

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Monday, February 04, 2013

TIME: 3:00 P.M.

PLACE: 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 meeting to order at 3:00 P.M. and welcomed the audience. He asked the secretary to take a silent roll.

S 1010 **Relating to Medicaid and Behavioral Health Services.** **David Simnitt**, Deputy Administrator Department of Health and Welfare, requested the committee to send **S 1010** which amends Title 56 Chapter 255 of Idaho Code forward with a do pass recommendation. He advised that the purpose of this bill is to revise sections of the Medical Assistance Program Code that are related to Behavioral Health Services for Medicaid participants. The purpose of this bill is to realign Medicaid behavioral health benefits to allow for a managed care delivery system that includes independent, standardized, statewide assessment and evidence-based benefits as directed by House Bill 260 of the 2011 Legislature. Currently, the Medicaid behavioral health benefits THAT a participant may receive are restricted by specific service limitations outlined in statute and the benchmark benefit package in which the participant is enrolled. These changes will provide the flexibility needed to allow for evidence-based management of behavioral health services through a managed care contract.

Senator Schmidt referenced a change in **S 1010** section (d), and stated he understands inpatient psychiatric services will not be included in Behavioral Health Administrator. **Mr. Simnitt** responded that was correct; inpatient services would not be a part of Behavioral Health Administrator. **Senator Schmidt** inquired about the definition changes under long-term care services. **Mr. Simnitt** referenced paragraph (2) section (a) and described how the bill is moving section (d) under paragraph (5), this change describes that behavioral health services are covered for all plans. He stated the specifics of which can be found in the managed care contract.

Vice Chairman Nuxoll asked if behavioral health services were being moved to managed care. **Mr. Simnitt** responded yes, the move is being made in order to allow the Department of Health and Welfare to follow the direction of the Legislature.

Chairman Heider asked if there was anyone in the audience who wished to testify. Seeing none, he stated the bill was before the committee.

MOTION: **Senator Hagedorn** made the motion to send **S 1010** to the floor with a **do pass** recommendation. The motion was seconded by **Senator Martin**. The motion carried by **voice vote**. **Senator Hagedorn** volunteered to carry **S 1010** on the floor.

PRESENTATION: **Patrick Guzzle**, Food Protection Program Manager, presented the Food Safety Report. He indicated that there is a partnership approach between Health and Welfare Food Protection Program, Public Health Districts and Industry to ensure safe food from retail food establishments and food processing firms not subject to federal inspection. Idaho became the first state to have all public health jurisdictions participate in the National Voluntary Regulatory Food Program Standards in the year 2000. Voluntary standards established by the national Conference for Food Protection is a way to identify and implement the best practices for retail food safety. He continued that the Idaho Food, Drugs and Cosmetics Act (Title 37, Idaho Code) directs public health agencies to remove from commerce, foods known to be or suspected of being harmful. Idaho Food Establishment Act (Title 39, Chapter 16, Idaho Code) directs Public Health Agencies to license and inspect food establishments not subject to other state or federal jurisdiction. Idaho Food Code (IDAPA 16.02.19) delegates inspection authority to health districts, but Health and Welfare does not surrender its own authority.

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

Vice Chairman Nuxoll inquired what fees are charged to businesses for inspections. **Mr. Guzzle** responded that there is a four-tier fee structure; the fee charged depends on the type of business needing inspection.

Senator Guthrie stated that he appreciated that the Health District attempts to provide assistance and education in the process of regulation. He inquired if Mr. Guzzle or the Health agencies are involved in court cases that may result when serious outbreaks occur. **Mr. Guzzle** responded that normally they are not involved; however, the agency does act as an appellate agency.

Senator Hagedorn inquired if the Joint Finance Appropriations Committee (JFAC) reviews the Central District Health Departments (CDHD) budget or if Health and Welfare does. He also inquired if CDHD does zero-based budgeting. **Mr. Guzzle** responded that he is not aware of the budget process for CDHD. He deferred to Sara Stover, Financial Management Analyst Sr., Division of Financial Management.

Ms. Stover stated that the Department of Health and Welfare is not involved with the Central District Health budget. The agency has a quasi-state status and is exempt from zero-based budgeting, but the Department of Health and Welfare has engaged in budgeting education with the Central District Health Department.

Senator Hagedorn inquired who the district reports its budget to. **Ms. Stover** responded budgeting is reported to three places: a district governance board, a statewide board and, by statute, to JFAC.

Mr. Guzzle then introduced Bruce Krosch, Southwest District Health Director, Idaho Association of Public Health. **Mr. Krosch** explained that 17 percent of the district's budget comes from the state and the rest comes from revenues from contract fees.

Vice Chairman Nuxoll inquired if the district receives more revenue from fees than it spends and, if so, what is done with excess funds. **Mr. Krosch** responded that no excess fees are collected and that the fee is set in Idaho Code. He stated 63 percent of the program is funded by state and county funds.

Chairman Heider inquired if the annual license fee covered the cost of inspection or if the department is losing money on inspection costs. **Mr. Guzzle** responded that some of the inspection cost is made up by tax dollars, but he was not sure exactly how much.

Chairman Heider announced that the U.S. Ecology presentation on the agenda was postponed due to time constraints.

ADJOURNED: The **chairman** adjourned the meeting at 3:37 p.m.

Senator Heider
Chairman

Linda Hamlet
Secretary