

MINUTES  
**SENATE HEALTH & WELFARE COMMITTEE**

**DATE:** Wednesday, January 11, 2012

**TIME:** 3:00 P.M.

**PLACE:** Room WW54

**MEMBERS PRESENT:** Chairman Lodge, Vice Chairman Broadsword, Senators Darrington, Smyser, Heider, Vick, Nuxoll, Bock, and Schmidt

**ABSENT/  
EXCUSED:**

**NOTE:** The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

**MINUTES:** **Chairman Lodge** called the meeting to order at 3:00 P.M. She welcomed guests, welcomed back the Committee Secretary, Lois Bencken, and introduced Senate Page, Abigail Mocettini, Senate Intern, Todd Raines, and Assistant Secretary, Janet Drake. **Chairman Lodge** asked the Committee Secretary to take a silent Roll Call. She stated that the Committee will begin the rules review and passed the gavel to **Vice Chairman Broadsword**.

**DOCKET NO. 16-0301-1003** **Rules Relating to Eligibility for Health Care Assistance for Families and Children (Pending).** **Erica Feider**, Program Specialist with the Department of Health and Welfare, stated the Department has adopted rules to allow electronic and telephonic signatures to improve access to services, increase productivity, and better utilize technology and other solutions to connect customers with services. **Ms. Feider** requested the Committee approve **Docket No. 16-0301-1003**.

Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary. (see Attachment #1).

**Senator Schmidt** asked how a telephonic signature would work? **Ms. Feider** advised a telephone interview with the customer would authenticate identification.

**MOTION:** **Senator Schmidt** moved, seconded by **Senator Smyser** that the Committee adopt **Docket No 16-0301-1003**. The motion carried by **voice-vote**.

**DOCKET NO 16-0303-1001** **Rules Relating to Child Support Services (Pending).** **Ms. Feider**, stated the Department has adopted rules to allow electronic and telephonic signatures to improve access to services, increase productivity, and better utilize technology and other solutions to connect customers with services. **Ms. Feider** requested that the Committee approve **Docket 16-0303-1001**.

Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #2 through #6).

**Senator Symser** noted that **Docket 16-0304-1004, 16-0305-1003, 16-0308-1002, and 16-0612-1003** contain changes identical to **Docket No. 16-0303-1001**, and inquired whether **Vice Chairman Broadsword** would entertain a motion to adopt all of these dockets together. **Vice Chairman Broadsword** agreed that would be expedient..

**MOTION:** **Senator Smyser** moved, seconded by **Senator Heider**, that the Committee adopt **Docket No. 16-0303-1001, 16-0304-1004, 16-0305-1003, 16-0308-1002, and 16-0612-1003**. The motion carried by **voice-vote**.

**DOCKET NO  
16-0301-1101**

**Rules Relating to Eligibility for Health Care Assistance for Families and Children (Pending).** Shannon Epperley, Program Manager, Medicaid Eligibility, with the Department of Health and Welfare, stated the Department is aligning the Eligibility for Aid to the Aged, Blind, and Disabled (AABD) rules with other Department eligibility assistance program rules regarding business processes.

The first change would add the option of using a 50 percent deduction for self-employment expenses when calculating net self-employment income. This proposed change would align the rule language with that of the state plan and the Medicaid rules with those of other benefit programs. The second change would specifically list Veteran's Education Benefits among the types of educational income that are excluded from countable income for Medicaid. This will help ensure that veterans who are pursuing higher education are not incorrectly denied eligibility due to Educational Benefit payments. Ms. Epperley requested that the Committee approve **Docket No. 16-0301-1101**.

Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #7).

Senator Bock inquired if these changes would actually effect any operational changes, and if it is correct that under this rule someone applying for benefits would be treated the same way as they have been treated in the past. Ms. Epperley responded that this rule change would not result in any operational changes inasmuch as the 50 percent deduction for self-employment expenses result is already an allowable option in the State Plan and veteran's benefits are not currently being excluded from countable income. She added that someone applying for benefits would be treated the same way under this rule as they would have been treated in the past. Senator Vick asked if this rule would increase payments or allow more people to be eligible. Ms. Epperley indicated it would not, and that it will provide clarification for staff and the public.

**MOTION:**

Senator Schmidt moved, seconded by Chairman Lodge, that the Committee adopt **Docket No. 16-0301-1101**. The motion carried by **voice-vote**.

**DOCKET NO  
16-0305-1102**

**Rules Relating to Eligibility for Aid to the Aged, Blind and Disabled (AABD) (Pending)** Ms. Epperley, stated the Department is aligning the Eligibility for AABD rules with other Department eligibility assistance program rules regarding business processes. The Department proposes the following two changes: 1) Add the option of using a standard 50 percent deduction for expenses when calculating net self-employment income. and 2) Exclude Veterans Education Benefits from countable income for eligibility under the AABD. Ms. Epperley stated the language is the same as **Docket No. 16-0301-1101**, and requested that the Committee approve **Docket No. 16-0305-1102**.

Supporting documents related to this testimony have been archived and can be accessed in the office of the Community Secretary (see Attachment #8).

**MOTION:**

Senator Heider moved, seconded by Senator Bock, that the Committee adopt **Docket No. 16-0305-1102**. The motion carried by **voice-vote**.

**DOCKET NO  
16-0414-1101**

**Rules Relating to Low Income Home Energy Assistance Program (LIHEAP) (Pending).** Genie Sue Weppner stated the Department is aligning the LIHEA rules with other Department eligibility assistance program rules. The Department proposes the following three changes: 1) Change the LIHEAP income limit from being based on 60 percent of Idaho Median Income to 150 percent of Federal Poverty level, ( FPL). This change will align the program with the Department other benefits program which are based on FPL.; 2) Align Idaho rule with federal statute by including households that receive Food Stamps and SSI as eligible for LIHEAP; and 3) Enhance the section in Idaho LIHEAP rule for dealing with vendor fraud. Ms. Weppner requested that the Committee approve **Docket No. 16-0414-1101**.

Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #9)

**Senator Vick** asked what the difference would be between 60 percent of the Median Income and 150 percent of the FPL. **Ms. Weppner** advised that 60 percent of Median Income is averaging about \$36,000 per household, while 150 percent of FPL is averaging about \$33,000 per household and this rule change is in line with less federal funding. **Senator Bock** noted this rule contains substantial additions related to fraud, and asked if this language was drafted by the Department or by federal fraud investigators. **Ms. Weppner** stated that the fraud language was developed by the Department's fraud unit. In response to questions by **Senator Darrington**, **Ms. Weppner** advised that if a fraud is suspected it would first be reviewed by the Department's fraud investigators, and if criminal action is found, it would be turned over to the federal fraud unit. She added that fraud has not been a problem in Idaho and this language is prompted by rules in other states. **Senator Schmidt** asked what the amount of funding is for this program. **Ms. Weppner** indicated it was approximately \$26 million in 2011 and would be less this year. The program served 52,000 households last year. **Senator Heider** asked if fraud by one utility vendor would terminate the vendor status of all utility vendors, expressing concern that this might affect large vendors. **Ms. Weppner** stated that she could not answer that question but indicated that it would be highly unlikely that a large utility would be charged with fraud and that this rule is intended to eliminate fraud by small vendors, such as wood cutters and pellet vendors. **Senator Bock** asked if this program is administered by local community action agencies and **Ms. Weppner** responded it is.

**MOTION:** **Senator Schmidt** moved, seconded by **Chairman Lodge**, that the Committee adopt **Docket No. 16-0414-1101**. The motion carried by **voice-vote**.

**DOCKET NO 16-0612-1201** **Rules Relating to Idaho Child Care Program (ICCP) (Pending).** **Ms. Weppner**, stated the Department is aligning the Idaho Child Care Program rules with other Department eligibility assistance program rules regarding business processes. These three proposed changes streamline and improve the outcomes for individuals in need of assistance by defining excluded income, amending how activity hours are calculated for part-time or full-time assistance, and amending when and how changes are to be reported. The first change is to align ICCP rules with other critical work support programs such as Food Stamps and Medicaid. The second change will support all families who are actively engaged in work and self-sufficiency activities. The third change would increase the health and safety of children supported by ICCP subsidies. **Ms. Weppner** requested the Committee approve **Docket No. 16-0612-1201**.

Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #10).

**Senator Schmidt** asked what the budget is for this program? **Ms. Weppner** stated it averaged around \$24 Million and this year it could be \$33 Million. **Chairman Lodge** asked if the 40 months limit of post-secondary education is consecutive or cumulative? **Ms. Weppner** states it is cumulative. **Senator Bock** asked what the funding mechanisms are for this program. **Ms. Weppner** advised this program is funded by a federal block grant and the department has up to three years to spend the funds. **Senator Bock** asked what happens if the grant is not spent down? **Ms. Weppner** assured that the fund will be spent; and if there are funds leftover, then the state would return the funds.

**MOTION:** **Senator Symser** moved, seconded by **Senator Bock**, that the Committee adopt **Docket No 16-0612-1201**. The motion carried by **voice-vote**.

**ADJOURN:** **Vice Chairman Broadsword** returned the gavel to **Chairman Lodge**. **Chairman Lodge** thanked the visitors and complimented **Vice Chairman Broadsword**, and the Committee members for an efficient rules reviews. There being no further business to come before the Committee, the meeting was adjourned at 3:35 P.M.

---

Senator Lodge  
Chairman

---

Lois Bencken  
Secretary

---

Janet Drake  
Assistant Secretary