

1 **COMMUNITY BASED SELF SUFFICIENCY**
2 **PROGRAM**

3 2008 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Jennifer M. Seelig**

6 Senate Sponsor: Scott D. McCoy

8 **LONG TITLE**

9 **General Description:**

10 This bill amends the Access to Health Care part of the Medical Assistance Act in the
11 Health Code.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ authorizes the Department of Health to contract with private entities for community
15 based services for low income individuals and individuals who are underserved in
16 health care to assist them with prudent and appropriate use of health care resources;
- 17 ▶ establishes the purposes of the contracts;
- 18 ▶ amends definitions;
- 19 ▶ directs the department to maximize federal matching dollars for the purpose of
20 funding additional contracts for services;
- 21 ▶ establishes the criteria for awarding the contract; and
- 22 ▶ establishes a pilot program for the contract for services.

23 **Monies Appropriated in this Bill:**

24 This bill appropriates:

- 25 ▶ \$175,000 from the General Fund for fiscal year 2008-09 only, to fund the pilot
26 program for community based services.

27 **Other Special Clauses:**

28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **26-18-301**, as enacted by Laws of Utah 1993, Chapter 255

32 **26-18-302**, as enacted by Laws of Utah 1993, Chapter 255

33 **26-18-304**, as enacted by Laws of Utah 1993, Chapter 255



35 *Be it enacted by the Legislature of the state of Utah:*

36 Section 1. Section **26-18-301** is amended to read:

37 **26-18-301. Definitions.**

38 As used in this part:

39 (1) "Community based organization":

40 (a) means a private entity; and

41 (b) includes for profit and not for profit entities.

42 (2) "Cultural competence" means a set of congruent behaviors, attitudes, and policies

43 that come together in a system, agency, or profession and enables that system, agency, or

44 profession to work effectively in cross-cultural situations.

45 (3) "Health literacy" means the degree to which an individual has the capacity to obtain,

46 process, and understand health information and services needed to make appropriate health

47 decisions.

48 (4) "Institutional capacity" means the ability of a community based organization to

49 implement public and private contracts.

50 [(+)] (5) "Medically underserved population" means the population of an urban or rural

51 area or a population group designated by the department as having a shortage of primary health

52 care services.

53 [(2)] (6) "Primary health care" means:

54 (a) basic and general health care services given when a person seeks assistance to

55 screen for or to prevent illness and disease, or for simple and common illnesses and injuries; and

56 (b) care given for the management of chronic diseases.

57 [(3)] (7) "Primary health care services" include, but are not limited to:

58 (a) services of physicians, [aH] nurses, physician's assistants, and dentists licensed to
59 practice in this state under Title 58, Occupations and Professions;

60 (b) diagnostic and radiologic services;

61 (c) preventive health services including, but not limited to, perinatal services, well-child
62 services, and other services that seek to prevent disease or its consequences;

63 (d) emergency medical services;

64 (e) preventive dental services; and

65 (f) pharmaceutical services.

66 Section 2. Section **26-18-302** is amended to read:

67 **26-18-302. Department to award grants and contracts -- Applications.**

68 (1) (a) Within appropriations specified by the Legislature for this purpose, the
69 department may make grants to public and nonprofit entities for the cost of operation of
70 providing primary health care services to medically underserved populations.

71 (b) The department may, as funding permits, contract with community based
72 organizations for the purpose of developing culturally and linguistically appropriate programs
73 and services for low income and medically underserved populations through a pilot program to
74 accomplish one or more of the following:

75 (i) to educate individuals:

76 (A) to use private and public health care coverage programs, products, services, and
77 resources in a timely, effective, and responsible manner;

78 (B) to make prudent use of private and public health care resources;

79 (C) to pursue preventive health care, health screenings, and disease management;

80 (D) to locate health care programs and services;

81 (ii) to assist individuals to develop:

82 (A) personal health management;

83 (B) self-sufficiency in daily care; and

84 (C) life and disease management skills;

85 (iii) to support translation of health materials and information;

86 (iv) to facilitate an individual's access to primary care services and providers, including
87 mental health services; and

88 (v) to measure and report empirical results of the pilot project.

89 (2) (a) Grants by the department shall be awarded based on:

90 (i) applications submitted to the department in the manner and form prescribed by the
91 department; and [by]

92 (ii) the criteria established in Section 26-18-303.

93 (b) The application for a grant under Subsection (2)(a) shall contain:

94 (i) a requested award amount[;];

95 (ii) a budget[;]; and

96 (iii) a narrative plan of the manner in which the applicant intends to provide the primary
97 health care services described in [this chapter.] Subsection 26-18-301(7).

98 (c) A contract bid for a service under Subsection (1)(b):

99 (i) shall be awarded in accordance with Title 63, Chapter 56, Utah Procurement Code;

100 (ii) must include the information described in Section 26-18-303; and

101 (iii) is subject to Subsection (3) of this section.

102 (3) ~~[Applicants]~~ (a) An applicant under this chapter must demonstrate to the
103 department that ~~[they will operate in a manner such that no person shall be denied service by~~
104 ~~reason of his inability to pay. This]~~ the applicant will not deny services to a person because of
105 the person's inability to pay for the services.

106 (b) Subsection (3)(a) does not preclude [the] an applicant from seeking payment from
107 the [patient] person receiving services, a third party, or a government agency [that is authorized
108 or that] if:

109 (i) the applicant is authorized to charge for the services; and

110 (ii) the person, third party, or government agency is under legal obligation to pay [such]
111 the charges.

112 (4) The department shall maximize the use of federal matching funds received for
113 services under Subsection (1)(b) to fund additional contracts under Subsection (1)(b).

114 Section 3. Section **26-18-304** is amended to read:

115 **26-18-304. Process and criteria for awarding grants and contracts.**

116 (1) The department shall establish rules in accordance with Title 63, Chapter 46a, Utah
117 Administrative Rulemaking Act, governing the application form, process, and criteria it will use
118 in awarding grants and contracts under this chapter. [~~In awarding grants,~~]

119 (2) When awarding a primary care grant under Subsection 26-18-302(1)(a), the
120 department shall consider the extent to which the applicant:

121 ~~[(1)]~~ (a) demonstrates that the area or a population group to be served under the
122 application has a shortage of primary health care and that the services will be located so that
123 they will provide assistance to the greatest number of persons residing in ~~[such]~~ the area or
124 included in ~~[such]~~ the population group;

125 ~~[(2)]~~ (b) utilizes other sources of funding, including private funding, to provide primary
126 health care;

127 ~~[(3)]~~ (c) demonstrates the ability and expertise to serve traditionally medically
128 underserved populations including persons of limited English-speaking ability, single heads of
129 households, the elderly, persons with low incomes, and persons with chronic diseases;

130 ~~[(4)]~~ (d) demonstrates that it will assume financial risk for a specified number of
131 medically underserved persons within its catchment area for a predetermined level of care on a
132 prepaid capitation basis; and

133 ~~[(5)]~~ (e) meets other criteria determined by the department.

134 (3) When awarding a contract for community based services under Subsection
135 26-18-302(1)(b), the department shall:

136 (a) consider the extent to which the applicant:

137 (i) demonstrates that the area or a population group to be served under the application
138 is a medically underserved area or population and that the services will be located so that they
139 will provide assistance to the greatest number of persons residing in the area or included in the
140 population group;

141 (ii) utilizes other sources of funding, including private funding, to provide the services

142 described in Subsection 26-18-302(1)(b):

143 (iii) demonstrates the ability and expertise to serve traditionally medically underserved
144 populations including persons of limited English-speaking ability, single heads of households,
145 the elderly, persons with low incomes, and persons with chronic diseases;

146 (iv) meets other criteria determined by the department; and

147 (v) demonstrates the ability to empirically measure and report the results of all contract
148 supported activities;

149 (b) consider the extent to which the contract increases the applicant's institutional
150 capacity;

151 (c) consult with the state's:

152 (i) Medicaid program;

153 (ii) Children's Health Insurance Program; and

154 (iii) other assistance programs within the Department of Workforce Services and the
155 Department of Human Services; and

156 (d) as funding permits, implement the community based service contract as a pilot
157 program for which the department shall enter into contracts for services as follows:

158 (i) two contracts in the amount of \$50,000 each to be awarded to experienced and
159 established applicants; and

160 (ii) three contracts in the amount of \$30,000 each to be awarded to applicants that:

161 (A) are not as established or experienced as the applicants under Subsection (3)(d)(i);

162 or

163 (B) represent smaller community based approaches than the applicants described in
164 Subsection (3)(d)(i).

165 (4) Once a contract has been awarded under Subsection (3), the department shall
166 provide technical assistance to the contractee to familiarize the contractee with public and
167 private resources available to support wellness, health promotion, and disease management.

168 **Section 4. Appropriation.**

169 There is appropriated from the General Fund for fiscal year 2008-09 only, \$175,000 to

170 the Department of Health to fund the contracts for services authorized by Title 26, Chapter 18,
171 Part 3, Access to Health Care.