

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Thursday, January 15, 2015

TIME: 9:00 A.M.

PLACE: Room EW20

MEMBERS: Chairman Wood, Vice Chairman Packer, Representatives Hixon, Perry, Romrell, Vander Woude, Beyeler, Redman, Troy, Rusche, Chew

**ABSENT/
EXCUSED:** Representative Rusche

GUESTS: Alexandra Fernandez, Medicaid/IDHW; Art Evans, Beth Kriete, Shiela Pugatch, and Matt Wimmer, Medicaid; Debby Ransom, Nicole Wisenor, and Tamara Priscock, DHW L&C; Bev Batt, DHW Rules; Tracy Warren and Christine Pisam, ICDD - DHW Rules; Elli Brown, Veritas Advisors LLP; Tom Moss and Kristin Buchanan, Aspire Human Services; Seth Schreiber, Sara Fink, and Jami Brooks, Embassy Management.

Chairman Wood called the meeting to order at 9:00 a.m.

DOCKET NO. 16-0310-1401: **Matt Wimmer**, Deputy Administrator, Division of Medicaid, presented **Docket No. 16-0310-1401**, to restore dental services for adult participants with disabilities or special health needs and create a budget modification exception review process for community supported employment.

The General Fund impact estimates are \$1.4M for dental and \$235,000 for community supported employment benefits. Costs for the dental benefits are expected to be offset by related reductions in hospital and emergency room benefits. The effective date for this Rule is July 1, 2014, which coincides with changes to Idaho Code.

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

MOTION: **Vice Chairman Packer** made a motion to approve **Docket No. 16-0310-1401. Motion carried by voice vote.**

DOCKET NO. 16-0317-1401: **Beth Kriete**, Bureau Chief, Bureau of Long Term Care, Division of Medicaid, presented **Docket No. 16-0317-1401**, which provides the option of a single managed care program covering all Medicaid and Medicare benefits. This simplifies coverage and allows participants the option of Medicaid managed care or the state-administered Medicaid plan. These are cost neutral changes.

Responding to questions, **Ms. Kriete** said the single plan coordinates both Medicare and Medicaid services and claims. As of July 01, 2014, the dual eligible program enrollment has doubled to 1,409 participants. Efforts continue to sign up the remaining 24,410 statewide dual eligibles. The one plan administers all benefits afforded under Medicare A, B, and D, including Medicaid services, and participants carry one health care card, instead of two.

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

MOTION: **Rep. Perry** made a motion to approve **Docket No. 16-0317-1401. Motion carried by voice vote.**

DOCKET NO. 16-0311-1402: **Debby Ransom**, Bureau Chief, Department of Health & Welfare (DHW) Facilities Standards, Division of Licensing and Certification, presented **Docket No. 16-0311-1402**, a Rules rewrite for state licensure of Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICFs/ID) to streamline the requirements for both state licensure and federal Medicaid certification.

This federal certification alignment updates terminology, references, and Administrator qualification and experience. It also prohibits the use of painful or noxious stimuli or enclosures to manage client behavior. Updates to environmental and physical facility standards meet and reference current code to ensure the chapter stays current with future updates and revisions.

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

MOTION: **Rep. Romrell** made a motion to approve **Docket No. 16-0311-1402**. **Motion carried by voice vote.**

DOCKET NO. 16-0311-1401: **Debby Ransom**, Bureau Chief, DHW Facilities Standards, Division of Licensing and Certification, presented **Docket No. 16-0311-1401**, which repeals the chapter of rules governing ICFs/ID.

MOTION: **Rep. Hixon** made a motion to approve **Docket No. 16-0311-1401**.

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

VOTE ON MOTION: **Chairman Wood** called for a vote on the motion to approve **Docket No. 16-0311-1401**. **Motion carried by voice vote.**

DOCKET NO. 16-0322-1401: **Tamara Prisock**, Division Administrator, DHW, presented **Docket No. 16-0322-1401**, for Idaho Residential Care and Assisted Living Facilities.

Ms. Prisock detailed the changes, which include the criminal history background check option of an alternative, specified background check and non supervision. Additional changes pertain to documentation of pending actions in or outside of Idaho and surrendering a license.

A Section and Rule are added stipulating the Department will not review an application of an applicant with a current or pending disciplinary action against a license held either in Idaho or any other state.

Resident conditions not allowed in unlicensed or unqualified assisted living facilities are outlined. An exception is added for other types of Continuous Positive Airway Pressure (CPAP) machines. Residents with Methicillin-resistant Staphylococcus Aureus (MRSA) are now allowed. The list of people who cannot be guardians of residents is expanded to include the facility owner.

Administrators must identify and monitor patterns of incidents, accidents, and develop interventions to prevent recurrence. Administrator sharing is clarified to include on-site hours and Administrator Designee.

Clarification is made that physician orders must be followed. Medication blister packs or medi-sets requirements are changed to remove over-the-counter (OTC) medications or vitamins.

Staffing standards are updated to eliminate sleeping staff and clarify specialized training requirement within thirty days of hire or admission of the resident with conditions.

Accrued interest on penalties is better defined and the reason for revocation or denial of a facility license is updated.

Responding to questions, **Ms. Prisock** said some general administration terminology was used to allow for both corporate and smaller facilities. The alternative background checks would be name and Social Security based, could be done on the internet or through another source, and provide basic information until the fingerprint check comes back. The Department background checks are backlogged and this provides a way to have a new employee during the shift without additional staff supervision.

Any denial of a facility license has an appeal process where the facility can describe circumstances. Each application and the circumstances surrounding operation without a license is considered before making a determination.

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

Responding to further questions, **Ms. Prisock** said a couple of smaller facility owners were unhappy about the sleeping staff change. The rest of the rule changes were negotiated, with a consensus reached. Requiring OTC medication in blister packs and medi-sets has been an extra expense that added no additional care to the residents.

MOTION: **Rep. Perry** made a motion to approve **Docket No. 16-0322-1401. Motion carried by voice vote.**

DOCKET NO. 16-0733-1401: **Casey Moyer**, Program Manager, Division of Behavioral Health, presented **Docket No. 16-0733-1401**. He described the Adult Mental Health (AMH) program, statutorily mandated populations, and prioritization method. The Rule updates reflect changing environment and best practices to include reference to the Diagnostics and Statistics Manual Fifth Edition, improve efficiency and access through an ongoing Quality Assurance process, updates terminology, and reflects non-customer internal program process changes. A new subsection affirms the client's right to humane treatment, choice and access in the AMH program care.

Answering a questions, **Mr. Moyer** stated there was no negotiated rule making because these rules are program and staff operational policies. This is a different population than what Optum serves.

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

MOTION: **Rep. Perry** made a motion to approve **Docket No. 16-0733-1401. Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 9:48 a.m.

Representative Wood
Chair

Irene Moore
Secretary