

MINUTES  
**SENATE HEALTH & WELFARE COMMITTEE**

- DATE:** Thursday, January 17, 2013
- TIME:** 3:00 P.M.
- PLACE:** Room WW54
- MEMBERS PRESENT:** Chairman Heider, Vice Chairman Nuxoll, Senators Lodge, Hagedorn, Guthrie, Martin, Lakey, 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.
- CONVENED:** **Chairman Heider** called the Health and Welfare Committee to order at 3:01 p.m., and roll call was taken.
- PASSED THE GAVEL:** Chairman Heider passed the gavel to Vice Chairman Nuxoll for continuation of pending rule review.
- DOCKET NO: 16-0402-1201** **Relating to Idaho Telecommunication Service Assistance Program Rules. Genie Sue Weppner**, Program Manager in the Division of Welfare, presented. She stated that the Idaho Telecommunication Service Assistance Program (ITSAP) had two modifications to the program rules. She continued that the first modification is to increase the eligibility criteria to 135 percent of Federal Poverty Guidelines (FPL) from the previous eligibility level of 133 percent of FPL, to comply with the Federal Communications Commission (FCC) regulations. She furthered that the second modification was to remove the "Link-Up" program from the ITSAP rule, since the FCC discontinued the program.
- MOTION:** **Senator Martin** moved to approve **16-0402-1201**. **Chairman Heider** seconded the motion. The motion carried by **voice vote**.
- DOCKET NO: 16-0410-1201** **Relating to Community Services Block Grant Program. Sue Weppner** presented the Community Services Block Grant Program (CSBG) and explained that CSBG is a federally-funded program designated to be used by the Community Action Partnership agencies in the nation. These private non-profit agencies work to alleviate the causes and conditions of poverty for low-income families. Idaho contracts with six Idaho Community Action Partnership Agencies (CAPS) in conjunction with the Community Council of Idaho to deliver services funded with CSBG funds. This network of agencies provides CSBG service to all counties in Idaho. She informed the committee that characteristically, the CSBG eligibility limit has been set at 125 percent of Federal Poverty Level (FPL). The American Reinvestment and Recovery Act of 2009 (ARRA or Stimulus Act) required that all states increase the eligibility limits for CSBG to 200 percent of FPL. This higher income limit expired in 2012, and the docket before the committee today is to return the eligibility criteria for CSBG benefits to 125 percent of FPL to meet the changed federal requirement.
- MOTION:** **Senator Lakey** moved to approve **16-0410-1201**. **Senator Schmidt** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO: 16-0309-1101**      **Relating to Medicaid Basic Plan Benefits. Sheila Pugatch**, a Principal Financial Specialist in the Division of Medicaid, presented **Docket No. 16-0309-1101** for approval to adopt this pending rule as final. She informed the Committee that the purpose of the rule change, which passed last year as a temporary rule, is to change pharmacy reimbursement to the Average Actual Acquisition Cost (AAAC) by obtaining cost information through a pharmacy survey process. Also changed was the dispensing fee payment from a single fee to a tiered fee structure.

**MOTION:**      **Senator Schmidt** moved to approve **16-030-1101**. **Senator Lakey** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO: 16-0325-1201**      **Relating to Medicaid Electronic Health Records Incentive Program. Sheila Pugatch** stated that the Department is seeking to have approval to make this pending rule final. She furthered that the purpose of the rule change is to implement a federal program. The program entails incentivizing eligible hospitals and eligible professionals to adopt, implement and upgrade electronic health record systems in their practice of medicine.

**MOTION:**      **Senator Martin** moved to approve **16-0325-1201**. **Chairman Heider** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO: 16-0309-1202**      **Medicaid Basic Plan Benefits. Lisa Hettinger**, the Bureau Chief for the Division of Medicaid Financial Operations presented **Docket No. 16-0309-1202** and stated that these rule changes are in response to a petition for rulemaking from the Trust and Estate Professionals of Idaho (TEPI). Through this collaboration, the Department is adding a new subsection to IDAPA 16.03.09.905 to codify the current practice of not subjecting certain life estates of Medicaid participants to recovery.

**MOTION:**      **Senator Martin** moved to approve **16-0309-1202**. **Senator Schmidt** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO: 16-0310-1201**      **Medicaid Enhanced Plan Benefits. Lisa Hettinger** presented **Docket No. 16-0310-1201**, whereby rule changes would enable the Department to create an effective process for presenting to the Legislature any proposed rate changes for providers of the following types of services: personal care; mental health; developmental disabilities; and service coordination. **Ms. Hettinger** informed the committee that by creating this new process, the Department is also changing the reimbursement methods in this section so that they align with federal law. The reimbursement rate will be evaluated when necessary, and the rules will outline how any cost surveys will be conducted.

**MOTION:**      **Senator Guthrie** moved to approve **16-0310-1201**. **Chairman Heider** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO: 16-0310-1205**      **Medicaid Enhanced Plan Benefits. Lisa Hettinger** presented **Docket No. 16-0310-1205**. She stated that these rules continue existing reimbursement methodologies for Nursing Facilities and Intermediate Care Facility for the Intellectually Disabled (ICF/IDs) by changing the cost report year definition for the current and subsequent years. She furthered that these rules also establish the authority and criteria to implement Behavioral Care Units and to establish their rate structure.

**MOTION:**      **Senator Guthrie** moved to approve **16-0310-1205**. **Senator Martin** seconded the motion. The motion carried by **voice vote**.

**PASSED THE GAVEL:**      Having completed rules review for the day, Vice Chairman Nuxoll passed the gavel to Chairman Heider.

**ADJOURNED:** There being no more business before the committee, **Chairman Heider** adjourned the meeting at 4:35 p.m.

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Senator Heider  
Chairman

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Linda Hamlet  
Secretary