



MINUTES

SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE

Tuesday, May 26, 2020 | 1:00 p.m. | 30 House Building

Members Present:

Sen. Allen M. Christensen, Senate Chair
Rep. Paul Ray, House Chair
Rep. Raymond P. Ward, House Vice Chair
President J. Stuart Adams
Sen. Kirk A. Cullimore
Sen. Luz Escamilla
Sen. Keith Grover
Sen. Todd Weiler
Rep. Steve R. Christiansen
Rep. Kim F. Coleman
Rep. Jennifer Dailey-Provost
Rep. Brad M. Daw

Rep. Sandra Hollins
Rep. Marsha Judkins
Rep. Adam Robertson
Rep. Norman K. Thurston

Members Absent:

Sen. Daniel Hemmert

Staff Present:

Lorna Wells, Committee Secretary
Russell T. Frandsen, Finance Officer
Clare Tobin Lence, Finance Manager
Kimberly D. Madsen, Financial Analyst

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

Chair Christensen called the meeting to order at 1:17 p.m.

Clare Tobin Lence gave an overview of the technology involved in the WebEx meeting and listed the legislators present.

2 . Approval of Minutes

MOTION: Rep. Ray moved to approve the minutes for these meetings during the 2020 General Session: January 28, January 30, January 31, February 3, February 4, February 5, February 6, February 7, February 10, February 11, February 12, February 13, and February 14. The motion passed with a vote of 16 - 0 - 1.

Yeas-16

Sen. J. Adams
Sen. A. Christensen
Rep. S. Christiansen
Rep. K. Coleman
Sen. K. Cullimore
Rep. J. Dailey-Provost
Rep. B. Daw
Sen. L. Escamilla
Sen. K. Grover
Rep. S. Hollins
Rep. M. Judkins
Rep. P. Ray
Rep. A. Robertson
Rep. N. Thurston
Rep. R. Ward
Sen. T. Weiler

Nays-0

Absent-1

Sen. D. Hemmert

3 . Overview of Timeline, Deliverables, Federal Rules, and Process

Chair Christensen explained the list of possible budget cuts for the 2, 5, and 10 percent scenarios.

Clare Tobin Lence gave an orientation to the direction from the Executive Appropriations Committee.

Clare Tobin Lence explained the proposal from the analysts and discussed how to find the shared document that will be updated. https://drive.google.com/file/d/1MBI75XKf0zpV_ahCYPVmsf31xbhNBoS/view

[Options for Adjusting Base Budgets by 2%, 5%, and 10% - Co-Chairs Proposal](#)

Chair Christensen asked some clarifying questions about which items are being cut. Clare Tobin Lence responded and continued discussing the document.

Sen. Escamilla asked about new budget items. Clare Tobin Lence responded and continued discussing the document.

Chair Christensen asked about legislative action for federal approval. Clare Tobin Lence responded.

Russell Frandsen also discussed federal approval.

Rep. Robertson asked a specific question about Line #14 regarding the scope of Drug Testing Covered by Medicaid. Clare Tobin Lence and Russell Frandsen responded.

Chair Christensen asked about the heading for Column D of -10.2 percent. Clare Tobin Lence responded.

Clare Tobin Lence discussed that Column A shows what percent tranche each item is in.

Clare Tobin Lence discussed rows from 173 and below.

Rep. Thurston asked if items could be moved around today and then make more adjustments on Friday. Clare Tobin Lence responded.

Chair Christensen stated that the chairs will prepare a list based on everything discussed at this meeting for committee members to look at for Friday.

Clare Tobin Lence mentioned that staff is very willing to assist committee members in understanding the list and continued the presentation.

Sen. Escamilla asked about the process involved and asked the chairs if they had considered taking a stand against the 10 percent reduction because of the current public health crisis due to the pandemic.

Chair Christensen responded and continued the discussion with Sen. Escamilla.

President Adams mentioned that there is a hope the 10 percent cut will not be required. He discussed the challenges of the current situation.

Clare Tobin Lence discussed some of the federal limitations related to funding because of the pandemic.

Chair Christensen asked about the State's required portion to qualify for federal funding. Clare Tobin Lence responded.

Rep. Ray asked about Medicaid eligibility and the June 30 deadline. Clare Tobin Lence responded.

Russell Frandsen mentioned that the federal guidelines will continue until September 30, and Clare Tobin Lence continued with introduction and some possible motions.

Rep. Ray asked some clarifying questions about whether motions should be made at the present time.

Rep. Christiansen asked if the committee is limited to items on the list. He asked about making cuts to administrative costs. Clare Tobin Lence and Chair Christensen responded.

Rep. Christiansen would like to ask the agencies to look at their overall management structure. He asked if the agencies could respond to this request. Chair Christensen responded.

Clare Tobin Lence stated that staff will assist committee members who may want to explore other options for budget cuts.

4 . Staff Overview on Options for Adjusting Base Budgets by 2%, 5%, and 10%

Russell Frandsen discussed Rows 4 - 6 from the Department of Health.

Clare Tobin Lence discussed Row 7 from the Department of Human Services.

Kimberly Madsen discussed Rows 8-13 are one-time funds available from the Department of Workforce Services.

Russell Frandsen discussed Rows 14 -16 from the Department of Health.

Clare Tobin Lence discussed Rows 17-18 from the Office of Recovery Services.

Chair Christensen asked about the lease in Richfield. Clare Tobin Lence responded.

Russell Frandsen discussed Rows 19 - 20 from the Department of Health.

Clare Tobin Lence discussed Row 21 from the Department of Human Services.

Rep. Ward asked a clarifying question regarding the current statutes for the Developmental Center. Clare Tobin Lence responded.

Clare Tobin Lence discussed Row 23 from the Department of Human Services.

Russell Frandsen discussed Rows 24-25 from the Department of Health.

Chair Christensen expressed concern about associating the revenue source to an unrelated issue.

Rep. Christiansen asked about Row 23 regarding incentives, service awards and loan reimbursements. Clare Tobin Lence and Chair Christensen responded.

Rep. Judkins asked about Line 24 regarding Driver's License Fee Revenue. Russell Frandsen responded.

Clare Tobin Lence discussed Row 26 from the Office of Recovery Services.

Russell Frandsen discussed Rows 27-28 from the Department of Health.

Clare Tobin Lence discussed Rows 29-32 from the Department of Human Services.

Russell Frandsen discussed Row 33 from the Department of Health.

Clare Tobin Lence discussed Rows 34-37 from the Department of Human Services.

Russell Frandsen discussed Row 38 from the Department of Health.

Rep. Ward asked about how the rates are calculated and if a bill would be needed for this. Russell Frandsen responded.

Clare Tobin Lence discussed Row 39 from the Department of Human Services.

Sen. Escamilla asked about the correlation regarding Row 40 and 66.

Clare Tobin Lence clarified the item in Row 40 regarding No Access Perpetrator Investigations and Database Documentation.

Sen. Escamilla expressed concern about the importance of the tracking documents involved and asked that Row 66 be removed from the list. Clare Tobin Lence responded.

Russell Frandsen discussed Rows 41-42 from the Department of Health.

Clare Tobin Lence discussed Row 43-44 from the Department of Human Services.

Russell Frandsen discussed Row 45 from the Department of Health.

Rep. Ward asked a question about the revenues generated by the Office of Recovery Services and if the cuts listed in Row 43 would result in a reduction to the General Fund. Clare Tobin Lence responded.

Russell Frandsen discussed Rows 46-47 from the Department of Health.

Chair Christensen asked about the money spent from the tobacco restricted account and the money coming from the vaping and e-cigarette tax. Russell Frandsen responded.

Rep. Dailey-Provost asked if the funding for the tobacco restricted account had a time limit. Russell Frandsen responded.

Russell Frandsen discussed Row 48 from the Department of Health.

Clare Tobin Lence discussed Row 49 which is a one-time amount in the block grant reserve from the Department of Human Services.

Russell Frandsen discussed Rows 50-51 from the Department of Health.

Kimberly Madsen discussed Row 52 regarding the School Readiness Fund.

Sen. Escamilla asked about Row 45 loan repayment programs for medical providers who serve in under-served areas. Russell Frandsen responded.

Rep. Judkins asked if Row 51 would just end the public awareness program for the Cytomegalovirus. Russell Frandsen responded.

Russell Frandsen discussed Row 53 regarding Medicaid Dental Services.

Rep. Ward asked about feedback regarding this change. Chair Christensen responded.

Russell Frandsen gave more information about Row 53 and Row 54 regarding shortened retroactive coverage for Medicaid claims.

Rep. Ray explained this budget cut in more detail.

Kimberly Madsen discussed Row 55 - results-based contracting for pre-school programs.

Chair Christensen explained that this is the end of the 2 percent budget cut list and that the 5 percent cut list will now be discussed.

Russell Frandsen discussed Rows 56-57 from the Department of Health.

Chair Christensen asked if there has been input related to the audit. Russell responded.

Rep. Ward discussed the federal match from Row 204 with ambulances and wondered if this would work with pharmacies. Chair Christensen responded.

Russell Frandsen discussed Rows 58-59 regarding fraud, abuse, & waste charges in Medicaid programs. Chair Christensen gave some clarification about this.

Rep. Judkins asked a clarifying question about the incentives to look for these abuses. Russell Frandsen responded.

Clare Tobin Lence discussed Rows 60-62 from the Department of Human Services.

Russell Frandsen discussed Rows 63-64 from Department of Health.

Clare Tobin Lence discussed Rows 65-68 from the Department of Human Services.

Russell Frandsen discussed Row 69 ending a grant for some volunteer dental services. Chair Christensen discussed this budget cut.

Rep. Judkins expressed concern about the cuts in Rows 68-69. Clare Tobin Lence and Russell Frandsen responded.

Sen. Escamilla asked about a conflict and the current lawsuit regarding the Disability Law center. Clare Tobin Lence and Chair Christensen responded.

Rep. Ward asked for more clarification about the population who are receiving these services. Chair Christensen and Clare Tobin Lence responded.

Clare Tobin Lence discussed Rows 70-71 from the Department of Human Services.

Chair Christensen spoke against the cut in Row 71.

Clare Tobin Lence discussed Rows 72-74 from the Department of Human Services.

Russell Frandsen discussed Row 75-76 from the Department of Health.

Clare Tobin Lence discussed Row 77 regarding staffing in the Office of Recovery Services.

Rep. Thurston asked if the reduction in travel items could be more streamlined.

Russell Frandsen said that Row 78 would change some conferences to virtual conferences for emergency medical services training and eliminates retreats for state staff.

Clare Tobin Lence discussed Rows 79-83 regarding some funding for mental health and substance abuse programs.

Russell Frandsen discussed Row 84 regarding state funding for graduate medical education.

Sen. Escamilla asked about the budget cuts for mental health and substance abuse programs especially as the need for these services increases due to the pandemic. Clare Tobin Lence responded.

Russell Frandsen discussed Row 85 regarding Disproportionate Share Hospital Payments.

Clare Tobin Lence discussed Rows 86-87 from the Department of Human Services.

Russell Frandsen discussed Row 88 about maternal mental health support.

Clare Tobin Lence discussed Rows 89-91 from the Department of Human Services.

Russell Frandsen discussed Row 92 from the Department of Health regarding the Medicaid health premium tax.

Clare Tobin Lence discussed Rows 93-95 regarding local aging services.

Sen. Escamilla asked about ongoing funding that encourages older adults to stay at home rather than going to institutions. Clare Tobin Lence responded.

Russell Frandsen discussed Rows 96-99 from the Department of Health.

Russell Frandsen stated that they will now be discussing the 10 percent list.

Russell Frandsen discussed Row 100 involving closing state-run dental and medical clinics.

Chair Christensen asked about Row 99 if the state has the option to reduce the rate by 3 percent for the Accountable Care Organizations.

Rep. Thurston was in favor of moving the funding for state-run clinics on Row 100 to much higher on the list.

Rep. Daw asked if some of the cuts are really passing costs onto counties. Chair Christensen and Clare Tobin Lence responded and will collect more information.

Russell Frandsen discussed Row 101 regarding primary care grants for medically under-served individuals.

Clare Tobin Lence discussed Row 102 regarding rate increases for services for individuals with disabilities.

Russell Frandsen discussed Row 103 statutory changes for a 2 percent reduction in Medicaid across all fee-for-services providers.

Clare Tobin Lence discussed Rows 104-107 from the Department of Human Services.

Russell Frandsen discussed Rows 108-109 regarding the local match required for Medicaid mental health and substance abuse services.

Clare Tobin Lence mentioned in response to Rep. Daw's request that Row 109 would shift costs to counties.

Russell Frandsen discussed Rows 110-111 from the Department of Health.

Clare Tobin Lence discussed Rows 112-113 from the Department of Human Services.

Russell Frandsen discussed Row 114 regarding the staff incentive awards from the Department of Health.

Clare Tobin Lence discussed Row 115 regarding staff reduction at the Utah State Developmental Center.

Rep. Thurston stated that Row 114 should be placed much higher on the list. Russell Frandsen responded and asked the agency to comment.

Rep. Ward would support using Trust Lands Funds for Row 114.

Russell Frandsen discussed Row 116 which would eliminate a part-time position with the Department of Health.

Clare Tobin Lence discussed Rows 117-119 from the Department of Human Services.

Russell Frandsen discussed Rows 120-122 from the Department of Health.

Rep. Thurston asked how the data is being used regarding reduction of services provided by health care statistics from Row 120. Russell Frandsen responded and will follow up with Rep. Thurston.

Russell Frandsen discussed Rows 123-124 from the Department of Health.

Clare Tobin Lence discussed Row 125-126 which look at the state level for aging and adult services.

Russell Frandsen discussed Rows 127-128 from the Department of Health.

Sen. Escamilla asked about Row 128 regarding the cuts to the pediatric trauma network program and how it relates to the funding for adults. Russell Frandsen responded.

Chair Christensen mentioned that Sen. Iwamoto had contacted him regarding this and he now recommends that this item be removed from the budget cut list.

Clare Tobin Lence said that Row 129 would eliminate the need for the St. George recovery services office.

Clare Tobin Lence discussed Row 130 which would further reduce the aging alternative programs.

Russell Frandsen discussed Row 131 regarding home visitations for at-risk families.

Clare Tobin Lence discussed Row 132 which would end community services by the Developmental Center.

Russell Frandsen discussed Row 133 which would eliminate one FTE in the office that performs background checks.

Clare Tobin Lence discussed Row 134 which would be an administrative staffing cut in the Division of Services for People with Disabilities.

Clare Tobin Lence discussed Row 135 which would be the second roll-back option for disability provider rate increases.

Sen. Weiler spoke against these budget cuts. He stated that dozens of direct-care nursing staff have been infected with COVID-19, and at least one individual has died. This staff will have their compensation decreased.

Russell Frandsen discussed Rows 136-141 from the Department of Health.

Clare Tobin Lence said Row 142 would reduce the home health provider rate increase for the Medicaid waiver.

Russell Frandsen said Row 143 would end funding for local health departments to comply with state performance standards.

Rep. Dailey-Provost asked for some information about the option to levy property taxes at the county level. Russell Frandsen responded.

Clare Tobin Lence discussed Rows 144-148 from the Department of Human Services.

Sen. Weiler asked if there is a way to have the public see the live document on Friday. Clare Tobin Lence explained that the public can view the live document.

Rep. Robertson mentioned that he was able to sort and filter to make the information more meaningful. He thanked staff for making the live document available.

Russell Frandsen discussed Rows 149 - 153 from the Department of Health.

Clare Tobin Lence discussed Row 154 which would close one 30-bed adult unit at the State hospital.

Russell Frandsen discussed Rows 155-159 from the Department of Health.

Kimberly Madsen discussed Rows 160-161 from the Department of Workforce Services.

Russell Frandsen discussed Rows 162-163 from the Department of Health.

Clare Tobin Lence discussed Row 164 regarding the rollback for disability provider rate increases.

Russell Frandsen said Row 165 would end funding for the State Alzheimer's Plan.

Rep. Thurston asked if the cut on Row 162 would end the program. Russell Frandsen responded. Rep. Thurston spoke against this cut. He also asked about Meals on Wheels. Clare Tobin Lence responded that Meals on Wheels received a large amount from the federal CARES Act.

Russell Frandsen discussed Rows 166-168 from the Department of Health regarding decreases in demands for some services.

Clare Tobin Lence stated that this completes staff's review of the existing budget reduction list.

Chair Christensen encouraged committee members to look at the items that are not currently on the list but they could be moved up to replace items that are on the list.

Sen. Escamilla asked about Row 185 which would reduce Local Health Department funding by 100 percent. Rep. Dailey-Provost mentioned that this relates to Row 143. Chair Christensen responded. Russell Frandsen responded this would just be state funding.

Rep. Thurston would like to move Row 204 move up. Chair Christensen asked if this would be possible.

Rep. Ward mentioned that this cut needs to be seriously considered. He asked about moving items on to the top of the list and how this impacts lower items on the list. He would like to move Row 215, reducing eligibility for breast and cervical cancer, up on the list.

Russell Frandsen discussed making sure the public is aware of the legislators' intentions regarding moving this item onto the list before the next meeting.

5 . Agency Input on Options for Adjusting Base Budgets by 2%, 5%, and 10%

Department of Health

Dr. Joseph Miner, Executive Director, Department of Health, made some specific comments about the suggested budget cuts for the Department of Health.

Rep. Thurston asked about Row 123 regarding the HPV public awareness campaign. Dr. Miner responded.

Rep. Ward asked for more clarification about Row 123.

Rep. Dailey-Provost asked about infection rates in Utah. Dr. Miner responded and continued his presentation.

Department of Human Services

Ann Williamson, Executive Director, Department of Human Services, gave the agency response from the Department of Human Services.

Rep. Ward asked for clarification about respite services. Ann Williamson responded.

Chair Christensen commented about the large number of FTEs that may have to be cut. Ann Williamson responded.

Sen. Escamilla asked for clarification about the no-access perpetrator investigation database. Ann Williamson responded.

Rep. Ward asked for clarification about Row 67 regarding the Office of Quality and Design and contract review. Ann Williamson responded.

Department of Workforce Services

Nathan Harrison, Director, Budget & Finance and Administrative Support, Department of Workforce Services, responded to the proposed budget cuts for the Department of Workforce Services.

Russell Frandsen mentioned that Line 159 was duplicated on the original list. This has now been corrected.

Rep. Christiansen would like to have three specific analyses prepared.

MOTION: Rep. Christiansen moved to have the agencies involved provide a rough estimate of the cost impact of moving average managerial spans of control from current to 8. He further moved to have the agencies provide a rough estimate of the cost impact of significantly increasing work from home or teleworking opportunities. He also moved to have the agencies return with a list of programs about that paid benefits to individuals above 138 percent of the federal poverty level.

Chair Christensen noted that this would require a great deal of work from the agencies. He stated that the committee will ask the agencies to provide as much of this information as possible.

MOTION: Rep. Ray moved to adjourn. The motion passed with a vote of 16 - 0 - 1.

Yeas-16

Sen. J. Adams
Sen. A. Christensen
Rep. S. Christiansen
Rep. K. Coleman
Sen. K. Cullimore
Rep. J. Dailey-Provost
Rep. B. Daw
Sen. L. Escamilla
Sen. K. Grover
Rep. S. Hollins
Rep. M. Judkins
Rep. P. Ray
Rep. A. Robertson
Rep. N. Thurston
Rep. R. Ward
Sen. T. Weiler

Nays-0

Absent-1

Sen. D. Hemmert

Chair Christensen adjourned the meeting at 4:54 p.m.