

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Tuesday, January 17, 2017

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Hixon, Perry, Vander Woude, Redman, Gibbs, Blanksma, Hanks, Kingsley, Zollinger, Chew, Rubel

**ABSENT/  
EXCUSED:** Representative(s) Vander Woude

**GUESTS:** Fernando Castro, H&W; Joyce Broadsword, Kristin Matthews, Camille Schiller, Julie Hammon, Cade Hulbert, Rob Rinard, Callie Harrold, Malinda Reissig, Sarah Brenrusen, Ericka Rupp, Lori Wolf, and Russ Barron, DHW; Bev Barr, DHW Rules

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

**MOTION:** **Rep. Redman** made a motion to approve the minutes of the January 10, 2017 meeting. **Motion carried by voice vote.**

**Chairman Wood** turned the gavel over to **Vice Chairman Packer.**

**DOCKET NO.  
16-0303-1601:** **Cade Hulbert**, Child Support Program Manager, Department of Health and Welfare (DHW), presented **Docket No. 16-0303-1601**. Consumer reporting agencies are one of the tools used to ensure children receive necessary financial and medical support from both parents. The support owed amount required for agency reporting is raised to \$2,000 and includes three months of arrearage after the court order is finalized.

**MOTION:** **Rep. Hixon** made a motion to approve **Docket No. 16-0303-1601**.

Responding to committee questions, **Mr. Hulbert** said the most effective tool is income withholding, which constitutes 60% of the Division's annual collections. Other means of collection include driver or fish and game license suspension, liens, seizure of bank accounts, as well as obtaining state and federal taxes.

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

**VOTE ON  
MOTION:** **Vice Chairman Packer** called for a vote on the motion to approve **Docket No. 16-0303-1601**. **Motion carried by voice vote.**

**DOCKET NO.  
16-0304-1601:** **Kristin Matthews**, Food Stamp Program Manager, DHW, presented **Docket No. 16-0304-1601**. The Supplemental Nutrition Assistance Program (SNAP) receives 100% U.S. Department of Agriculture funding. Updates in this Rule impact program regulations and process standards. The eligibility notification is updated to remove use of Rule citations. Also removed are the initial thirty-six month and additional three-year restart references for the able body adults with dependents (ABAWD).

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

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 16-0304-1601**. **Motion carried by voice vote.**

**DOCKET NO.  
16-0305-1601:** **Camille Schiller**, Program Manager, Health Coverage Assistance, Division of Welfare, DHW, presented **Docket No. 16-0305-1601**, with federal regulation updates for the Aid to the Aged, Blind and Disabled (AABD) Medicaid Program. Depreciation for equipment, machinery, or other capital investments is changed from a non-allowable to an allowable self employment income expense. Eligibility for a skilled nursing facility is clarified. The irrevocable annuities interest test is removed.

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

**MOTION:** **Rep. Rubel** made a motion to approve **Docket No. 16-0305-1601**. **Motion carried by voice vote.**

**DOCKET NO. 16-0308-1601:** **Erika Rupp**, Temporary Assistance for Needy Families (TANF) Program Manager, Division of Welfare, DHW, presented **Docket No. 16-0308-1601**, which changes the Temporary Assistance for Families in Idaho (TAFI) Program to update the caretaker relative definition, clarify qualifying relationships, and include step-parent in the parent definition.

**Julie Hammon**, Deputy Administrator, Division of Welfare, was invited to answer a committee question. A TAFI eligible family receives \$309 a month. A relationship of at least one child must exist for eligibility, although more children may be a part of the family.

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

**MOTION:** **Rep. Hixon** made a motion to approve **Docket No. 16-0308-1601**. **Motion carried by voice vote.**

**DOCKET NO. 16-0612-1601:** **Ericka Rupp**, Program Manager, Idaho Child Care Program, DHW Division of Welfare, presented **Docket No 16-0612-1601**, with an effective date of October 1, 2016, to coincide with federal legislative changes to the Child Care Development Fund (ICCP). This is part of the 2016 two-year ICCP funding plan.

Additions include a twelve-month certification eligibility period and phase out or transition periods when earnings have increased or there is a temporary break in employment, education, or training. Provider health and safety updates include unannounced inspections, pre-service training, annual professional development, and background checks every five years. Providers must report child abuse, neglect, serious injuries, or death resulting from participation in the child care program. An online consumer web tool will be developed to aggregate data for substantiated complaints, death, and serious injuries.

Responding to committee questions, **Ms. Rupp** said the healing arts provider types include a physician. The \$1M resource limit determined by Congress is well above the assets of a family below the 130% federal poverty limit (FPL). Background checks are run through the DHW Criminal History Unit.

**Ms. Hammon**, answering a question, stated child support payment verification is via court orders, pay stubs, check stubs, or accessing the child support program. The actual amount being paid is the amount of credit given.

In reply to questions, **Ms. Rupp** said volunteer background checks are the same as employees and cover all volunteers thirteen years of age or older who have direct contact with children.

**Aubrie McArthur**, Program Specialist, DHW, Child Care Program, was invited to answer a question. She described how both excessive physical punishment by a provider and multiple failed health inspections would be considered not in the best interest of the child, possibly impacting the provider's ability to receive funding.

**Ms. Hammon**, in response to a question, stated legal citizenship of all family members, including the children, can impact the number of eligible family members. The income determination, however, takes into account all family members, whether legal citizens or not.

Answering a question, **Ms. Rupp** said a team from child welfare, the division deputy administration, and local health districts address provider issues to assure ethics are maintained along with health and safety standards. A provider can request a hearing by the Fair Hearing Unit within thirty days after a determination.

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

**MOTION:** **Rep. Hixon** made motion to approve **Docket No. 16-0612-1601**.

**Rep. Hanks** stated she is in disagreement with **Subsection 750.10** and will be voting against the motion.

**SUBSTITUTE MOTION:** **Rep. Perry** made a substitute motion to approve **Docket No. 16-0612-1601**, with the exception of **Subsection 750.10**.

**MOTION WITHDRAWN:** **Rep. Hixon** withdrew his motion to approve **Docket No. 16-0612-1601**.

**VOTE ON SUBSTITUTE MOTION:** **Vice Chairman Packer** called for a vote on the substitute motion to approve **Docket No. 16-0612-1601**, with the exception of **Subsection 750.10**. **Motion carried by voice vote.**

**DOCKET NO 16-0506-1601:** **Fernando Castro**, Program Supervisor, DHW Criminal History Unit, Bureau of Audits and Investigations, presented **Docket No. 16-0506-1601**, a Pending Fee Rule change to ensure continued background check authority in alignment with changes to other departmental Rules.

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

**MOTION:** **Rep. Perry** made a motion to approve **Docket No. 16-0506-1601**. **Motion carried by voice vote.**

**DOCKET NO. 16-0506-1602:** **Fernando Castro**, Program Supervisor, DHW Criminal History Unit, Bureau of Audits and Investigations, presented **Docket No. 16-0506-1602**. Changes are in alignment with new standards for the Child Care and Development Block Grant by providing a separate enhanced set of criteria for passing or failing the required background check and collection of resulting external agency fees. Other changes respond to provider requests for clarification of procedures and compliance expectations.

Applicants cleared to the enhanced standard can use their background checks with other employers without restriction. However, those not cleared to the enhanced standard will be limited to employers not required to obtain enhanced clearance.

Answering questions, **Mr. Castro** said the additional access fee would occur when other state child protection registries are used. Because the eight states charging fees are spread across the country, a usage review will be made at the end of the year. The current \$65 fee covers the Idaho State Police and DHW processing costs. A federal background check clearing house is being developed, although the individual state closed record requirements are posing a roadblock. The Division of Behavioral Health waivers provide an avenue for persons with criminal histories to work in settings where their personal experience is a benefit.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 16-0506-1602**.

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

**VOTE ON MOTION:** **Vice Chairman Packer** called for a vote on the motion to approve **Docket No. 16-0506-1602**. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 10:23 a.m.

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Representative Packer  
Chair

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Irene Moore  
Secretary