

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Wednesday, February 08, 2012

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman McGeachin, Vice Chairman Bilbao, Representative(s) Loertscher, Shepherd, Thayn, Wood(27), Guthrie, Roberts, Rusche, Chew

**ABSENT/
EXCUSED:** Rep. Guthrie

GUESTS: Roger Hales, Board of Licensing; Judith Nagel, Jan Edmonds, Roger Gabal, Board of Nursing; Bev Barr, Paul Leary, Sheila Pugatch, Department of Health & Welfare; Greg Dickerson, Human Supports of Idaho; Matt Kaiserman, Gallatin; Dr. Jeff Wright, Mental Health Providers Association of Idaho; Ryan Fitzgerald, Idaho Association of Care Providers; Susie Pouliot, Idaho Medical Association; Ed Hawley, State of Idaho Administrative Rules; Kathrine Hansen, Idaho Association of Developmental Disabilities Agencies; David Simnitt, Division of Medicaid; Mark Johnston, State Board of Pharmacy; Elizabeth Criner, Idaho State Dental Association.

Chairman McGeachin called the meeting to order at 1:37 p.m.

Rep. Bilbao made a motion to approve the minutes for January 30, 2012 and February 2, 2012. **Motion carried by voice vote.**

DOCKET NO. 23-0101-1002: **Judith Nagel**, Associate Director, Idaho Board of Nursing, presented **Docket No. 23-0101-1002**, legislation that clarifies requirements and application procedures for medication assistant certification through processes other than testing.

MOTION: **Rep. Bilbao** made a motion to approve **Docket No. 23-0101-1002**. **Motion carried by voice vote.**

DOCKET NO. 16-0309-1102: **Sheila Pugatch**, Principal Financial Specialist, Division of Medicaid, presented **Docket No. 16-0309-1102**, which updates the hospital floor covered charges reimbursement rate maximum of 91.7% to reflect additional rates for in state hospitals at 100%, critical access in state hospitals at 101%, and out-of-state hospitals at 87.1%.

MOTION: **Rep. Wood(27)** made a motion to approve **Docket No. 16-0309-1102**. **Motion carried by voice vote.**

DOCKET NO. 16-0310-1104 **Sheila Pugatch**, Principal Financial Specialist, Division of Medicaid (the Department), presented **Docket No. 16-0310-1104**, legislation in accordance with **H 260** that continues rate freezes for intellectual disabilities (ICF/ID), removes provider efficiency payments, and defines patient discharge date. She requested that the committee accept the docket with the exceptions of **Sections 119.02.b, 119.03, 140.08.b, 140.09, 659.01.b, 659.02, 706.04, 706.05, 736.09, and 736.10**. These sections reflect the cost survey. She said that the calculation methodology is in place via the state plan.

Greg Dickerson, Human Supports of Idaho, spoke **in opposition** to **Docket No. 16-0310-1104**, as published, and is **in favor** of the rules with the deletions. He said that rate reductions have caused loss of income and service. Mr. Dickerson stated that the current methodology is invalid and provider budget requests to the Department have been ignored. The provider community is willing to meet with the Department to address more complicated problems than a survey.

Dr. Jeff Wright, Clinical Director, Life Counseling Center, spoke **in favor** of **Docket No. 16-0310-1104** with the sections removed. In response to a committee question, he said he could not recall a market rate study request.

Kathryn Hansen, Vice President, Idaho Association of Disabilities Agencies, testified **in favor** of **Docket No. 16-0310-1104** with the sections removed. She expressed her desire to work on the process and the rules for a higher level of participation among all providers. She asked consideration of a change in **H 260** to require the Department to report on cost studies to the germane committees.

- MOTION:** **Rep. Roberts** made a motion to approve **Docket No. 16-0310-1104** with the exception of **Sections 119.02.b, 119.03, 140.08.b, 140.09, 659.01.b, 659.02, 706.04, 706.05, 736.09, and 736.10**. **Motion carried by voice vote.**
- RS 20792:** **Roger Hales**, representing the Board of Occupational Therapy, presented **RS 20792**, which relates to the approval of continuing education courses.
- MOTION:** **Rep. Rusche** made a motion to introduce **RS 20792**. **Motion carried by voice vote.**
- RS 20796:** **Roger Hales**, representing the Board of Professional Counselors and Marriage and Family Therapists, presented **RS 20796**, housekeeping legislation for the previous inclusions of clinical counselor, marriage and family therapists, and associate marriage and family therapists.
- MOTION:** **Rep. Wood(27)** made a motion to introduce **RS 20796**. **Motion carried by voice vote.**
- RS 20810C2:** **Mark Johnston**, Executive Director, State Board of Pharmacy, presented **RS 20810C2**, a statutory update of controlled substance schedules in alignment with the Drug Enforcement Administration (DEA). If approved, an amendment to the bill will be presented at the hearing that strengthens the reference to the drug "spice".
- MOTION:** **Rep. Wood(27)** made a motion to introduce **RS 20810C2**. **Motion carried by voice vote.**
- RS 21087C1:** **Susie Pouliot**, Idaho Medical Association, presented **RS 21087C1**, legislation that clarifies the Pharmacy Practice Act and allows physicians and other providers to prescribe medications, under specific conditions, without a physician/patient relationship. This addresses previous changes for online drug prescription procedures that now hinder practices.
- MOTION:** **Rep. Rusche** made a motion to introduce **RS 21087C1**. **Motion carried by voice vote.**
- DOCKET NO. 16-0202-1101** **Rep. Roberts** made a motion to continue to hold **Docket No. 16-0202-1101** at the call of the Chair. **Motion carried by voice vote.**
- ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:28 p.m.

Representative McGeachin
Chair

Irene Moore
Secretary