

MINUTES
HOUSE COMMERCE & HUMAN RESOURCES COMMITTEE
MARRIOTT SUBCOMMITTEE
Rules Review

DATE: Tuesday, January 17, 2012

TIME: 1:30 P.M.

PLACE: Room EW20

MEMBERS: Chairman Marriott, Representative(s) Thayn, Nessel, King

**ABSENT/
EXCUSED:** None

GUESTS: Shannon Epperley, Callie King, Kathy McGill, Erica Feider, Matt Clark, Bev Barr, Malinda Jones, Kim Jensen, Garland Draper, Genie Sue Weppner and Martha Garcia, Department of Health & Welfare; Lancus Rossi and Christine Tiddens, Catholic Charities; DeLanie Valentine, Easter Seals - Goodwill; Dennis Stevenson, Department of Administration Rules Coordinator; Dustin Hurst, Idaho Reporter.com

Chairman Marriott called the meeting to order at 1:34 p.m.

DOCKET NOS. **Ms. Erica Feider**, Department of Health and Welfare, presented **Docket Numbers 16-0301-1003, 16-0303-1001, 16-0304-1004, 16-0305-1003, 16-0308-1002, and 16-0612-1003** allowing for electronic and telephonic signatures. This proposed rule was approved during the last Legislative session. In response to concern and questions from the committee, Ms. Feider explained that the process of electronic signatures is more secure than physical document retention and is subject to the same paper security standards with which the Department of Health and Welfare complies. This process allows acknowledgement and verification of client(s) identity and is similar to filing taxes online. Ms. Feider asked for final approval of this rule, which improves business efficiencies and customer service outcomes, and enhances the integrity to the eligibility and application process by having an electronic record of information and requested services.

MOTION: **Rep. King** made a motion to recommend approval of **Docket Numbers 16-0301-1003, 16-0303-1001, 16-0304-1004, 16-0305-1003, 16-0308-1002 and 16-0612-1003** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 16-0301-1101: **Ms. Shannon Epperly**, Department of Health and Welfare, presented **Docket No. 16-0301-1101**, which will codify long-standing policy and add clarification for the department's staff and the public. The first change would add the option of using a standard 50% 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 would align 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 rule change will ensure that Veterans pursuing higher education are not unduly penalized for funds they receive for their education expenses. After clarifying questions from the committee regarding eligibility levels, capital gains, and gross income, Ms. Epperly asked the committee to approve these proposed rule changes to avoid further confusion.

MOTION: **Rep. Thayn** made a motion to recommend approval of **Docket No. 16-0301-1101** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 16-0305-1102: **Ms. Shannon Epperly**, Department of Health and Welfare, presented **Docket No. 16-0305-1102**, which relates to calculating countable income for Aid to the Aged, Blind and Disabled (AABD) eligibility determinations. Ms. Epperly explained that these are the same rules as **Docket No. 16-0301-1101** and adding the two options to the eligibility rules for the AABD program would streamline the application process and increase efficiency for department staff.

MOTION: **Rep. King** made a motion to recommend approval of **Docket No. 16-0305-1102** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 16-0414-1101: **Ms. Genie Sue Weppner**, Department of Health and Welfare, presented **Docket No. 16-0414-01101**, which outlines three changes to the Low Income Home Energy Assistance Program (LIHEAP): (1) Change the LIHEAP income limit based on percent of median income to being based on percent of Federal Poverty Level (FPL). This will align the program with the other benefits programs, which are also based on FPL and will make it less confusing for applicants and the staff. (2) Align Idaho rule with federal statute by including households that receive Food Stamps and SSI as eligible for LIHEAP. Removing the additional verification steps from the LIHEAP interview will make it possible for the community action staff to process the increasing numbers of applicants in a timely manner. (3) Enhance the section of Idaho LIHEAP rule for dealing with vendor fraud, specifically adding remedies that the Department of Health and Welfare can pursue when a LIHEAP vendor knowingly falsifies documentation in order to receive a payment.

After questions from the subcommittee regarding eligibility requirements, median income, fewer funds coming to the state and with more people filing, energy assistance funds, and the benefits determination formula, **Ms. Weppner** remarked that these rules will allow the Department of Health and Welfare to have the necessary and proper steps in place with their due diligence process. She also reassured the committee that the Department has a fraud investigative unit and that they have not seen a lot of fraud in the Energy Assistance Program with vendors colluding with applicants.

MOTION: **Rep. King** made a motion to recommend approval of **Docket No. 16-0414-1101** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 16-0304-1101: **Ms. Malinda Jones**, Department of Health and Welfare, presented **Docket No. 16-0304-1101**, which outlines five changes to the Food Stamp Program, to support the department's continuing efforts to "do more with less."

The first change would waive the interview requirement for the food stamp six-month recertification. This change would bring Idaho in line with the federal policy which requires an interview once every 12 months for ongoing cases. **Ms. Jones** stated that while the six-month interview may be waived, the department still requires application and verification of all elements of eligibility prior to the continuation of benefits.

The second change will allow the department to notify food stamp recipients via email and other technology-based methods. This will expand options rather than relying on the postal service and will allow the department to more quickly and efficiently notify participants.

The third change is specific to the eligibility determination process. This rule changes how work hours are calculated for post-secondary students. A change to the department's internal process by computing work hours at 80 hours per month rather than 20 hours per week (does not reduce work requirements for students) will allow for a less burdensome calculation of eligibility for workers and more flexibility for students in scheduling their work hours.

The fourth change contains a rule which exempts pregnant women from participating in the work and training program while in their third trimester of pregnancy. This population of women will still be eligible to volunteer for participation in the work and training program.

The fifth and final rule change is intended to prohibit children from receiving a caretaker relative cash assistance grant at the same time they are receiving food stamps in a different household. This will prevent developing scenarios that involve grandparents or other relatives.

The committee had questions regarding the average payment per person - per month, certain types of income that are excluded by federal law when determining eligibility for food stamps, a pending rule instituted several months ago, and how long people remain on benefits. **Ms. Jones** responded that the department has not seen a significant increase or decrease in the time a household remains on benefits, but they have seen it reduce the number of cases that fail to recertify and then reapply at a later date.

MOTION: **Rep. Thayne** made a motion to recommend approval of **Docket No. 16-0304-1101** to the full committee. **Motion carried by voice vote.**

DOCKET NO. 16-0308-1101: **Ms. Rosie Andueza**, Department of Health and Welfare, presented **Docket No. 16-0308-1101**, Temporary Assistance for Families in Idaho (TAFI) program, which places more emphasis on family accountability. The definition of household composition includes step-parents, thus requiring step-parents to participate in the work services program when applying for or receiving TAFI cash assistance. This rule change will also allow the department to pursue overpayments in all situations where a family has incorrectly received TAFI benefits. Ms. Andueza stated that these rule changes will increase a family's accountability by including step-parents in the household unit and thus the work program, and by collecting overpayments in all situations, not just those resulting from fraudulent activity by the family.

MOTION: **Rep. King** made a motion to recommend approval of **Docket No. 16-0308-1101** to the full committee. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the subcommittee, the meeting adjourned at 2:40 p.m.

Representative Jim Marriott
Chair

Martha de Simon
Secretary