dedicated)			
12	Fund		8,488,600	8,488,600
13	Cooperative Welfare (Federal)			
14	Fund		<u>376,008,200</u>	<u>376,008,200</u>
15	TOTAL		\$565,879,400	\$565,879,400
16	III. ENHANCED MEDICAID PLAN:			
17	FROM:			
18	Cooperative Welfare (General)			
19	Fund		\$183,068,100	\$183,068,100
20	Hospital Assessment			
21	Fund		1,682,400	1,682,400
22	Cooperative Welfare (Dedicated)			
23	Fund		264,613,200	264,613,200
24	Cooperative Welfare (Federal)			
25	Fund		<u>509,285,000</u>	<u>509,285,000</u>
26	TOTAL		\$958,648,700	\$958,648,700
27	IV. BASIC MEDICAID PLAN:			
28	FROM:			
29	Cooperative Welfare (General)			
30	Fund		\$169,875,000	\$169,875,000
31	Hospital Assessment			
32	Fund		11,454,500	11,454,500
33	Cooperative Welfare (Dedicated)			
34	Fund		16,084,700	16,084,700

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	TRUSTEE AND	
	COSTS	EXPENDITURES	BENEFIT	TOTAL
			PAYMENTS	
5	Cooperative Welfare (Federal)			
6	Fund		<u>491,277,400</u>	<u>491,277,400</u>
7	TOTAL		\$688,691,600	\$688,691,600
8	GRAND TOTAL	\$16,286,500	\$53,875,200	\$2,215,146,900
				\$2,285,308,600

9 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,  
10 Idaho Code, the Department of Health and Welfare is authorized no more than  
11 two hundred sixteen (216) full-time equivalent positions for the Medicaid  
12 Administration and Medical Management program at any point during the pe-  
13 riod July 1, 2017, through June 30, 2018, unless specifically authorized by  
14 the Governor. The Joint Finance-Appropriations Committee will be notified  
15 promptly of any increased positions so authorized. Further, notwithstand-  
16 ing any other provision of law, it is the intent of the Legislature that the  
17 Department of Health and Welfare has the authority to transfer authorized  
18 full-time equivalent positions between budgeted programs.

19 SECTION 3. GENERAL FUND TRANSFERS. As appropriated, the State Con-  
20 troller shall make transfers from the General Fund to the Cooperative  
21 Welfare Fund, periodically, as requested by the director of the Department  
22 of Health and Welfare and approved by the Board of Examiners.

23 SECTION 4. TRUSTEE AND BENEFIT PAYMENTS. Notwithstanding the provi-  
24 sions of Section 67-3511, Idaho Code, funds budgeted in the trustee and  
25 benefit payments expenditure class shall not be transferred to any other  
26 expense class during fiscal year 2018.

27 SECTION 5. PROGRAM INTEGRITY. Notwithstanding any other provision of  
28 law, it is hereby declared to be the intent of the Legislature that the De-  
29 partment of Health and Welfare shall be required to provide those services  
30 authorized or mandated by law in each program, only to the extent of funding  
31 and available resources appropriated for each budgeted program.

32 SECTION 6. MEDICAID TRACKING REPORT. The Department of Health and Wel-  
33 fare, Medicaid Division and Indirect Support Services Division, shall de-  
34 liver on a monthly basis to the Legislative Services Office and the Division  
35 of Financial Management a report that compares the Medicaid budget as appro-  
36 priated, distributed by month for the year, to actual expenditures and re-  
37 maining forecasted expenditures for the year. The report shall also include  
38 a forecast, updated monthly, of the next fiscal year's anticipated trustee  
39 and benefit expenditures. The format of the report, and the information in-  
40 cluded therein, shall be determined by the Legislative Services Office and  
41 the Division of Financial Management.

1 SECTION 7. TRANSFER OF APPROPRIATIONS. Notwithstanding the provisions  
2 of Section 67-3511, Idaho Code, funding provided for the trustee and bene-  
3 fit payments expenditure class in the Medicaid Division may be transferred  
4 in excess of ten percent (10%) among the Coordinated Medicaid Plan, Enhanced  
5 Medicaid Plan, Basic Medicaid Plan, and Medicaid Administration and Medical  
6 Management Program, but shall not be transferred to any other budgeted pro-  
7 grams or expenditure class within the Department of Health and Welfare dur-  
8 ing fiscal year 2018.

9 SECTION 8. MEDICAID MANAGED CARE IMPLEMENTATION. The Medicaid Division  
10 shall provide reports biannually to the Legislative Services Office and the  
11 Division of Financial Management on progress in integrating managed care  
12 approaches into the state Medicaid system. The format of the report and  
13 the information contained therein, shall be determined by the Legislative  
14 Services Office and the Division of Financial Management. The first report  
15 shall be submitted no later than December 31, 2017; and the second report  
16 shall be submitted no later than June 30, 2018.

17 SECTION 9. REPORT ON FLEXIBLE RECEIPT AUTHORITY. The Medicaid Division  
18 shall provide reports annually, at the time of budget submission, to the Leg-  
19 islative Services Office and the Division of Financial Management, that de-  
20 scribe the need for having additional receipt authority built into the bud-  
21 get. The additional dedicated fund appropriation is not to be considered  
22 when calculating the estimated need for ongoing Medicaid costs, but rather  
23 to be held in reserve and used in lieu of General Fund moneys when non-cogniz-  
24 able receipts are received by the department.

25 SECTION 10. NON-EMERGENCY MEDICAL TRANSPORTATION. It is the intent of  
26 the Legislature that of the moneys appropriated in Section 1 of this act,  
27 \$200,000 shall be used solely for purposes of improving the Non-Emergency  
28 Medical Transportation (NEMT) program. This shall include, but is not lim-  
29 ited to, the hiring of an outside entity to conduct an audit of the NEMT pro-  
30 gram and to develop and implement a training program that meets the needs of  
31 all provider types, the contracted broker, the Department of Health and Wel-  
32 fare, and most importantly the Idahoans who are participating in this pro-  
33 gram. The training program is to be developed in collaboration with relevant  
34 stakeholder groups. In addition, no later than December 30, 2017, and again  
35 on June 30, 2018, the Department of Health and Welfare, Division of Medicaid,  
36 shall provide to the Legislative Services Office and the Division of Finan-  
37 cial Management a report that includes details on the implementation of the  
38 audit, training, and any other steps that have been taken by the department  
39 to improve the NEMT program. Any unexpended and unencumbered funds that have  
40 been appropriated for this purpose are to be reverted at the end of the fiscal  
41 year, or as soon thereafter as practicable.

42 SECTION 11. In addition to the appropriation made in Section 1, Chapter  
43 179, Laws of 2016, and any other appropriation provided for by law, there is  
44 hereby appropriated to the Department of Health and Welfare, the following  
45 amounts to be expended for the designated programs and expense classes, from  
46 the listed funds for the period July 1, 2016, through June 30, 2017:

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	TRUSTEE AND	
	COSTS	EXPENDITURES	BENEFIT	TOTAL
			PAYMENTS	
5	I. MEDICAID ADMINISTRATION AND MEDICAL MGMT:			
6	FROM:			
7	Cooperative Welfare (General)			
8	Fund	\$139,500	\$231,300	\$370,800
9	Cooperative Welfare (Federal)			
10	Fund	<u>139,500</u>	<u>231,200</u>	<u>370,700</u>
11	TOTAL	\$279,000	\$462,500	\$741,500
12	II. ENHANCED MEDICAID PLAN:			
13	FROM:			
14	Cooperative Welfare (Dedicated)			
15	Fund		\$10,000,000	\$10,000,000
16	GRAND TOTAL	\$279,000	\$462,500	\$10,741,500

17 SECTION 12. Notwithstanding any other provision of law to the contrary,  
18 the appropriation made to the Department of Health and Welfare for the En-  
19 hanced Medicaid Plan program in Section 1, Chapter 179, Laws of 2016, from  
20 the Cooperative Welfare (General) Fund, is hereby reduced by \$6,461,700 for  
21 trustee and benefit payments, for the period July 1, 2016, through June 30,  
22 2017.

23 SECTION 13. Notwithstanding any other provision of law to the contrary,  
24 the appropriation made to the Department of Health and Welfare for the En-  
25 hanced Medicaid Plan program in Section 1, Chapter 179, Laws of 2016, from  
26 the Cooperative Welfare (Federal) Fund, is hereby reduced by \$16,138,300 for  
27 trustee and benefit payments, for the period July 1, 2016, through June 30,  
28 2017.

29 SECTION 14. FTP AUTHORIZATION. The full-time equivalent position au-  
30 thorization provided to the Department of Health and Welfare in Section 2,  
31 Chapter 179, Laws of 2016, is increased by five (5) for the period July 1,  
32 2016, through June 30, 2017.

33 SECTION 15. NON-EMERGENCY MEDICAL TRANSPORTATION. It is the intent of  
34 the Legislature that of the moneys appropriated in Section 11 of this act,  
35 \$200,000 shall be used solely for purposes of improving the Non-Emergency  
36 Medical Transportation (NEMT) program. This shall include, but is not lim-  
37 ited to, the hiring of an outside entity to conduct an audit of the NEMT pro-  
38 gram and to develop and implement a training program that meets the needs of  
39 all provider types, the contracted broker, the Department of Health and Wel-  
40 fare, and most importantly the Idahoans who are participating in this pro-

1 gram. The training program is to be developed in collaboration with relevant  
2 stakeholder groups. In addition, no later than June 30, 2017, the Department  
3 of Health and Welfare, Division of Medicaid, shall provide to the Legisla-  
4 tive Services Office and the Division of Financial Management a report that  
5 includes details on the implementation of the audit, training, and any other  
6 steps that have been taken by the department to improve the NEMT program. Any  
7 unexpended and unencumbered funds that have been appropriated for this pur-  
8 pose are to be reverted at the end of the fiscal year, or as soon thereafter as  
9 practicable.

10 SECTION 16. An emergency existing therefor, which emergency is hereby  
11 declared to exist, the provisions of Sections 11, 12, 13, 14 and 15 of this  
12 act shall be in full force and effect on and after passage and approval.