

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 695

BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE MEDICAID DIVISION; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE MEDICAID DIVISION FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; REQUIRING MONTHLY MEDICAID TRACKING REPORTS; ALLOWING FOR TRANSFERS OF APPROPRIATION BETWEEN CERTAIN PROGRAMS; REQUIRING A REPORT ON MEDICAID MANAGED CARE IMPLEMENTATION; REQUIRING A REPORT ON FLEXIBLE RECEIPT AUTHORITY; PROVIDING FOR LEGISLATIVE INTENT ON NON-EMERGENCY MEDICAL TRANSPORTATION; REQUIRING COST-SHARING FOR SERVICES; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE MEDICAID DIVISION FOR FISCAL YEAR 2018; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE ENHANCED MEDICAID PLAN PROGRAM FOR FISCAL YEAR 2018; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Department of Health and Welfare for the Medicaid Division the following amounts to be expended according to the designated programs and expense classes from the listed funds for the period July 1, 2018, through June 30, 2019:

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	TRUSTEE AND	
	COSTS	EXPENDITURES	BENEFIT	TOTAL
			PAYMENTS	
I. MEDICAID ADMINISTRATION AND MEDICAL MGMT:				
FROM:				
Cooperative Welfare (General)				
Fund	\$6,452,100	\$7,614,500	\$424,100	\$14,490,700
Cooperative Welfare (Dedicated)				
Fund		8,883,800		8,883,800
Technology Infrastructure Stabilization				
Fund		719,200		719,200
Cooperative Welfare (Federal)				
Fund	<u>9,968,600</u>	<u>43,438,900</u>	<u>1,503,100</u>	<u>54,910,600</u>
TOTAL	\$16,420,700	\$60,656,400	\$1,927,200	\$79,004,300

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	TRUSTEE AND	
	COSTS	EXPENDITURES	BENEFIT	TOTAL
			PAYMENTS	
1				
2				
3				
4				
5	II. COORDINATED MEDICAID PLAN:			
6	FROM:			
7	Cooperative Welfare (General)			
8	Fund		\$170,904,400	\$170,904,400
9	Hospital Assessment			
10	Fund		16,863,100	16,863,100
11	Cooperative Welfare (Dedicated)			
12	Fund		8,488,600	8,488,600
13	Cooperative Welfare (Federal)			
14	Fund		<u>391,838,700</u>	<u>391,838,700</u>
15	TOTAL		\$588,094,800	\$588,094,800
16	III. ENHANCED MEDICAID PLAN:			
17	FROM:			
18	Cooperative Welfare (General)			
19	Fund		\$217,736,500	\$217,736,500
20	Hospital Assessment			
21	Fund		1,682,400	1,682,400
22	Cooperative Welfare (Dedicated)			
23	Fund		239,613,200	239,613,200
24	Cooperative Welfare (Federal)			
25	Fund		<u>592,154,200</u>	<u>592,154,200</u>
26	TOTAL		\$1,051,186,300	\$1,051,186,300
27	IV. BASIC MEDICAID PLAN:			
28	FROM:			
29	Cooperative Welfare (General)			
30	Fund		\$180,989,800	\$180,989,800
31	Hospital Assessment			
32	Fund		11,454,500	11,454,500
33	Cooperative Welfare (Dedicated)			
34	Fund		16,084,700	16,084,700
35	Cooperative Welfare (Federal)			
36	Fund		<u>518,836,100</u>	<u>518,836,100</u>
37	TOTAL		\$727,365,100	\$727,365,100

	FOR	FOR	FOR		
	PERSONNEL	OPERATING	TRUSTEE AND		
	COSTS	EXPENDITURES	BENEFIT	TOTAL	
			PAYMENTS		
5	GRAND TOTAL	\$16,420,700	\$60,656,400	\$2,368,573,400	\$2,445,650,500

6 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,
7 Idaho Code, the Medicaid Administration and Medical Management Program of
8 the Department of Health and Welfare is authorized no more than two hundred
9 sixteen (216.00) full-time equivalent positions at any point during the pe-
10 riod July 1, 2018, through June 30, 2019, unless specifically authorized by
11 the Governor. The Joint Finance-Appropriations Committee will be notified
12 promptly of any increased positions so authorized. Further, notwithstand-
13 ing any other provision of law to the contrary, it is the intent of the Legis-
14 lature that the Department of Health and Welfare has the authority to trans-
15 fer authorized full-time equivalent positions between budgeted programs.

16 SECTION 3. GENERAL FUND TRANSFERS. As appropriated, the State Con-
17 troller shall make transfers from the General Fund to the Cooperative
18 Welfare Fund, periodically, as requested by the director of the Department
19 of Health and Welfare and approved by the Board of Examiners.

20 SECTION 4. TRUSTEE AND BENEFIT PAYMENTS. Notwithstanding the provi-
21 sions of Section 67-3511, Idaho Code, funds budgeted in the trustee and
22 benefit payments expense class shall not be transferred to any other expense
23 classes during fiscal year 2019.

24 SECTION 5. PROGRAM INTEGRITY. Notwithstanding any other provision of
25 law to the contrary, it is the intent of the Legislature that the Department
26 of Health and Welfare shall be required to provide those services authorized
27 or mandated by law in each program, only to the extent of funding and avail-
28 able resources appropriated for each budgeted program.

29 SECTION 6. MEDICAID TRACKING REPORT. The Department of Health and Wel-
30 fare, Medicaid Division and Indirect Support Services Division, shall de-
31 liver on a monthly basis to the Legislative Services Office and the Division
32 of Financial Management a report that compares the Medicaid budget as appro-
33 priated, distributed by month for the year, to actual expenditures and re-
34 maining forecasted expenditures for the year. The report shall also include
35 a forecast, updated monthly, of the next fiscal year's anticipated trustee
36 and benefit expenditures. The format of the report, and the information in-
37 cluded therein, shall be determined by the Legislative Services Office and
38 the Division of Financial Management.

39 SECTION 7. TRANSFER OF APPROPRIATIONS. Notwithstanding the provisions
40 of Section 67-3511, Idaho Code, funding provided for the trustee and bene-
41 fit payments expenditure class in the Medicaid Division may be transferred
42 in excess of ten percent (10%) among the Coordinated Medicaid Plan, Enhanced

1 Medicaid Plan, Basic Medicaid Plan, and Medicaid Administration and Medical
2 Management Program, but shall not be transferred to any other budgeted pro-
3 grams or expenditure class within the Department of Health and Welfare dur-
4 ing fiscal year 2019.

5 SECTION 8. MEDICAID MANAGED CARE IMPLEMENTATION. The Medicaid Division
6 shall provide a report to the Legislative Services Office and the Division
7 of Financial Management, on progress in integrating managed care approaches
8 into the state Medicaid system. The format of the report, and information
9 contained therein, shall be determined by the Legislative Services Office
10 and the Division of Financial Management. The report shall be submitted no
11 later than December 31, 2018.

12 SECTION 9. REPORT ON FLEXIBLE RECEIPT AUTHORITY. The Medicaid Divi-
13 sion shall provide a report annually, at time of budget submission, to the
14 Legislative Services Office and the Division of Financial Management that
15 describes the need for having additional dedicated receipt authority built
16 into the budget. The additional dedicated fund appropriation is not to be
17 considered when calculating the estimated need for ongoing Medicaid costs,
18 but rather to be held in reserve and used in lieu of General Funds when non-
19 ognizable receipts are received by the department.

20 SECTION 10. NON-EMERGENCY MEDICAL TRANSPORTATION. It is the intent of
21 the Legislature that, of the moneys appropriated in Section 1 of this act,
22 \$200,000 shall be used solely for purposes of improving the Non-Emergency
23 Medical Transportation (NEMT) program. This shall include, but is not lim-
24 ited to, the hiring of an outside entity to conduct an audit of the NEMT pro-
25 gram; to support rate review activities for NEMT providers; and to develop
26 and implement a training program that meets the needs of all provider types,
27 the contracted broker, the Department of Health and Welfare, and most im-
28 portantly the Idahoans who are participating in this program. The train-
29 ing program and rate review are to be developed in collaboration with rel-
30 evant stakeholder groups including, but not limited to, NEMT providers and
31 disability advocacy groups. The rate review shall be used to determine the
32 costs of efficiently delivered, high quality NEMT services in a brokerage
33 model to allow the Department of Health and Welfare to update provider rates
34 under its contract with the NEMT broker and, as needed, request a line item
35 for additional appropriation, which would remain subject to legislative ap-
36 proval. In addition, no later than December 30, 2018, and again on June 30,
37 2019, the Department of Health and Welfare shall provide to the Legislative
38 Services Office and the Division of Financial Management a report that in-
39 cludes details on the implementation of the audit, training, rate review,
40 and any other steps that have been taken by the department to improve the NEMT
41 program. Any unexpended and unencumbered funds that have been appropriated
42 for this purpose are to be reverted at the end of the fiscal year, or as soon
43 thereafter as practicable.

44 SECTION 11. COST-SHARING REQUIREMENT. It is the intent of the Legis-
45 lature that the Department of Health and Welfare shall implement cost-shar-
46 ing in the Division of Medicaid, as required in Section 56-257, Idaho Code,

1 to the maximum extent that is federally allowable, for the expanded popula-
 2 tion of children whose families' gross taxable income exceeds one hundred
 3 eighty-five percent (185%) but does not exceed three hundred percent (300%)
 4 of the federal poverty limit (FPL), for Medicaid-eligible services as iden-
 5 tified in House Bill No. 43, as enacted by the First Regular Session of the
 6 Sixty-fourth Idaho Legislature.

7 SECTION 12. In addition to the appropriation made in Section 1, Chap-
 8 ter 227, Laws of 2017, and any other appropriation provided for by law, there
 9 is hereby appropriated to the Department of Health and Welfare for the Med-
 10 icaid Division the following amounts to be expended for the designated pro-
 11 grams and expense classes from the listed funds for the period July 1, 2017,
 12 through June 30, 2018:

	FOR	FOR	
	OPERATING	TRUSTEE AND	
	EXPENDITURES	BENEFIT	TOTAL
		PAYMENTS	
17 I. MEDICAID ADMINISTRATION AND MEDICAL MGMT:			
18 FROM:			
19 Cooperative Welfare (General)			
20 Fund	\$155,800		\$155,800
21 Cooperative Welfare (Federal)			
22 Fund	<u>155,700</u>		<u>155,700</u>
23 TOTAL	\$311,500		\$311,500
24 II. ENHANCED MEDICAID PLAN:			
25 FROM:			
26 Cooperative Welfare (General)			
27 Fund		\$7,663,700	\$7,663,700
28 Cooperative Welfare (Federal)			
29 Fund		<u>18,992,500</u>	<u>18,992,500</u>
30 TOTAL		\$26,656,200	\$26,656,200
31 III. BASIC MEDICAID PLAN:			
32 FROM:			
33 Cooperative Welfare (General)			
34 Fund		\$9,269,200	\$9,269,200
35 Hospital Assessment			
36 Fund		9,103,700	9,103,700

	FOR	FOR	
	OPERATING	TRUSTEE AND	
	EXPENDITURES	BENEFIT	TOTAL
		PAYMENTS	
Cooperative Welfare (Federal)			
Fund		<u>37,956,300</u>	<u>37,956,300</u>
TOTAL		\$56,329,200	\$56,329,200
GRAND TOTAL	\$311,500	\$82,985,400	\$83,296,900

SECTION 13. Notwithstanding any other provision of law to the contrary, the appropriation made to the Department of Health and Welfare for the Enhanced Medicaid Plan Program in Section 1, Chapter 227, Laws of 2017, from the Cooperative Welfare (Dedicated) Fund is hereby reduced by \$25,000,000 for trustee and benefit payments for the period July 1, 2017, through June 30, 2018.

SECTION 14. An emergency existing therefor, which emergency is hereby declared to exist, Sections 12 and 13 of this act shall be in full force and effect on and after passage and approval.