

MINUTES
HOUSE HEALTH & WELFARE COMMITTEE

DATE: Thursday, January 22, 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:** None

GUESTS: Bev Barr, Rules - DHW; Kathryn Turner, Patrick Guzzle, Kandee Yearsley, and Cheri Bourn, DHW Div. of Public Health; Andrea Sorensen and Cade Hulbert, DHW CSS; Camille Schiller, Kristin Matthews, Ericka Rupp, Julie Hammen, Lori Wolff, Casey Moyer, Jamie Teeter, and Russ Barron, DHW; Kathie Garrett, NAMI Idaho.

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

MOTION: **Vice Chairman Packer** made a motion to approve the minutes of January 15, 2015. **Motion carried by voice vote.**

DOCKET NO. 16-0219-1401: **Patrick Guzzle**, Food Protection Program Manager, Department of Health and Welfare (DHW) Division of Public Health, presented **Docket No. 16-0219-1401**, Rule changes allowing the donation of wild game meat to the Idaho Food Bank and their member network.

MOTION: **Rep. Hixon** made a motion to approve **Docket No. 16-0219-1401.**

Responding to questions, **Mr. Guzzle** explained the food pantries are unable to process large sides of meat. Idaho Hunters Feeding the Hungry (IHFH) have a program to offset processing costs at approved facilities. All animals are included in this Rule, although there is a higher risk for infectious agents in game birds. Cooking the meat to 165 degrees should eliminate most, if not all, pathogens.

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. 16-0219-1401. Motion carried by voice vote.**

DOCKET NO. 16-0301-1401: **Cheri Bourn**, Program Specialist, Medicaid Eligibility, DHW, Division of Welfare, Self Reliance Program, presented **Docket No. 16-0301-1401**, Rule changes to clarify eligibility determination and align with federal regulations. Defined and better described are parent/caretaker relatives and the parent eligibility group to include parents who may be minors. Presumptive eligibility by hospitals is changed to extend through the month after the month of initial application.

Ms. Bourn, answering a question, said during a medical emergency qualified hospitals determine an individual's Medicaid presumptive eligibility, based on Department standards, with a full determination by the Department afterwards.

MOTION: **Vice Chairman Packer** made a motion to approve **Docket No. 16-0301-1401.**

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. 16-0301-1401. Motion carried by voice vote.**

DOCKET NO. 16-0303-1401: **Kandee Yearsley**, Bureau Chief, Child Support Program, DHW, presented **Docket No. 16-0303-1401**, which updates statutory references, clarifies license suspension proceedings, deletes outdated forms, and adds links to current website forms. A limited good cause criteria is established for recreational licenses. The changes increase the Program's ability to provide families the support due from non-custodial parents with financial resources they choose to spend elsewhere.

MOTION: **Rep. Hixon** made a motion to approve **Docket No. 16-0303-1401**.

Responding to questions, **Ms. Yearsley** said, of the 2,100 qualifying cases each month, they only suspend an average of 213 licenses. If there is payment being made, possibly through wage withholding, then license suspension is excluded. Suspension is used as a last effort when payment is not made and resources are determined to be available.

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. 16-0303-1401**. **Motion carried by voice vote**. **Rep. Perry** asked to be recorded as voting **NAY**.

DOCKET NO. 16-0304-1401: **Kristen Matthews**, Program Manager, DHW, Division of Welfare, presented **Docket No 16-0304-1401**. The federal definition of trafficking in Food Stamp benefits identifies the buying, selling, or trading of an electronic benefits transfer (EBT) card as a means of committing trafficking. A new provision covers the purchase of return deposit containers returned without the product for the cash deposit. It also expands the definition of purchasing products with food stamp benefits for resale or to obtain cash. The strengthened trafficking definition assists state pursuit of food stamp recipients who intentionally use their benefits for personal gain. There is no fiscal impact as a result of this Rule change.

In answer to a question, **Ms. Matthews** said for occurrences over \$500, the penalty is a lifetime program ban and those under \$500 face a two-year sanction.

MOTION: **Rep. Hixon** made a motion to approve **Docket No. 16-0304-1401**.

Responding to further questions, **Ms. Matthews** stated the Department's Fraud Unit investigates leads. They do not expect any cost increase. The changes strengthen their pursuit and prosecution of these cases. In 2014 there were over 1,000 cases, with four percent in trafficking or personal gain. Of that four percent, slightly over one percent were prosecuted.

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. 16-0304-1401**. **Motion carried by voice vote**.

DOCKET NO. 16-0305-1401: **Camille Schiller**, Program manager, Medicaid Eligibility, DHW presented **Docket No. 16-0305-1401**, regarding patient liability for individuals receiving Nursing Home Assistance of Home and Community Based Services through Medicaid and their share of costs. Share of cost calculation deductions are updated to align with the Code of Federal Regulations, clarifying allowed expenses types. The term "medically necessary" is added and defined. Patients entering a nursing home are now allowed to pay for their share of cost only after they have resided there for one full calendar month.

The \$161,058 anticipated positive annual fiscal impact to State funding is from alleviated billing and refunding processes.

In response to questions, **Ms. Schiller** said this would apply to persons entering assisted living care after surgery, if they seek Medicaid coverage. The fiscal impact was determined based on 2014 historical amounts refunded.

MOTION: Rep. **Beyeler** made a motion to approve **Docket No. 16-0305-1401**.

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. 16-0305-1401**. **Motion carried by voice vote.**

DOCKET NO. 16-0612-1401: **Ericka Rupp**, Program Manager, DHW, Division of Welfare, presented **Docket No. 16-0612-1401**, relating to the co-pay calculation policy for the Idaho Child Care Program. Changes align the student co-pay requirements with federal regulations and base co-pays on income instead of the cost of care. Students with less than ten weekly working hours will now have a flat rate co-pay based on their school status.

Responding to questions, **Ms. Rupp** explained the child care assistance is an income eligible assistance for families needing help with child care costs. Students not working ten hours or more will have a flat rate co-pay. Rates for those who work part-time will have a \$75 co-pay, those working full time will have a \$150 co-pay, and the state will cover the balance of child care costs. There are 239 families currently in the program. The flat rate will allow family budgeting consistency and continuity. Schedules and fees are referenced in other applicable Rules. Eligibility is reevaluated every six months.

MOTION: Rep. **Redman** made a motion to approve **Docket No. 16-0612-1401**.

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. 16-0612-1401**. **Motion carried by voice vote.**

RS 23304: **Casey Moyer**, Program Manager, Division of Behavioral Health, presented **RS 23304**, proposed legislation to repeal reference to Regional Advisory Committees, now incorporated into the Regional Behavioral Health Boards. Because the federal laws supersede the Rule, also repealed are requirements for records of individuals in treatment.

MOTION: Rep. **Rusche** made a motion to introduce **RS 23304**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 9:50 a.m.

Representative Wood
Chair

Irene Moore
Secretary