

MINUTES OF THE
JOINT HEALTH AND HUMAN SERVICES APPROPRIATION SUBCOMMITTEE
Wednesday, February 18, 1998
Room 403, State Capitol Building

Members Present: Sen. Howard Stephenson, Committee Co-Chair
Rep. J. Brent Haymond, Committee Co-Chair
Sen. Howard C. Nielson
Rep. Loretta Baca
Rep. Gene Davis
Rep. Lloyd Frandsen
Rep. Robert H. M. Killpack
Rep. Richard M. Siddoway

Members Excused: Sen. Scott N. Howell
Rep. Jeff Alexander
Rep. Bryan D. Holladay

Staff Present: Spencer Pratt, Legislative Fiscal Analyst
Thor Nilsen, Legislative Fiscal Analyst
Bonnie Brinton, Secretary

List of Others Present on File.

Committee Co-Chair Haymond called the meeting to order at 4:30 p.m.

A. Approval of Minutes of February 16, 1998

Spencer Pratt, Fiscal Analyst, proposed the following amendments to the minutes:

February 11, 1998, Page 3, Rep. Haymond moved to add to the A Hope List an increase in the Adoption Assistance budget of: delete "\$400,000" and insert "\$1,400,000"

February 16, 1998, Page 5, #2: Add "Department of Health and Department of Human Services, the Division of Employment Development in the Department of Workforce Services, and the State Office of Education work jointly through the regular budget process to"

MOTION: Rep. Davis moved to accept the amendments to the minutes as stated. The motion passed unanimously.

Rep. Davis stated that there was another correction to be made—there was to be an increase in the Division of Services of People with Disabilities waiting list for Aging of \$1,000,000, bringing the total to \$1,500,000. Rep. Haymond stated that this increase would be attended to.

Rep. Haymond stated that he and Sen. Stephenson had worked with Spencer Pratt and Thor Nilsen, Fiscal Analysts, on formulating an A List including all items voted on in this committee. There has been a question on whether this committee should increase the DSPD waiting list. There is a question whether H.B. 111 will impact some of the waiting list by the money being added into the system.

Helen Goddard, Director, Aging and Adult Services, stated this funding would address 400 of the 900 slots available. This would be roughly half of the waiting list.

Rep. Haymond directed the committee's attention to a document entitled Health and Human Services

Appropriations Subcommittee Committee Action Beyond Analyst's Recommendations, dated February 16, 1998, page 2, at the top, "Health: Added to Budget: \$3,330,000. He stated that the chairs had been asked by Executive Appropriations not to submit a budget that is over the targeted allocation.

MOTION: Rep. Davis, with regret and reluctance, moved to deduct \$3,330,000 from the budget and put it on the A List. The motion carried unanimously.

MOTION: Sen. Nielsen moved to accept the following intent language to be placed in the Medicaid section of the Budget of the Department of Health:

It is the intent of the legislature that the Department of Health contract with a private entity to process and administer Medicaid crossover claims. The compensation for processing and administering such claims shall be for the amount of the cost incurred by the department to process the claims internally.

Michael Deily, Director, Division of Health Care Financing, clarified the intent language. He explained that this intent language would provide an important service conducted for the citizens of the State of Utah by a private company without further costs to the state.

Dr. Richard Melton clarified the motion and expressed concern regarding the intent language in the motion.

The motion passed unanimously.

Spencer Pratt directed the attention of the committee to two items in the document entitled, "Recommendations of the Appropriations Subcommittee for Health and Human Services.

1. The back side of page 1, "Community and Family Health Services, first paragraph. The intent language was approved by this committee, but when Legislative Research and General Counsel studied it, they found the following: House Bill 404 directs that the funds be allocated to the Division of Substance Abuse rather than to the Tobacco Prevention and Control Program within the Utah Department of Health. If Bill 404 passes the funding will go to the Division of Substance Abuse and intent language cannot override the language of a bill. Gay Taylor, Legislative Research and General Counsel suggested the committee strike this entire paragraph.

MOTION: Rep. Davis moved the committee to accept the recommendation of Ms. Taylor and strike the paragraph.

Rep. Davis stated that the Senate Journal showed that this conflict has been corrected, so he withdrew his motion.

Spencer Pratt suggested still striking it because this intent language says what Bill 404 will do what the bill does.

2. The top of page 2, "Health Care Financing," first paragraph. Counsel stated this intent language goes contrary to the purpose of the Division as set up in 26.18-2.1 and there is not allowance in the statute the use of Medicaid money for non-qualified users.

MOTION: Rep. Davis moved to delete the following language:

Page 2, Line 3: After "for persons" delete "not qualified for Medicaid or"

The motion carried unanimously.

MOTION: Rep. Davis moved to accept the following intent language:

It is the intent of the legislature that the Primary Care Grant Program be funded with on-going funds in FY 2000.

The motion passed unanimously.

MOTION: Rep. Siddoway moved to place \$6,000,000 under Aging and Adult Services on the A List as follows: \$4,000,000 for in-home services and \$2,000,000 for Meals on Wheels.

The motion passed with Rep. Frandsen voting against the motion.

MOTION: Rep. Davis moved to add Medicaid funding for labor and long-term care costs of \$1,000,000 to the A List. This would be under the Health Department and would be general funds.

The motion passed with Rep. Frandsen voting against the motion.

Sen. Stephenson stated that this committee had asked the chairs to process the waiting list for Services to People with Disabilities in addition to other kinds of things that they felt met immediate and critical needs. They looked at the immediate and critical needs waiting list for the 1,700 people with disabilities. The cost of funding all of them would be almost \$11,000,000 in general fund revenues, bringing \$28,000,000 in total revenues. He also stated that they felt this committee ought to at least fund what is referred to as "preventative services," so that families which are under tremendous hardships and in need of respite care, day training, and other similar services ought to receive additional funding.

The Senator stated the realization of the chairs and the analysts that the large sums of money are in the residential services, and that there will not be much funding available in that area. He felt it was important to do everything possible below the residential services line in family support areas. The feeling of the chairs was that this would be the best use of the available money and would help prevent families from having the kinds of hardships that they have in trying to care for people with disabilities on their own.

MOTION: Sen. Stephenson moved to increase the funding in the Department of Human Services, Division of Services to People with Disabilities Waiting List for Services to \$5,000,000 which would be an increase of \$4,000,000 to what is shown on page 1 of the Analyst's recommendation.

There was discussion on providing flexibility in giving choices of services and that a priority would be given to those receiving no services at all.

The motion passed unanimously.

Rep. Haymond turned the chair to Sen. Stephenson.

MOTION: Rep. Haymond moved to reduce the amount of Adoption Assistance to \$1,000,000 from \$1,400,000 because of additional information from DCFS that this division only needs \$1,000,000. Of the \$400,000 reduction, \$375,000 be allocated to the Child Welfare Bill so it wouldn't be tied into the \$674,400 for Children in Custody - Out of Home Care. The motion passed unanimously.

MOTION: Rep. Haymond moved that all funds in DCFS be identified as non-lapsing to cover short falls. The motion passed unanimously.

Sen. Stephenson stated that it is not the desire of the committee to build up false hopes of receiving funding, but they feel it is important to let Executive Appropriations know the priorities of Health and Human Services. The ratios that have been established on the A List will be used in determining the amounts of funding given to this department.

Rep. Davis requested that the Analyst prepare these building blocks on the A List, plus any money that has been set aside which may be covered with fiscal notes, in final form to distribute to the committee members in the morning.

Rep. Siddoway requested the Analyst prepare a spread sheet showing the agencies requests, the governor's response and the legislative response. Rep. Haymond stated that this was a Leadership decision. Rep. Davis suggested the divisions could provide this information.

Spencer Pratt responded to questions regarding CHIP and Medicaid. He stated that HB 137 has a fiscal note that covers four areas: the services and the eligibility for the CHIP and the services and the eligibility for the Medicaid children as a result of the Outreach program for the Chip program.

MOTION: Sen. Nielsen moved to adjourn the meeting. The motion passed unanimously.

Meeting adjourned at 5:11p.m.

Minutes reported by Bonnie Brinton, Secretary.

Sen. Howard Stephenson
Committee Co-Chair

Rep. J. Brent Haymond
Committee Co-Chair