

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

- DATE:** Monday, February 17, 2014
- TIME:** 9:00 A.M.
- PLACE:** Room EW20
- MEMBERS:** Chairman Wood(27), Vice Chairman Perry, Representative(s) Hancey, Henderson, Hixon, Malek, Morse, Romrell, Vander Woude, Rusche, Chew
- ABSENT/  
EXCUSED:** None
- GUESTS:** Jim Baugh, Disability Rights Idaho; Dave Dekker, SALN; Art Evans, Medicaid; Steve Millard, IHA; Tracy Warren, Idaho DD Council; Cassie Mills, Vocational Services of Idaho; Katherine Hansen, Community Partnerships; Kathie Garrett, NAMI Idaho; Christine Pisani, DD Council; Raeleen Welton, RNP; Sara Lloyd, Stepping Stones; Marnie Packard, IVC Pacific Source; Woody Richards, Insurance Companies
- Chairman Wood(27)** called the meeting to order at 9:00 a.m.
- Chairman Wood(27)** introduced **Ashley Harris**, the Committee page for the remainder of the session.
- H 475:** **Rep. Lynn Luker** presented **H 475**, legislation to create an anonymous Your Health Idaho portal so shopping can be done without entering personal identification information until an individual is ready to purchase a policy. It also provides a warning on the site that income estimates not reported accurately can result in payment due and remove any part of a subsidy obtained with the incorrect information.
- MOTION:** **Rep. Hixon** made a motion to send **H 475** to the floor with a **DO PASS** recommendation.
- For the record, no one indicated their desire to testify.
- Rep. Rusche** spoke in support of **H 475**, stating, as a member of the Health Care Exchange Board, this is what the Board intends and it will be accommodated by software that they will be purchasing
- Answering a question, **Rep. Luker** said the July 1st, 2014, effective date and the statement that the "exchange portal" shall be instructed are intended for use with the State Exchange currently being constructed.
- VOTE ON MOTION:** **Chairman Wood(27)** called for a vote on the motion to send **H 475** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Lynn Luker** will sponsor the bill on the floor.
- H 476:** **Rep. Luke Malek** presented **H 476**, legislation relating to Community Supported Employment (CSE) Medicaid budget modification.

**Jim Baugh**, Disability Rights Idaho, was asked to further introduce **H 476**. He described the evolution of the perception that the disabled could not be employed to their current productive part in any community, its impact on their self esteem and independence, and the key role CSE plays in helping them succeed at their jobs. **H 260**, which was passed in 2011, modified Medicaid services budgets within a formula and limited modification to only those changes necessary to protect the individual's health or safety. This had the unintended consequence of seriously reducing CSE. He described the types of jobs, the employer agreements, and how the CSE services function in a job setting. Often, employers who have experienced one such employee will open their doors to more.

This legislation would allow individual service budget modification requests to obtain or maintain employment as part of the health and safety budget modification guidelines that already exist. Any modification request would still be reviewed and granted or denied by Medicaid Case Managers.

Responding to questions, **Mr. Baugh** said some individuals require extended CSE, while others just need transitional help. With a good employer development job he was confident the previous number of working CSE participants could be reached again.

**MOTION:**

**Rep. Morse** made a motion to send **H 476** to the floor with a **DO PASS** recommendation, subject to correction of a typographical error in the fiscal note.

**Dave Dekker**, President, Idaho Self Advocate Self Leadership Network, testified **in support of H 476**. He shared stories of individuals who had to turn down offered work or advancement at their work because they needed a job coach for the required task.

**Tracy Warren**, Staff, Idaho Council of Idaho Disabilities, testified **in support of H 476**, describing the Council and how their activities encourage individuals to participate in all facets of community life, including jobs. She talked about how CSE helps develop relationships and communication with employers and coworkers for long term success in the work environment. Community rehabilitation providers bill Medicaid directly. CSE helps this population get beyond existing employment barriers.

**Cassie Mills**, Vocational Services of Idaho, Community Partnerships of Idaho, testified **in support of H 476**. This legislation is important to remedy unintended consequences impacting people with developmental disabilities. She shared stories of individuals who found success and independence by working.

**Kathryn Hansen**, Executive Director, Community Partnerships of Idaho, testified **in support of H 476**. She said in 2010, 275 individuals accessed 5.5 weekly job coaching hours. In 2011, 182 individuals accessed 4.9 weekly job coaching hours. Some individuals lost employment hours or jobs, and some employers picked up the cost difference to maintain their employment.

**Sara Lloyd**, Owner, Stepping Stones, testified **in support of H 476**. Ms. Lloyd explained that individuals have had to choose which services are received. She shared an incident when the choice of additional support in other areas led to imprisonment, time without medications during incarceration, job loss due to incarceration, and increased public assistance from Social Security, increased Housing benefits, and forced dependence on the system. With jobs, these individuals feel like they're giving back and it actually helps keep their behaviors in order.

For the record, no one else indicated their desire to testify.

**Rep. Vander Woude** commented on the value of this legislation, sharing information about a disabled relative and the value of providing jobs for those individuals.

**Vice Chairman Perry** stated how impressed she was to see first hand how these individuals function on their jobs and the positive impact these services have in our communities.

**Rep. Morse** said this type of program provides great returns to the participants and the communities. He noted the fiscal note statement that CSE services are reduced to the extent that people participate and do not need other Medicaid or developmental services. Jobs keep people engaged, give a sense of self worth, and make productive members of society.

**Rep. Rusche** shared the difficult decisions that were made with **H 260** as part of balancing the budget, stating his gladness to be able to return appropriate services to Idaho citizens.

**Chairman Wood(27)** commented that **H 260** was very stringent, but had several purposes. He thanked all employers who have found work for this most appreciative and valuable population.

**VOTE ON MOTION:**

**Chairman Wood(27)** called for a vote on the motion to send **H 476** to the floor with a **DO PASS** recommendation, subject to correction of a typographical error in the fiscal note. **Motion carried by voice vote.** **Rep. Malek** will sponsor the bill on the floor.

**RS 22882:**

**Rep. Luke Malek** presented **RS 22882**, proposed legislation that addresses concerns from scrap metal dealers and changes a line that authorized insurers, by definition, are exempt as scrap metal dealers.

**MOTION:**

**Vice Chairman Perry** made a motion to introduce **RS 22882.** **Motion carried by voice vote.**

**Chairman Wood(27)** turned the gavel over to **Vice Chairman Perry.**

**RS 22840:**

**Rep. Fred Wood**, District 27, presented **RS 22840**, a Concurrent Resolution that rejects a certain docket which was rejected by the Committee at the request of the Board of Pharmacy.

**MOTION:**

**Rep. Hancey** made a motion to introduce **RS 22840** and recommend it be sent to the Second Reading Calendar. **Motion carried by voice vote.** **Rep. Wood(27)** will sponsor the bill on the floor.

**Vice Chairman Perry** returned the gavel over to **Chairman Wood(27).**

**RS 22827:**

**Rep. Ed Morse** presented **RS 22827**, proposed legislation for the Department of Lands' imposed insurance requirements for easement rights to cross state endowment lands. The Department was being advised to require an insurance policy based on Idaho Code that allowed no use exceptions. The original legislation for this matter was proposed to the Judiciary, Rules, and Administration Committee. It was redrafted after concern was expressed about the meaning and scope of some of its language. **RS 22827** is narrower in scope and has been approved by the Department of Lands' legal council.

**MOTION:**

**Rep. Malek** made a motion to introduce **RS 22827.** **Motion carried by voice vote.**

**RS 22838:**

**Rep. John Rusche**, presented **RS 22838**, proposed legislation regarding transportation and restraint for the mentally ill. The current practice of transport for the mentally ill has raised concern because the use of shackles or other restraints is common. The proposed change attempts to lessen the trauma by assuring the use of restraints is ordered by a physician or documented by the officer.

**MOTION:** Rep. Hixon made a motion to introduce **RS 22838. Motion carried by voice vote.**

**RS 22880:** Steven A. Millard, President, Idaho Hospital Association, presented **RS 22880**, which addresses a sunset clause in **H 656**. To help fund Medicaid programs, **H 656** authorized the DHW, through an agreement with hospitals, to annually assess \$50 million above the original assessment of the Hospital Assessment Act until July 1, 2012. **H 656** deleted the original assessment dates of 2009, 2010, and 2011, to assure the assessments went beyond 2011. An audit revealed the previous limiting dates were restored when they should not have been. This proposed legislation amends the language in Chapter 14, Title 56, Idaho Code, to remove the limiting dates so the assessments will be perpetual.

**MOTION:** Rep. Rusche made a motion to introduce **RS 22880. Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 10:03 a.m.

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Representative Wood(27)  
Chair

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Irene Moore  
Secretary