

**MINUTES OF THE
SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE**
Cornerstone Counseling Center, 447 W. Bearcat Drive Salt Lake City, Utah
June 16, 2016 1:00 p.m.

Members Present: Sen. Allen M. Christensen, Co-chair
Rep. Paul Ray, Co-chair
Rep. Edward H. Redd, House Vice Chair
Sen. Luz Escamilla
Sen. Brian E. Shiozawa
Sen. Todd Weiler
Rep. Melvin R. Brown
Rep. Rebecca Chavez-Houck
Rep. Bradley M. Daw
Rep. Sandra Hollins
Rep. Earl D. Tanner
Rep. Raymond Ward

Members Excused: Sen. Lincoln Fillmore

Members Absent: Sen. Deidre M. Henderson
Sen. Alvin B. Jackson
Sen. Mark B. Madsen
Rep. Robert Spendlove

Staff Present: Mr. Russell T. Frandsen, Fiscal Analyst
Mr. Stephen C. Jardine, Fiscal Analyst
Ms. Tonya Hadley, 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 Christensen called the meeting to order at 1:40 p.m.

2. Unfinished Items from the Morning Agenda

Report on Several Options in Medicaid Program

Mr. Stephen Jardine, Fiscal Analyst, summarized the [Issue Brief: "Study of Options to Keep People Out of Nursing Homes"](#) and ["Report on Medicaid Long Term Services and Supports"](#). Legislative action recommended by the Department of Health (DOH) and Department of Human Services (DHS): (1) redirect state-only funding programs in the Division of Services for People with Disabilities to home and community-based waivers; (2) evaluate waiver coverage of housing-related activities and services for seniors and individuals with disabilities; (3) review the rates for in-home services and determine if there is sufficient access; and (4) establish a mechanism to evaluate the feasibility of limited HCBS as State Plan Services under 1915(i)

authority for a targeted population.

Comparison of Social Services Recommendations to Final Action Taken by the Legislature

Mr. Russell Frandsen, Fiscal Analyst, referenced the "[Social Services Recommendations vs. Final Legislative Action](#)".

3. Subcommittee Questions from the 2016 General Session (Department of Health)

Sen. Shiozawa asked what Utah is doing to prepare for the Zika outbreak in South America. Dr. Joseph Miner, Executive Director, DOH, explained they are improving the detection of the mosquitos that carry the virus. There are few, if any, mosquitos in Utah of these two varieties. He added that Obstetricians are required register and follow children born to infected mothers, even if they are born with a normal-sized head.

Rep. Chavez-Houck inquired which symptoms people should watch for and about the incubation period. Dr. Miner explained a fever or a rash may be present, but mothers may not have any symptoms. If they or their sexual partner has traveled to infected countries, they should be tested. He indicated that incubation is only 0-10 days from exposure to infection.

Rep. Hollins, Co-chair Christensen, Sen. Shiozawa and Rep. Redd questioned what is being done to lower the cases of gonorrhea. Dr. Miner answered they are trying to test and treat infected individuals and all their contacts.

4. Proposed Performance Measures for Recent Building Blocks

Mr. Jardine explained the [Issue Brief, "Proposed Performance Measures for Recent Building Blocks."](#) Co-chair Christensen requested the following from the agencies: (1) formally request the missing information for seven building blocks from the Department of Workforce Services (DWS) by July 31, 2016 and (2) formally request targets for the proposed measures for the Access to recovery TANF Grant from the Department of Human Services by July 31, 2016.

5. Maintenance of Effort Requirements for Federal Grants

Mr. Jardine discussed [Issue brief: "Maintenance of Effort Requirements on Federal Grants"](#). Co-chair Christensen questioned whether block grants could be turned down. Mr. Jardine expounded that they could. Rep. Ward queried about the match money. Mr. Doug Thomas, Director, Department of Substance Abuse and Mental Health (DSAMH), indicated that the match money comes from the state General Fund.

6. Third Party Federal Grants

Mr. Frandsen explained the [Issue Brief: "Third Party Match for Federal Grants"](#). There were 42 grants over \$500,000 in these four agencies totaling \$2.7 billion in funding with 24 sources

providing \$250.6 million in third party match to help draw down these federal funds. Of the match, \$25.1 million is General Fund, provided to state agencies and divisions. Another \$103 million comes from hospitals, for matching in Medicaid for paying higher reimbursement rates. Another \$10 million comes from school districts, cities or non-profit organizations matching Child Care and Development grants.

MOTION: Rep. Redd moved to approve minutes for the Social Services Appropriations Subcommittee meetings held on January 26, January 27, January 28, January 29, February 1, February 2, February 3, February 4, February 5, February 8, February 9, February 10, February 11, and February 12, 2016. The motion passed unanimously.

MOTION: Rep. Redd moved that the Social Services Appropriations Subcommittee consider sponsoring a joint resolution requesting Utah's congressional delegation to submit federal legislation amending federal block grant maintenance-of-effort (MOE) requirements by adding the following language to each MOE statutory requirement: "In no wise shall the state amount obligated as a maintenance-of-effort calculation exceed the amount of federal funding provided through the grant." In addition, direct those agencies that are currently paying more than the minimum MOE to explore strategies to reduce their MOE to the minimum amount required and report back to the Social Services Appropriations Subcommittee by October 1, 2016. The motion passed with Sen. Escamilla, Rep. Chavez-Houck and Rep. Hollins voting in opposition.

7. **Public Input on Topics on Today's Agenda**

None

8. **Mental Health/Substance Abuse Services**

a. Statics on Mental Health Court

b. The Federal Helping Families in Mental Health Crisis Act

[\(Mental Health Courts Operating in Utah handout\)](#)

[\(Federal Mental Health Legislation Update handout\)](#)

Mr. Tim Whalen, Director of Behavioral Health Services (BHS), Salt Lake County (SLCo), and Ms. Jeannie Edens, BHS Health Policy Director, SLCo, presented "[Connecting the Criminal Justice Population to Care](#)" and discussed the [SLCo Intercept Model](#). BHS considers this "best practice" for treatment services for individuals with mental illness and substance use disorder.

Sen. Weiler questioned the status of the DORA program. Co-chair Christensen cleared this up. Rep. Chavez-Houck inquired about gender ratios and single parent supports. Mr. Whalen identified them.

Ms. Edens showed how SLCo implement these practices, using the Intensive Supervision Program (ISP). She invited Mr. Trever Kelley, Graduate, ISP, to share his success story. The committee applauded Trever. She also invited Sergeant Cole Warnick, ISP Probation Unit, SLCo Sheriff's Department, to share his view of the ISP program.

Mr. Whalen introduced Mr. Adam Cohen, Executive Director, Odyssey House, and asked him to give a provider's perspective. Rep. Redd asked how no-income and low-income people get treatment funding there. He also requested the daily cost, what is included in the rate and the average length of stay. Mr. Cohen responded. Co-chair Christensen asked what was the limitation for expanding. Mr. Cohen quipped, "Money".

Rep. Ward asked if Vivitrol is being locally compounded. Rep. Ward offered to discuss options afterward. Rep. Brown asked about dosing frequency. Mr. Whalen indicated once a month for six-twelve months. Rep. Chavez-Houck asked what Vivitrol is and was told it is an antidote for drug users to reduce cravings.

Mr. Dave Gessel, Executive Vice President, Utah Hospital Association, offered an explanation of the process of caring for an escalating individual with mental illness in the hospital setting. Co-chair Christensen and Mr. Gessel discussed the need to get this patient stabilized before they are released.

9. Tour of Host Facility

Ms. Kathy Bray, CEO, Volunteers of America, and Ms. Audrey Rice, Vice President of Clinical Services, Volunteers of America, led the group tours highlighting areas of their facility. The center is a contract provider for SLCo Behavioral Health.

10. A Performance Audit of USOR's Case Management Controls

Mr. Tyson Cabolagan, Auditor, Office of Legislative Auditor General (OLAG), and Ms. Leah Blevins, OLAG Supervisor, OLAG, presented ["Performance Audit of Utah State Office of Rehabilitation \(USOR\)"](#), ["Audit of USOR Case Management Controls"](#) and ["Utah State Board of Education – Audit Brief 15-05"](#). Co-chair Christensen asked what USOR's response was to the audit recommendations. Ms. Cummings replied that USOR is very receptive and plan to implement all the recommendations.

11. Subcommittee Questions from the 2016 General Session (Department of Workforce Services)

In response to a 2016 General Session question, Mr. Jardine explained ["Department of Workforce Services \(DWS\) Temporary Assistance for Needy Families \(TANF\) grants"](#) using the [\("TANF grant Year One Overview" handout\)](#) showing outcome data for the money spent.

12. Report on Coordination of Restricted Funds

Mr. Frandsen presented the [Issue Brief: "Report on Restricted Accounts Managed by DWS"](#) and ["DWS Restricted Funds Not Subject to Appropriations Report, June 2016"](#). DWS manages 13 restricted accounts that do not require legislative authority for annual expenditures with total balances of \$10.6 million, as of May 2016. The department provided no recommendations to

increase the coordination of resources for these accounts.

13. Report on Opioid Pain Medication Dispensed

Mr. Frandsen shared [Issue Brief: "Opioid Pain Medication Dispensed Per Capita"](#) and ["Prescribing Practice in Utah 2002-2015"](#). He detailed (1) an increasing number of prescriptions per patient, total prescriptions, and high-dose prescriptions; (2) females receiving more prescriptions than males, but males receiving more high-dose prescriptions; and (3) individuals 65 and older receive the most prescriptions, per capita, by age group, but individuals between 25-64 years receive more high-dose prescriptions. DOH plans to provide another detailed report by October 31, 2016.

14. New Federal Funding and Laws Regarding Opioid Epidemic

Ms. Anna Fondario, EPI Program Manager, DOH, and Dr. Robert Rolfs, Deputy Director, DOH, discussed ["New Federal Funding and Laws Regarding Opioid Epidemic."](#) Rep. Redd inquired about quality improvement measures for the providers and a timeline for using the grant money, if they receive the grant. Ms. Fondario responded. Rep. Ward asked when the second grant became available. Ms. Fondario and Mr. Thomas replied.

15. Report on Allowing a Three Month Supply of Some Medicaid Medications

Mr. Frandsen shared [Issue Brief: "Report on Allowing a Three Month Supply of Some Medicaid Medications"](#) and ["Utah Medicaid Generic Medication Three Month Supply Program"](#). Beginning July 1, 2016, DOH will provide the option to fill 191 low cost medications for up to a three-month supply per dispensing. This is a change from the current one-month supply they currently dispense. This may or may not result in savings to the State. Savings may be achieved by reducing the dispensing fees paid. Costs may be incurred if members discontinue a prescription or lose Medicaid eligibility before the end of the three-month period. DOH will report on the financial impact of this change on September 30, 2017.

16. Increasing Family Practice Residencies and the Future of Family Practice

Ms. Jennifer Dailey, Executive Director, Utah Academy of Family Physicians, shared the following: ["A Case for Family Medicine Residency Expansion in Utah"](#) (Other resources: [Expansion handout](#) and [Financial Impact handout](#)) Utah is ranked 49th out of 50 for primary care physician (PCP) saturation in the nation at just 38 PCPs per 100,000 people.

Rep. Redd asked about the number of residency slots for family physicians versus anesthesiologist residencies. Co-chair Christensen asked about cost and length of a residency. Rep. Ward expounded on why there is cost. Rep. Redd asked about one slot for psychiatry versus all five positions for primary care doctors. Ms. Dailey quipped that "they" can come request their own slot. Rep. Redd asked how many job openings there are for primary care physicians. Ms. Dailey replied there were 87, as of yesterday.

17. Subcommittee Questions from the 2016 General Session from Non-State Agencies

See discussion for agenda item #16 above.

18. Other Business

The next Social Services meeting will be held on Thursday, Sept 22, 2016, from 8 a.m. until noon in Ogden.

19. Adjourn

MOTION: Rep. Brown moved to adjourn. The vote passed unanimously, with Sen. Escamilla absent for the vote.

Co-chair Christensen adjourned the meeting at 4:25 p.m.