



DRAFT MINUTES

HEALTH REFORM TASK FORCE

LEGISLATURE

Thursday, August 27, 2020 | 1:00 p.m. | 30 House Building

Members Present:

Sen. Allen M. Christensen, Chair
Rep. James A. Dunnigan, Chair
Sen. Gene Davis
Sen. Ann Millner
Sen. Evan J. Vickers
Rep. Brad M. Daw
Rep. Suzanne Harrison
Rep. Marie H. Poulson
Rep. Robert M. Spendlove

Members Absent:

Rep. Stewart E. Barlow
Rep. Francis D. Gibson

Staff Present:

Mark D. Andrews, Policy Analyst
Daniel M. Cheung, Associate General Counsel
Christopher Williams, Associate General Counsel
Amy Hawkes, Administrative Assistant

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

Chair Christensen called the meeting to order at 1:07 p.m.

1 . Committee Business

MOTION: Sen. Davis moved to approve the minutes of the December 17, 2020, meeting. The motion passed with a vote of 8 - 0 - 3.

Yeas-8

Sen. A. Christensen
Sen. G. Davis
Rep. J. Dunnigan
Rep. S. Harrison
Sen. A. Millner
Rep. M. Poulson
Rep. R. Spendlove
Sen. E. Vickers

Nays-0

Absent-3

Rep. S. Barlow
Rep. B. Daw
Rep. F. Gibson

2 . Medicaid: Preferred Drug List

[2.1 A Performance Audit of Medicaid's Pharmacy Benefit Oversight \(Source: Office of the Legislative Auditor General\)](#)

Jesse Martinson, Audit Supervisor, Office of the Legislative Auditor General, briefed the task force on the Legislative Auditor General's recommendation earlier this year that "the Department of Health research and provide a report to the Social Services Appropriations Subcommittee and any other pertinent legislative committees regarding the potential savings, benefits, and costs from creating a statewide preferred drug list."

Nathan Checketts, Director of Medicaid and Health Financing, Utah Department of Health, provided information related to the question of whether the state should adopt a single preferred drug list for use by Medicaid accountable care organizations. He also answered committee questions.

John Curless, Director, Coverage and Reimbursement Policy, Utah's Medicaid Program, Utah Department of Health; and Emma Chacon, Operations Director, Medicaid and Health Financing, Utah Department of Health, addressed questions related to adoption of a statewide preferred drug list.

Benjamin Buys, Senior Audit Supervisor, Office of the Legislative Auditor General, answered committee questions.

[2.2 Important Considerations: Impact of Moving to State Mandated Uniform Preferred Drug List \(PDL\) \(Source: Utah Coalition of Medicaid Plans\)](#)

Michael Hales, Senior Director, Government Healthcare Programs, University of Utah Health, emphasized the importance of accounting for costs increases as well as cost reductions that may result from adoption of a statewide preferred drug list. He also emphasized the need to have a methodology for paying accountable care organizations that takes into account cost increases.

Jack Pierce, Actuary, Molina Healthcare, indicated that Molina's recent experience has shown that adoption of a single preferred drug list has unpredictable results and may result in cost increases.

Eric Cannon, PharmD, Associate Vice President of Pharmacy Benefits, SelectHealth, expressed support for an unbiased study by the state. He indicated that many of the states that have implemented a uniform preferred drug list have seen increases in pharmacy spending.

3 . Medical Respite Care: Individuals Experiencing Homelessness

[3.1 The INN Between](#)

Kory Holdaway presented background information on The Inn Between.

[3.2 Medical Respite 1115 Medicaid Waiver Proposal \(Source: Kimberlin Correa, Executive Director, The INN Between\)](#)

[3.3 Californias Whole Person Care Medicaid 1115 Waiver Demonstration \(Source: Health Affairs, Vol. 39, No. 4: Integrating Social Services and Health\)](#)

[3.4 Medicaid and Medicaid Managed Care: Financing Approaches for Medical Respite Care \(Source: National Health Care for the Homeless Council\)](#)

Kim Correa, Executive Director, The Inn Between, presented information on how a medical respite care program in Utah could be beneficial, provided information on medical respite care programs in other states, and answered committee questions.

[3.5 Letter of Support \(Source: Jeff McNally, MD, Senior Medical Director, Intermountain Healthcare\)](#)

Dr. Jeff McNally, member of The Inn Between Board of Directors and Chief Medical Director, Homecare/Hospice/Palliative Care, Intermountain Healthcare, presented information on the impact of medical respite care and answered committee questions.

[3.6 Letter of Support \(Source: Peter Weir, MD MPH, Executive Medical Director of Population Health, Assistant Professor, Department of Pediatrics, University of Utah Health\)](#)

Dr. Peter Weir, Executive Medical Director of Population Health, University of Utah Health, spoke in favor of medical respite care facilities, discussed costs to hospitals without a medical respite care program, and answered committee questions.

Tonya Hales, Assistant Division Director, Medicaid and Health Financing, Utah Department of Health, indicated that the best way to obtain Medicaid funding for medical respite care would be through a Medicaid 1115 waiver that would allow the state to cap its expenditures, limit services to one provider, and limit eligibility to individuals who are experiencing homelessness. She indicated that California has submitted a request for an 1115 waiver for medical respite care and that she is unaware of any state that has received approval of a Medicaid waiver for medical respite care.

Emma Chacon indicated it would probably be at least six months before the Centers for Medicare and Medicaid Services would approve a waiver. She also addressed the rationale for beginning Medicaid medical respite care with a pilot program involving only one provider.

MOTION: Rep. Dunnigan moved to open a committee bill file for a medical respite care pilot program. The motion passed with a vote of 8 - 0 - 3.

Yeas-8

Sen. A. Christensen
Rep. B. Daw
Rep. J. Dunnigan
Rep. S. Harrison
Sen. A. Millner
Rep. M. Poulson
Rep. R. Spendlove
Sen. E. Vickers

Nays-0

Absent-3

Rep. S. Barlow
Sen. G. Davis
Rep. F. Gibson

4 . Medical Respite Care: Children with Certain Medical Conditions

[4.1 Inspired Yearnings Charitable Foundation](#)

Jody Davis, Inspired Yearnings Charitable Foundation, presented background information on medical respite care homes for children in other states and the impact of a home in Utah. He also answered committee questions.

[4.2 Utah Code Section 26-21-23](#)

Joel Hoffman, Director, Bureau of Licensing and Certification, Utah Department of Health, reviewed how a pediatric medical respite care facility could obtain licensure.

Emma Chacon indicated that creating a new type of licensure for a pediatric medical respite care facility appears preferable to seeking an exception to the skilled nursing facility moratorium or Medicaid bed certification requirement. She noted that the Department of Health would have concerns with limiting treatment to individuals up to 18 years of age because Medicaid requires treatment of children up to age 21.

Tonya Hales reviewed existing Medicaid waivers for children with complex medical conditions and indicated that existing waivers would have to be amended to allow for in-facility services. She indicated that an appropriation would also be needed.

Bryan Erickson, Board President, Utah Healthcare Association, indicated that the association is not opposed to the construction of a pediatric medical respite care facility, but the association would also not like to see the skilled nursing facility moratorium amended.

Dr. Jennifer Brinton, Pediatrician, said that a pediatric medical respite care facility would meet a need that could not be met otherwise and asked whether funding for a facility-based medical respite care program would come from existing funding for in-home respite care.

5 . Adjourn

MOTION: Rep. Dunnigan moved to adjourn. The motion passed with a vote of 7 - 0 - 4.

Yeas-7

Sen. A. Christensen
Rep. B. Daw
Rep. J. Dunnigan
Rep. S. Harrison
Sen. A. Millner
Rep. M. Poulson
Rep. R. Spendlove

Nays-0

Absent-4

Rep. S. Barlow
Sen. G. Davis
Rep. F. Gibson
Sen. E. Vickers

Chair Christensen adjourned the meeting at 2:48 p.m.