

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Friday, January 29, 2016

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

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Packer, Representatives Hixon, Perry, Romrell, Vander Woude, Beyeler, Redman, Troy, Rusche (Van Tassel), Chew

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

**GUESTS:** Art Evans, and Beth Kriete, Medicaid; Christine Pisani, Council on Developmental Disabilities; Cherie Hito, VSI; Bill Benkula, IACOR; Bev Barr, Matt Wimmer, Tiffany Kinzler, Dave Taylor, and Tamara Priscock, DHW; Jim Baugh, DRI; Dennis Stevenson, Rules Coordinator; Frank Powell, DHW - Rules Unit.

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

**MOTION:** **Vice Chairman Packer** made a motion to approve the minutes of the January 25, 2016, meeting. **Motion carried by voice vote.**

**DOCKET NO. 16-0309-1502:** **Matt Wimmer**, Deputy, Administrative Policy, Division of Medicaid, presented **Docket No. 16-0309-1502**, Rule changes for primary care provider payments. Along with increased reimbursement to primary care providers, the changes support rural telemedicine use, setting the provision of care conditions and boundaries to avoid misuse of services. Saved hospital and emergency room utilization costs will offset the increased payments.

Answering committee questions, **Mr. Wimmer** said the changes are in line with the pilot program, which demonstrated the cost reduction of preventive primary care. The referral process, a set requirement, has audits and sanctions for non-complying providers.

**MOTION:** **Rep. Beyeler** made a motion to approve **Docket No. 16-0309-1502**.

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. 16-0309-1502**. **Motion carried by voice vote.**

**DOCKET NO. 16-0310-1501:** **Arthur Evans**, Bureau Chief, Developmental Disability Services, Division of Medicaid, Department of Health and Welfare (DHW), presented **Docket No. 16-0310-1501**. Home and community based services (HCBS) allow an individual, who meets an institutional level of care, to live and be supported in a home and community setting. The new Rules are designed to insure people who receive HCBS have the same rights and freedoms as anyone else, based on new federal regulations.

Individuals have the opportunity to seek employment, work in competitive settings, engage in community life, and control personal resources. Individual life choices are made through personal plans based on needs and preferences. Rights to privacy, dignity, respect, and freedom from coercion and restraint are safeguarded.

Provider toolkits, training materials, and training sessions are being developed. Compliance begins six months after the effective date. The DHW will continue to assist providers to assure they have enough transition time.

**Christine Pisani**, Executive Director, Idaho Council on Developmental Disabilities, testified in support of **Docket No. 16-0310-1501**, which aligns with the mission and values of the Idaho Council on Developmental Disabilities. A comprehensive approach of face-to-face statewide training and education is suggested as a long-term investment. This Rule ensures true community integration.

**Jim Baugh**, Executive Director, Disability Rights Idaho, testified in support of **Docket No. 16-0310-1501**. A disabled individual must rely on another person's assistance, which shifts control of the situation to that person. Although this is a big step forward for individual choice safeguards, rate structuring and transportation still require improvement.

**Bill Benkulah**, President, Idaho Association of Community Providers (IACP), testified in support of **Docket No. 16-0310-1501**, which aligns with their goals and objectives. The Rules are in broad terms and the IACP asks for continued involvement during implementation. He expressed concern regarding unforeseen fiscal impact.

**MOTION:** **Vice Chairman Packer** made a motion to approve **Docket No. 16-0310-1501**.

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

**VOTE ON MOTION:** **Chairman Wood** called for a vote on the motion to approve **Docket No. 16-0310-1501**. **Motion carried by voice vote.**

**DOCKET NO. 16-0313-1501:** **Arthur Evans**, Bureau Chief, Division of Medicaid, DHW, presented **Docket No. 16-0313-1501**, the companion to **Docket No. 16-0310-1501**. This Rule applies to a Developmental Disability (DD) waiver option which allows a person to choose the type and amount of needed supports, negotiate a rate of payment, and hire support agencies. It further complies with the new federal regulations. The DHW has committed to continue work with participants and agencies to assist in the regulation transition.

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

**MOTION:** **Rep. Redman** made a motion to approve **Docket No 16-0313-1501**. **Motion carried by voice vote.**

**DOCKET NO 16-0319-1502:** **Tamara Prisock**, Administrator, Division of Licensing and Certification, DHW, presented **Docket No. 16-0319-1502**, proposed Rules for Idaho Certified Family Homes (CFH), which provide a family styled living arrangement for individuals who are unable to live alone and whose condition can be met by the care provider, delaying the need for more expensive institutional care.

As a requirement of **H 260**, the DHW must implement CFH initial certification and recertification fees to cover program costs. Collected funds cover the personnel and operating costs for the CFH Program. Despite streamlining, personnel and operating costs have increased, resulting in a growing program deficit. The proposed changes increase the initial certification fee from \$150 to \$175 and the monthly fee from \$25 to \$30.

The Rule change also reinstates the required CFH provider assistance with medications DHW course discontinued in 2010. A general course offered by Idaho's Professional and Technical Education Department has been available at an approximate cost of \$75. The new course is designed specifically for CFH at a break-even cost of \$60.

Answering committee questions, **Ms. Prisock** said certification assures the homes can operate in the state, regardless of the services received. In an effort to lessen travel costs, the inspections have been geographically synchronized and desk compliance reviews have been implemented.

Without CFHs, individuals would be in assisted living facilities and nursing home levels of care. In private pay homes, the resident or families pay all costs. There are two types of CFH. One type is a family member taking care of another family member in their own home. The other type is someone caring in their own home for non-relatives.

**ORIGINAL MOTION:**

**Rep. Troy** made a motion to reject **Docket No. 16-0319-1502**.

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

Commenting on the original motion, **Vice Chairman Packer** acknowledged the quandary of the self-funding statutory obligation versus constituent concerns.

**SUBSTITUTE MOTION:**

**Rep. Beyeler** made a substitute motion to **HOLD Docket No. 16-0319-1502** for time certain, February 4, 2016.

**Reps. Beyeler, Perry, Packer, and Redman** requested the program's expense breakdown. Assistance was also requested to understand the broader picture that includes Medicaid reimbursement.

**AMENDED SUBSTITUTE MOTION:**

**Rep. Romrell** made an amended substitute motion to approve **Docket No. 16-0319-1502**. He commented on the program's statutory authority and funding obligation.

**Rep. Troy** said along with the statutory obligation is the obligation to care for CFH providers. She expressed concern about raising any rates without consideration of the lack of a Medicaid reimbursement increase.

**ORIGINAL MOTION WITHDRAWN:**

**Rep. Troy** withdrew her original motion to reject **Docket No. 16-0319-1502**.

**Chairman Wood** stated the fee increases comply with the statutory obligation to fund, not over fund, the program. Medicaid rates are addressed beyond this Rule.

**VOTE ON AMENDED SUBSTITUTE MOTION:**

**Chairman Wood** called for a vote on the amended substitute motion to approve **Docket No. 16-0319-1502**. **By a show of hands, the motion failed.**

**VOTE ON SUBSTITUTE MOTION:**

**Chairman Wood** called for a vote on the substitute motion to **HOLD Docket No. 16-0319-1502** for time certain, February 4, 2016. **By a show of hands, the motion carried.**

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 10:13 a.m.

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Representative Wood  
Chair

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Irene Moore  
Secretary