

MINUTES  
**SENATE HEALTH & WELFARE COMMITTEE**

**DATE:** Thursday, February 08, 2018

**TIME:** 3:00 P.M.

**PLACE:** Room WW54

**MEMBERS PRESENT:** Chairman Heider, Vice Chairman Souza, Senators Martin, Lee, Harris, Agenbroad, Foreman, Potts, and Jordan

**ABSENT/ EXCUSED:** None

**NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

**CONVENED:** **Chairman Heider** called the meeting of the Health & Welfare Committee (Committee) to order at 3:03 p.m.

**RS 26030** **Service Animals. Ian Freeman**, representing himself and other veterans, explained this RS would change Idaho Code to allow people with mental disabilities, such as post-traumatic stress disorder (PTSD), to take their service dogs into public accommodations.

**MOTION:** There being no more questions, **Senator Jordan** moved to send **RS 26030** to print. **Senator Potts** seconded the motion. The motion passed by **voice vote**.

**DISCUSSION:** **Senator Souza** requested that Mr. Freeman explain the differentiation between service animals the next time this legislation is discussed.

**RS 26099** **Cytomegalovirus (CMV) Awareness Month. Senator Lee** proposed Idaho recognize June as Cytomegalovirus Awareness Month. She emphasized the importance of CMV awareness and explained that the various regions of Idaho would be free to choose any day in June to recognize Cytomegalovirus.

**MOTION:** There being no more questions, **Senator Agenbroad** moved to send **RS 26099** to print. **Senator Jordan** seconded the motion. The motion passed by **voice vote**.

**DISCUSSION:** **Jessica Rachels**, from the Idaho CMV Advocacy Project, stated that more recognition will lead to more research about CMV.

**H 0352** **Occupational Licensing, Physicians. Kris Ellis** introduced herself as a representative of the Idaho Orthopaedic Society. She explained this bill would exempt physicians, physician assistants, dieticians, and athletic trainers licensed in another state from the requirement to have an Idaho license. The exemption would apply if they are practicing in Idaho as part of an athletic organization or performing arts company, or if they are practicing for less than 60 days. The exemption does not allow for practice in a licensed health care facility and does not allow for prescription privileges.

**Senator Potts** asked if this bill only applies to athletic trainers. **Ms. Ellis** clarified this bill applies to medical doctors who travel into Idaho. **Senator Potts** asked if this bill affects a physician's authority to prescribe medication to out-of-state patients. **Ms. Ellis** stated this will not affect that authority.

**MOTION:** There being no more testimony or questions, **Vice Chairman Souza** moved to send **H 0352** to the floor with **do pass** recommendation. **Senator Martin** seconded the motion. The motion passed by **voice vote**. Vice Chairman Souza will carry the bill.

**PASSED THE GAVEL:**

Chairman Heider passed the gavel to Vice Chairman Souza.

**DOCKET NO. 15-0202-1701**

**Vocational Rehabilitation Services. Dr. Mike Walsh** introduced himself as the Chief of Rehabilitation Services for the Idaho Commission for the Blind and Visually Impaired (ICBVI). He explained this docket would align the rules with federal workforce laws that govern vocational rehabilitation programs. This docket would require the ICBVI to develop an individualized plan for employment within 90 days of eligibility determination. **Dr. Walsh** explained this docket would also: provide increased funding for tuition fees; provide funding for a broader range of education and training programs; increase the cap on follow-up low-vision consultation costs; increase on-the-job training fees; add the ICBVI's selection policy to the rules.

**DISCUSSION:**

**Senator Jordan** asked whether the on-the-job training fee increase serves as an incentive for employers to offer employment. **Dr. Walsh** responded that it does offer an incentive, as the ICBVI pays the employer during the training period.

**MOTION:**

There being no more testimony or questions, **Senator Martin** moved to approve **Docket No. 15-0202-1701**. **Senator Harris** seconded the motion. The motion passed by **voice vote**.

**PASSED THE GAVEL:**

Vice Chairman Souza passed the gavel back to Chairman Heider.

**S 1262**

**Patient Caregiver Support Act.**

**MOTION:**

**Chairman Heider** moved to hold **S 1262**. The motion was seconded by **Senator Martin**. **Chairman Heider** commended Lupe Wissel, the State Director of the American Association of Retired Persons (AARP) Idaho, for her work. He suggested that AARP and the Idaho Hospital Association (IHA) work together to arrive at a consensus on this bill. The Committee will hold the bill until the two groups present a bill they both agree upon. The motion passed by **voice vote**.

**PRESENTATION:**

**Catastrophic Health Care Cost Program. Kathryn Mooney** introduced herself as the Program Director for the Catastrophic Health Care Cost Program (CAT). She explained that the program is a medical financial assistance program. Eligible patients have a lien placed against them and must sign a reimbursement agreement. Participants are sometimes able to repay their medical bills at the Medicaid rate. **Ms. Mooney** stated that the CAT fund is part of the General Fund, but is governed by a board of directors.

**Ms. Mooney** noted that CAT fund applications are reviewed for Medicaid eligibility, and 10-14 percent are determined to be Medicaid eligible. She referenced the "Combined State and County Cases and Dollars" table in the CAT fund slideshow (see Attachment 1), which shows a breakdown of diagnoses and associated costs. She noted that counties bear the majority of the cost for mental health treatments. **Ms. Mooney** stated that the CAT fund administrative costs are less than \$400,000 annually.

**Ms. Mooney** stated that the CAT fund must conduct medical reviews. The number of medical reviews per year has increased annually since 2016. She then referenced the "New CAT Cases Approved and Provider Payments for 2017 and 2018" table in the slideshow (see Attachment 1). The number of cases approved can vary greatly from year to year; such fluctuations make it difficult to estimate future costs.

**Senator Potts** asked if the 2018 numbers are up-to-date or if they are projections for full-year spending. **Ms. Mooney** responded that the numbers indicate the amount already spent/cases already approved in fiscal year (FY) 2018. **Chairman Heider** expressed concern that FY 2018 spending was already so high.

**Senator Jordan** asked if cases are categorized by county of residence or county of incident. **Ms. Mooney** clarified that they are categorized by county of residency.

**Ms. Mooney** stated that 533 cases have been approved in FY 2018, totalling \$12.6 million. The average amount paid per case in FY 2018 is currently \$23,730. The CAT fund estimates that a total of 783 cases will be approved in FY 2018, totalling \$20.8 million. The CAT fund also pays for continuing care for patients. In FY 2017, the CAT fund spent \$1.3 million on continuing care; in FY 2018, the CAT fund has spent \$1.4 million on continuing care.

**Vice Chairman Souza** asked why St. Luke's Regional Medical Center (St. Luke's) has substantially more CAT cases than other hospitals. **Ms. Mooney** suggested this is because St. Luke's is the only hospital in the State that processes their own applications and does their own billing; other hospitals contract such services to third parties. **Senator Souza** asked if St. Luke's absorbs more of the unreimbursed cost of care. **Ms. Mooney** responded that a portion of the CAT fund report displays the write-off of each hospital.

**Senator Potts** asked what led to the increase in caseload. **Ms. Mooney** replied that Idaho's population is growing and clarified that an individual must be a resident of Idaho before qualifying for CAT. **Senator Potts** inquired if individuals with mental illness who are eligible for Medicaid can receive resources from other sources prior to the CAT fund. **Ms. Mooney** replied that the county pays for the first three days of care when someone is committed. The case is then sent to the Idaho Department of Health and Welfare. The CAT fund does not pay for protective custody holds or involuntary commitments. The county absorbs most of these costs.

**Senator Jordan** sought more information about the contract that the CAT fund has with examiners that evaluate the fund's billing. **Ms. Mooney** reported that the CAT fund and each county contracts with a company that reviews bills and medical records. The companies make determinations regarding medical necessity. She noted that these contracts saved the CAT fund \$9 million in two years.

**ADJOURNED:** There being no further business, **Chairman Heider** adjourned the meeting at 3:49 p.m.

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Senator Heider  
Chair

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Rachel Goodman  
Secretary