

JOINT
SENATE HEALTH & WELFARE COMMITTEE
AND
HOUSE HEALTH & WELFARE COMMITTEE
Friday, February 12, 2016

ATTACHMENT 1

Randy Nilson 02/12/16
Randy Nilson
375-9760

Dear legislators,

I want to thank you for giving me the opportunity to speak with you today. I want to start with the things that the Idaho Department of Health and Welfare is doing right. I do appreciate the opportunity to stay in my home. You should also be commended for not having a waiting list for Medicaid applicants. The last thing that you should be proud of is the Medicaid for Workers with Disability legislation that was passed 10 years ago. That legislation allowed disabled people like myself, to continue working and stay on Medicaid while paying a reasonable premium for Medicaid services.

No one wants to have a disability. I worked for the state tax commission for 26 years 18 of those years in administration. I feel I've earned the retirement income I receive from Social Security and Persi.

The first problem I have is Medicaid is charging me over \$2100 a month for my Medicaid services. When I was working the highest premium that I ever paid was \$153 a month for the same Medicaid services. It has been said that my share of cost is based on federal law and there's nothing you can do about it. But that's not true because every state has the right to set the Medicaid participant's Maintenance Needs Allowance or in Idaho it's called a Personal Needs Allowance. Idaho has one of the lowest Maintenance Needs Allowances in the nation. I know you won your lawsuit that says you can pay whatever Medicaid rates you want but there has to be some justice for those who need assistance. I've been put on a budget by Medicaid that barely allows me to pay my mortgage, utilities, and groceries. I own my own home and have other expenses that are not budgeted by Medicaid. I've had to replace my furnace, water heater, roof, clothes washer, and do other general maintenance since I stopped working. I have a handicap van that allows me to go grocery shopping and to allow me to get out in the community. The problem there is there is no allowance in my Medicaid budget to pay my car insurance for the van. The Idaho Department of Health and Welfare needs to allow Medicaid participants to keep more of their income so that they can remain in their homes and in the community.

The second problem the IDHW's Notices of Action that show an individual's share of cost do not include any indication of whether submitted expenses are approved or denied, and if an expense is denied, the basis for the denial. The department took 10 months to provide a notice of action that showed the incurred medical or remedial expenses that they denied. Even then the department did not show specific rules for each expense that was denial but did a shotgun approach with a list of rules at the end of the notice.

The third problem with Idaho Medicaid has to do with incurred medical or remedial care expenses that can be deducted from a participant's share of cost. The department has chosen not to define these terms even though other states have defined incurred medical or remedial care expenses. On top of that the Department has failed to provide a list of limitations for incurred medical or remedial care expense deductions in the Idaho's A & D waiver application as required by the Centers for Medicare and Medicaid Services for CMS.

The fourth problem is the IDHW employees deny federally mandated medical or remedial expenses by using the same standard for state plan funding of covered Medicaid services, thus creating an impossible "Catch 22" barrier to approvals for expenses.

The fifth problem is exercise and transportation is not included in the Universal Assessment Instrument.

The sixth problem is individuals who take care of their own relative and are only paid fifty dollars a day or two dollars an hour.

I've been told by both chairman's of the health and welfare committees last year that the federal government is bankrupt and we cannot increase Medicaid spending. I believe the best place for a person to stay is there home or apartment. The state of Idaho spends \$.30 on the dollar for increases for participants on the A & D waiver program. I think the state could invest a little bit more of its money to keep people in their homes and not be institutionalized in a nursing home.

This could happen to you or a relative.

1. The IDHW fails to provide any standards for determining if an expense qualifies as medical or remedial.
2. The IDHW fails to consider expenses incurred by individual home owners necessary to maintain that home.
3. The IDHW has denied expenses on the basis that Medicaid should or could be funding that expense without informing the participant, assuming responsibility for payment of the expense, or determining that the service is actually available through Medicaid.
4. The IDHW failed to correct a denial of an expense based upon erroneous information it provided in Appeal No. 2014-1008.
5. The IDHW denied certain expenses using a basis it knew to be tenuous and without verifying any facts.