

Public Policy Committee Meeting Minutes

Thursday, July 19, 2012

East Conference Room, Joe R. Williams Building

700 W. State Street, Boise, Idaho 83702

Committee Members Present: David Dekker, Ritchy Cardwell, Kelly Hall, Annette Wilkinson for Jean Christensen

Members Absent: Jenn Halladay, Jim Baugh, Julie Fodor, Joe Raiden, Jean Christensen

Guests: Acena Dekker and Ivan Herrera

Staff: Christine Pisani, Amanda Holloway

Christine called the meeting to order at 10:31.

Welcome Committee Members and Review Agenda

Christine welcomed everyone. Changes made to the agenda reflected the absence of Jim Baugh and Shannon Dustan who would not be presenting.

Review Committee Roles, Responsibilities, and Timeline

Dave read the committee roles and responsibilities. Christine emphasized that Public Policy committee only works if everyone understands the issue and how she relies on members to tell her if they don't understand, have questions or would like to have an outside presenter come explain a topic. She encouraged members to please speak up if they have questions or need more time to understand an issue so that everyone can make informed decisions. Another important thing Christine emphasized is that people need to have frequent and dependable access to email because, especially during the session, things happen very quickly and we can't move forward on something without the committee's approval.

Dave asked if we knew what the upcoming legislative issues would be. Christine said we would probably work on issues like restoring dental, managed care, anti-bullying legislation and background checks for guardians to name a few.

Christine reviewed the timeline for committee responsibilities. She explained what a legislative slate is and the role of the committee. Christine explained that fact sheets are usually a one-page sheet of information about an issue along with the Council's position. We use fact sheets to inform legislators about issues. The PPC reviews the fact sheets and makes recommendations to make sure that they

are in plain language and easy-to-understand. Christine warned the committee that sometimes other issues come up that we don't know about.

Dave met Jim Coffman who is running for Bert Stevenson's place. He gave Mr. Coffman a copy of the Medicaid Matters book.

Elect Committee Chair

Ritchy read about the election of committee chair and their responsibilities on page four of the Public Policy section. Christine reminded everyone that Jim, Jean, Joe, Jenn and Julie are not at this meeting, but they are on the committee. Ritchy nominated himself. Dave nominated himself.

Review how issues are chosen for Council Work

Christine reviewed how issues are chosen for legislative work for the Council. There are three priority levels. She used the background checks for guardians as an example. This issue is a Priority 1, we took a leadership role, we developed a committee, scheduled meetings, and identified a legislative sponsor. A Priority 2 example would be that the Council worked with CID on Medicaid issues. The Council was not the lead we weren't the lead, but we worked in partnership with other organizations. A Priority 3 example would be the proposed legislation for donations to Medicaid. The Council monitored this issue.

Christine said sometimes there are so many issues and we can only work on so many things. The priorities recommended by the committee presented to the full Council are important to give staff direction.

Approval of Minutes of the April 26, 2012 meeting will be done at the October meeting due to not having a quorum.

School Based Services under Children's Redesign

Kelly gave some background on school based services. Medicaid decided a couple of years ago that children's services needed to change to be more flexible and give families more choice and control. Medicaid services are offered in schools to help assure that students with disabilities receive a free and appropriate public education. Idaho was one of six states that were allowed to provide Medicaid in a certain way. The State Department of Education (SDE) has been working very closely with the Department of Health & Welfare (DHW)-Medicaid to see what needs to be provided to students to meet their needs while still following Medicaid rules.

June 20th proposed rules went out for public comment. The public comment period closed June 29th. At some point those rules will be available for public

comment again. Page 13 – Intensive Behavioral Intervention (IBI) and Developmental Therapy (DT) were provided in the schools and are going away because they will not be provided in the community. IBI was considered something that schools should have been providing as an educational entity and not billed to Medicaid. Christine asked if schools were billing for DT when they were really providing PCS. Kelly said PCS will still be available. Some schools were teaching functional skills (counting coins) and billing for DT, when it is really an educational skill. Christine asked if there is a possibility that if schools are not able to bill Medicaid for DT if students will get less of that type of intervention? Kelly said hopefully not. She and Shannon Dunstan have been emphasizing that schools need to look at what the student needs and not whether they are Medicaid eligible. After the needs are identified then they can ask if the student is Medicaid eligible and what if any part could be billed to Medicaid. Dave asked if Developmental Disability Agencies (DDA's) will have to close their doors since schools won't provide IBI or DT. Kelly said most schools used their own staff to provide those services. About 70% of schools did contract with community providers. She said that some towns will see an impact, but if a student qualified for IBI, they will receive behavioral intervention provided by school staff or through a contract. Kelly clarified there will be two levels of behavior intervention, and behavior consultation is a stand alone. Christine asked what the requirements are for behavior consultation (BC). Kelly said that a BC could be a school psychologist, school social worker, etc. At a minimum they have to have a Master's level degree and at least one year of experience. Christine asked if this is ready to go for the 2012-2013 school year. Kelly said training will start this fall and they need to get school districts ready, but the new services cannot be billed to Medicaid until after July 1, 2013. IBI and DT will no longer be available in schools or the community after this date. Dave asked about SL Start, he said their big thing is DT, IBI and residential habilitation. Annette Wilkinson said that SL Start was bought out by a bigger company, Embassy, who also bought out Preferred Community Homes (Belmont, Yellowstone). They are now called Aspire Services.

Jenn Halliday sent an email to the Council to get answers to a few questions she had about the changes to school based services. She was concerned that the changes would impact things like peer tutoring which she thought was based on DT. Kelly said no, this will not impact peer tutoring and schools should not have been billing Medicaid for peer tutoring.

Jenn asked how much impact this will have on the availability of special education teachers in the schools. Kelly said that it is likely there will be some impact. Some schools budgets were funded from Medicaid for half of the costs. There could be a loss of teachers and paraprofessionals.

Kelly said it will not affect students with mental health issues. Mental health services are going to be looked at under managed care.

Other

Christine passed out some information from the Kaiser Foundation about the Affordable Care Act and managed care. This afternoon, Christine is going to do a presentation on managed care. One thing that Idaho is looking at is called an insurance exchange which is a way for people to get affordable insurance. The Governor is trying to decide if the healthcare exchange is something Idaho will do. He has assigned a group to look at how Medicaid is to be expanded to include 133% of poverty level. For a single person that is \$14,000 yearly. For a family of four it is about \$33,000 yearly. Another group is reviewing a healthcare exchange. Christine has copies of the Governor's press releases on the Affordable Care Act. Dave asked if the expansion of Medicaid is a mandate. Christine said it is a mandate through the Affordable Care Act. She explained that some states are opting not to do this and not take federal funds. Kelly explained that to start with the Federal government is going to pick up most of the cost, but over time the state will have to provide the funds. Kelly explained that a small business owner with 10 employees is able to provide himself and his employees with insurance and it costs \$400 per employee. With the exchange, he could stop providing insurance and pay a penalty for not providing healthcare but the penalty would be less than he is paying for health insurance. Dave asked if everyone has to have insurance now? Kelly said yes. Christine said if you don't get insurance you have to pay a penalty. Kelly said that is based on your income and capped. It goes up over the years. Christine said that in Idaho, many employers don't provide health insurance.

Leslie Clement is leaving and Denise Chuckovich is her replacement.

Adjourned

Meeting adjourned at 12:10 pm.