

**MINUTES OF THE
SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE**

Refugee and Immigrant Center
155 S. 300 West, Salt Lake City, UT 84101
September 23, 2014 – Afternoon Meeting

Members Present: Rep. Ronda Rudd Menlove, Co-Chair
Rep. Daniel McCay, House Vice Chair
Sen. Diedre M. Henderson
Sen. Peter. C. Knudson
Sen. Todd Weiler
Rep. Rebecca Chavez –Houck
Rep. Tim M. Cosgrove
Rep. Paul Ray
Rep. Edward H. Redd
Rep. Marc K. Roberts

Members Absent: Sen. Allen M. Christensen, Co-Chair
President Wayne L. Niederhauser
Sen. Luz Robles
Sen. Brian E. Shiozawa
Sen. Evan J. Vickers
Rep. Brad L. Dee
Rep. Earl D. Tanner

Staff Present: Mr. Russell T. Frandsen, Fiscal Analyst
Mr. Stephen C. Jardine, Fiscal Analyst
Ms. Paula Winter, Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

1. Call to Order

Co-Chair Menlove called the meeting to order at 1:00 p.m.

2. Public Input on Topics on Agenda

- Kristen Chapman, parent, spoke on the point of provider rates and the turnover rates of provider staffs. She compared the low wages to fast food workers which also provide vacation, sick leave and benefits.
- Jennifer Kuhn, parent also spoke about provider rates in regard for reimbursement for mileage and transportation. She referenced her son who can't go on public transportation for safety reasons.
- Joyce Dolcourt, Chair, Legislative Coalition for People with Disabilities, informed the Committee that the Coalition has made increased provider rates its number one priority for the Division of Services for People with Disabilities (DSPD).
Rep. Menlove inquired if providers would be more transparent about their budgets if there was a provider increase. She also stated that the Committee currently has no way of knowing their funding structure. Ms. Dolcourt referred her to Charlie Luke, who is

head of the Utah Association of Community Services. She explained that these are small business people and wasn't sure if they would be willing to be more transparent but that this is something to look at.

- Emilee Wagner, parent, spoke about her daughter who was finally able to receive services. She came to speak on behalf of those who have no assistance at all and those who are severely disabled. She referred to a document having to do with the FAQs of the Katie Beckett Waiver. She asked about how these children are to be taken care of at home.
- Charlie Luke, Executive Director, Utah Association of Community Services, explained the current parameters of the services available. He did state that Utah wages for providers ties for the lowest reimbursement rates. He also said that financials are provided each year to the Department of Human Services (DHS) and those are public record. There is also an audit expected every year. DHS has all this information.
- Phil Shumway, Executive Director, TURN Community Services, spoke about three concerns including low wages, the Affordable Care Act, and the ability to recruit staff because of low wages.
- Rep. Cosgrove acknowledged accomplishments of the above Department.
- Jennifer Adams, described the Self-Administered Services Model (SAS) of caring for individuals with disabilities and expressed her concern for a provider rate increase which would affect this model.

3. Subcommittee Questions from the 2014 General Session

<http://le.utah.gov/interim/2014/pdf/00004238.pdf>

Co-Chair Menlove indicated the subcommittee questions from the 2014 General Session were available in the packet and allowed time to look at the questions.

Rep. Redd remarked that the committee had some heavy duty issues to discuss this afternoon and suggested moving on to the next agenda item. The committee agreed to move on.

4. Local Mental Health Medicaid Match

<http://le.utah.gov/interim/2014/pdf/00004241.pdf>

Co-Chair Menlove stated that this issue was dealt with at the end of the session and had been brought back for more detail at this time.

Mr. Stephen Jardine, Fiscal Analyst, indicated the item available to the committee and reviewed the document. He indicated the complexity of the information and summarized three items in the document for clarification purposes for the committee. He stated that the information is to be considered by the committee.

Mr. Doug Thomas, Director, DHS, Division of Substance Abuse and Mental Health (DSAMH), and Kyle Snow, Chair, Utah Behavioral HealthCare Committee (UBHC), continued presentation of information on the slides available in the packet contents which showed increase in Medicaid members covered and growth increase for the FY 2009-2013 as compared to funding and expenditures.

Rep. Roberts requested clarification on the acronyms and information used in the information presented.

Rep. Redd asked for clarification on the term member months and Mr. Thomas clarified. There was further clarification between Rep. Roberts and Mr. Thomas about the term member months.

Co-Chair Menlove also asked for clarification of the growth term and needs with conversation between Mr. Thomas and Mr. Snow explaining the terms.

Mr. Michael Hales, Department of Health (DOH), was asked to clarify the information having to do with member months and the dollars used along with break out of the rates charged which are based on historical patterns of use.

Mr. Thomas and Mr. Snow continued with presentation of slide information.

There was some questioning by Rep. Cosgrove and Rep. Redd regarding the mental health aspects presented.

The presentation moved forward with Rep. Redd requesting clarification and expressing concern and importance about the decisions being made. Mr. Thomas and Mr. Snow acknowledged his concern. Rep. Cosgrove asked for more clarification about funding.

Co-Chair Menlove brought the discussion to a close and suggested that if there were any other concerns to contact the department.

5. Review of Provider Rates in the Department of Human Services

Ann Silverburg Williamson, Director, Department of Human Services (DHS), asked for questions from the committee and Co-Chair Menlove responded with the concern that she has not received answers to her questions and concerns. Ms. Williamson expressed that there is a disconnect in the granular data. There was continued conversation between Co-Chair Menlove and Ms. Williamson about those concerns. Co-Chair Menlove suggested that she will make an appointment to meet with Ms. Williamson. Mark Brasher, Deputy Director, DHS, responded with information about the number of providers and the challenge present to provide the information requested. Co-Chair Menlove expressed frustration about how the information has not been presented and the fact that the funds are from the taxpayers and that solutions need to be found to solve the issue at hand to present information to them. She challenged them to make progress by the December meeting.

Rep. McCay echoed the concern of Co-Chair Menlove. He suggested that this request will continue until the information is made available.

Rep. Chavez-Houck asked for information about the 990s and whether or not information could be extracted from those and Ms. Williamson responded that she needed to learn more about the expectations of the committee. Rep. Chavez-Houck suggested that there is availability of information.

Sen. Weiler stated that he didn't want to detract from what has been requested about data. He indicated the importance of not losing sight of the big picture which is that the DSPD providers are paid low wages and that issue needs to be addressed. He suggested that if something is not done parents will be incentivized to place their adult children in nursing homes 5 to 10 years earlier than necessary and Medicaid costs will be put upon the state. He stated that he does not want to drive people from their families into state care where the tab for that care will be much higher.

6. Cost for Individual for Supported Employment

<http://le.utah.gov/interim/2014/pdf/00004418.pdf>

Mr. Paul Smith, Director, Division of Services for People with Disabilities (DSPD), introduced Tricia Jones Parkin and referred to the document available. He also indicated that they will have more itemized

data by the end of the calendar year with regard to information on employment services. He said that information on data for the entire division will be forthcoming. He explained the information currently available from the document.

Rep. Cosgrove had questions about who would still receive access to care even though they are not able to work. Mr. Smith and Rep. Cosgrove continued conversation about that question.

Rep. Redd asked for clarification of information shown on the document and offered his experience as to the waiting list and he and Mr. Smith continued to discuss the issue.

MOTION: Rep. McCay moved to approve the minutes for all General Session minutes for the Social Services Appropriations Subcommittee. The motion passed unanimously with Rep. Roberts absent for the vote.

7. Review the Division of Child and Family Services

<http://le.utah.gov/interim/2014/pdf/00004420.pdf>

Mr. Brent Platt, Director, Division of Child and Family Services (DCFS), stated that he would not be explaining the information in the document and instead introduced Lori and Shane, parents, to share their experience with DCFS to illustrate the process of the division with them and their family. Shane explained the initial visit from a caseworker. They each spoke of the goals that were set and the details of their situation. They emphasized that the experience was positive and told of the progress made as well as the services they found in their area. A suggestion was made by them to have mentors available in the future who have been through the process to help other families.

Ms. Gabrielle Burgess, youth, explained her situation of being involved in foster care for the last two years. She informed the committee that she was taken from her home and placed in a group home as a result of her father's mental state and did receive both group and individual therapy. She continued to detail her situation and indicated that there were some instances she would have liked to be more individualized including removal from her home, more openness with her as far as knowing what was going on, and some rules for relationship with the foster families as well as the changes in relationship with her kinship family.

Mr. Ricky Ballesteros, youth, shared the details of his situation in becoming a foster youth. He explained that this situation involved his 7 brothers as well as his 2 sisters. He shared some statistics about youth aging out of foster care. Next he shared his family's specific situation and how the experience made him feel. Mr. Ballesteros explained his placement in Tremonton with a family and the love he felt for and from them. He shared how he received the support he needed in many ways and his subsequent progress. He relayed that all children will not be successful in the program but that the Legislators have the power and need to look at the system in order to change the situations of others.

Rep. Chavez-Houck referred to a program existing in California that brings siblings who are taken apart to reunite them at certain times of the year and wondered if Mr. Platt was aware of anything like that here in Utah. She also asked about toxic stress in families and how that affects them. She suggested that perhaps a presentation from Health and Human Services in that area might be beneficial.

Mr. Platt responded that Utah has a similar program called the Royall Kids Camp but did not have the details about it but would find the details. He explained that he did not have a lot of information on toxic stress currently but as a department are working on that. Rep Chavez-Houck and Mr. Platt continued discussion on toxic stress and how information of toxic stress may help legislators in their decisions.

Rep. Roberts thanked Mr. Ballesteros for coming and inquired about the progress of Mr. Ballesteros siblings. Mr. Ballesteros shared information about his siblings and also stated that he feels the siblings have become cousins rather than brothers because of the lack of contact.

Rep. Cosgrove added his accolades to the success of Mr. Ballesteros and praised him for giving back with the choices he has made.

Rep. Menlove thanked the youth for sharing their stories and the progress they have made.

Ms. DeeAnn Maggio, grandmother, introduced herself and informed the Committee that she had recently adopted 2 of her grandchildren. She explained that she receives services from DCFS and had also has support from Grand Families who have been a lot of support in situations she has been in and that she very much appreciated them.

Rep. Redd emphasized that there are a lot of people involved in these success stories.

Sen. Shiozawa expressed thanks for the presentations and asked Mr. Platt about the number of people involved in the Grand Families program.

Ms. Jacqui Graham, Executive Director, Children's Service Society, explained that there are 100,000 children being raised by grandparents in Utah. She explained that the program is being expanded into other counties.

8. Office of Inspector General - Changes and Needs

<http://le.utah.gov/interim/2014/pdf/00004431.pdf>

Mr. Lee Wycoff, Inspector General, Stated the mission of the Inspector General by referring to the information available and continued to explain and summarize remaining information.

Rep. Menlove asked if the changes made by the Legislature were good for the Office.

Mr. Wycoff answered that the changes have resulted in positive outcomes and continued his review.

Sen. Shiozawa asked for examples of changes recommended to Medicaid and Mr. Wycoff gave an example having to do with providers and rates.

Rep. Chavez-Houck inquired whether there is a place to look about Medicare fraud report.

Mr. Wycoff indicated that individuals could look at the available information in the report.

9. HB81 (2013) Cytomegalovirus Public Health Initiative (Menlove)

<http://le.utah.gov/interim/2014/pdf/00004466.pdf>

<http://le.utah.gov/interim/2014/pdf/00004420.pdf>

Dr. Stephanie McVicar, Program Manager, Utah Department of Health (UDOH), talked about their public awareness campaign by referring to the handout information available including the importance to seek detection early as well as early treatment.

Items dealing with SB 75 Primary Care Grants Amendments and Subcommittee Question from the 2014 General Session were omitted and will be addressed at a later date.

10. Summary of Subcommittee Recommendations vs. Final Action by Legislature

<http://le.utah.gov/interim/2014/pdf/00004227.pdf>

Mr. Russell Frandsen, Fiscal Analyst, LFA, presented a comparison of what was requested and what the Legislature actually passed. He referred to the document available.

11. Process to Become a Federally Qualified Health Center

<http://le.utah.gov/interim/2014/pdf/00004232.pdf>

Mr. Alan Pruhs, Executive Director, Association for Utah Community Health (AUCH), clarified that the Association does not own or operate any of the health centers in Utah and are recognized as the primary care association for the state of Utah and work cooperatively with the Federal Government to provide training and technical assistance as well as expanding access in primary care for needs in the state. He continued by presenting information and statistics from the document available. There was some conversation between Rep. McCay and Mr. Pruhs about uninsured. He proceeded to introduce and explain the process and requirements to become federally qualified.

Co-Chair Menlove thanked Mr. Pruhs and because of time constraints moved the following agenda items to the December meeting: Review of Fee-supported Programs, Updated Federal Guidance for Covering Autism Services Within Medicaid, and Utah Growth in Medicaid Spending.

12. Shifting the Accountable Care Organization (ACO) Contract Increase From Calendar to Fiscal Year

Mr. Michael Hales, Deputy Director, DOH, stated that all increases that have been given for the ACO have been timed on the original start date in January. The difficulty is the timing of payments as relates to a fiscal year versus a calendar year. He explained that the normal process is to set rates once per year. The proposal is to have a budget neutral proposal and move the rate increase to July 1, 2015 and cutting it in half. The funding would not be changed but it will be lined up on the same fiscal year and make tracking easier.

Co-Chair Menlove asked if legislation was needed and Mr. Hales indicated that this is just informational and is to let the committee know how the appropriation will happen.

Mr. Chad Westover, Molina Healthcare of Utah, explained that the ACOs have a coalition which meets together to discuss issues that affect them. This particular issue was brought up and was approved by the coalition as a better situation.

Co-Chair Menlove inquired what the staff would like to do and there were no objections to this proposal.

Mr. Westover thanked Co-Chair Menlove for her service in the Legislature.

MOTION: Rep. McCay moved to adjourn the meeting. The motion passed unanimously.

Co-Chair Menlove adjourned at 4:46 pm.