

IDAHO COUNCIL ON DEVELOPMENTAL DISABILITIES  
***PUBLIC POLICY COMMITTEE MEETING MINUTES***  
***Thursday, January 29, 2009***  
***10:45 a.m. – 12:15 p.m.***

**Committee Members:** James Steed (Chair),  
 Jim Baugh, Shiloh Blackburn, Julie Fodor,  
 Bob Jackson, Corinne Johnson, Joni Sullivan, Leslie Clement

COUNCIL ON DEVELOPMENTAL DISABILITIES Public Policy Committee Meeting January 29, 2009 Time: 10:45am to 12:10pm	
<b>Call to Order – Opening Statements</b>	James Steed welcomed members and began by saying that we will hold any action items until additional members come into the meeting.
<b>Roll Call</b>	Members Present: James Steed, Shiloh Blackburn, Corinne Johnson, Joni Sullivan, Julie Fodor. Guests: Jacque Hyatt for the SDE Staff: Tracy Warren, Christine Pisani Tracy mentioned that Jim Baugh’s father passed away and he would not be here today. She also said that Bob Jackson got a new job out of state and would not be at this meeting. His future attendance is still up in the air.
<b>Perfection of Agenda/ Announcements</b>	James would like to add to future agenda items the guardianship information from the Consumer Leadership Caucus
<b>Approval of October 23, 2008 and the December 17, 2008 Minutes</b>  <b>Action ⇒</b>	The committee reviewed the minutes from the last two meetings. Tracy noted changes to be made to the committee member listing. <b>Julie Fodor moved to accept minutes with changes noted for October 23, 2008 and the December 17, 2008.</b> <b>Bob Jackson seconded the motion.</b> <b>There were no objections, the minutes were approved.</b>

**2009 Legislative Slate**  
**Revised****Preserving Medicaid  
Community-based  
Services**

Tracy noted that the legislative slate included in the Council packet is the one the committee approved at the December 17<sup>th</sup> meeting.

She mentioned that she added a few items to be considered as we go through the slate.

Priority One Items:

**Preserving Medicaid Community-based Services** – we support this position. The rules are written to cut services so we have been giving testimony against the cuts with proposals on the fact sheet you see. The rules are temporary so even if the rules get passed this year (to reduce developmental disability agency services, etc.) the Department will have to come back to the legislature next year to make those rules permanent. The Senate H&W Committee approved the rules, the House H&W Committee voted 9-7 to approve the rules with a lot of emotional testimony.

James asked if there is a way to appeal the cuts in services on an individual basis? Tracy answered that there is a process for children with demonstrated need for more service hours to go through the EPSDT (Early Periodic Screening Diagnosis and Treatment) process to get the original 30 hour maximum approved. One provider has been successful through this process so far, because the rules took effect January 1, 2009 some folks have already seen a decrease in their hours and are in the appeal process.

Tracy explained that there a lot of people who don't use the full 30 hours but just what they need. Many children don't use the full 30 hours during the school year, but some families need that during the summer. These cuts do not effect school-based Medicaid services hours.

For adults there is not process like EPSDT, so we are advocating to lawmakers to make the cuts soft caps – so that people who need more than 22 hours can get them if they can demonstrate the

**Issue Fact Sheet for  
Legislative Visit**

need. Medicaid is stating that they will be able to consider additional service needs on a case by case basis. James suggested this is a good opportunity to push the idea of “money follows the person.”

Tracy said that related to money follows the person Marilyn has been working with advocates and legislators on issues related to ensuring that individuals can get adequate services in the community so they can move out of the institutions like ISSH. She is putting together a packet of information for some legislators who have requested that. As noted on the fact sheet with other proposals and suggested.

Tracy talked about the recent work to restructure children’s services. Christine Pisani asked if that would include **Family-Directed Services**. Tracy reported that Medicaid has said they would like to wait to move forward on Family-Directed Services as this children’s services discussion continues to unfold. We would like to have a partnership meeting with Medicaid staff to discuss the timeline for Family-Directed Services so that it isn’t put on the back burner for another year or more.

The group reviewed the fact sheet for the afternoon visit to the legislature. The sheet covers the issue of preserving community-based Medicaid services. One of the bulleted recommendations is to track the effects of the cuts in services. James asked who would be keeping track.

Tracy answered that Medicaid would track the effects, but there was a recent report out of Florida that legislators and service providers are interested in. The report describes a process where the DD Council worked with Partners in Policymaking graduates in Florida to measure the impacts of the cuts by holding focus groups with individuals and families around the state. Our Council work plan and budget doesn’t currently include time or money to do something like this. The Council would need to decide if they want to put other projects on the

backburner to move forward with something like this. Corinne Johnson stated that she didn't think this would be cost effective and there are better uses for our funds. Joni Sullivan said that it might be something to look at but different states define services in different ways.

Christine said that she liked the idea because Partners grads would get different data than if Medicaid were doing it. Corinne agreed it would be a good idea if we had the funds to do it. James said it would be difficult to track the changes if some people were just not getting what they need. Joni said that Medicaid would probably track it through billing.

Corinne Johnson said it would be interesting to know how the Florida Council did this. Tracy mentioned that the Council would have to make the decision if this is something they wanted to try to do.

Joni Sullivan mentioned that TESH has been able to creatively work things out so that the cuts in services have not affected clients there. Tracy mentioned that she had a conversation with a woman who has a psychosocial rehabilitation agency and she said similar things – that there is a way to bill under different codes and service definitions so that people would still get what they needed.

Julie Fodor and Jacque Hyatt joined the meeting.

The committee continued to review the bulleted items on the fact sheet. Tracy mentioned the information that Marilyn has put together for Representative Janice McGeachin about what would need to be planned and put in place to move everyone out of Idaho State School and Hospital.

Discussion about how the stimulus funding and increased FMAP might help with the cuts. Jacque Hyatt asked about the different ways that Medicaid is looking at making cuts. Tracy described some of the other cuts Medicaid has made to various



<p><b>Action ⇒</b></p>	<p>etc. Members felt they needed more information from the Epilepsy Foundation about what they did, the outcomes, how they provided the services, and to whom.</p> <p><b>Joni Sullivan amended her original motion to state:</b></p> <p><b>We recommend to the full Council to sign on to the CID position statement in support of the funding with a recommendation to the Epilepsy Foundation to include more outcome data.</b></p> <p><b>Second by Julie Fodor stands.</b></p> <p><b>Members voted and motion passed.</b></p>
<p><b>Assisted Living Facilities – payment levels</b></p>	<p>Tracy described the Assisted Living bill – this would allow assisted living facilities to bill residents for incidentals like furnishings and supplies, etc. She explained that the Council has opposed similar policy/legislation in the past.</p>
<p><b>Action ⇒</b></p>	<p><b>Corinne Johnson moved that the Council take the position to oppose having residents of Assisted Living Facilities pay for the costs of furnishings and incidentals as described in the bill.</b></p> <p><b>Joni Sullivan seconded.</b></p> <p><b>Members voted and motion passed.</b></p>
<p><b>Approval of Minutes</b></p>	<p>James suggested we take action to approve the minutes.</p>
<p><b>Action ⇒</b></p>	<p><b>Corinne Johnson moved that we approved the minutes for the December 17, 2009 meeting and the October 29, 2008 meeting with correction to the member listing as noted.</b></p> <p><b>Joni Sullivan seconded.</b></p> <p><b>Members voted and motion passed.</b></p>
<p><b>Early Childhood Legislation</b></p>	<p>Tracy described legislation related to pre-kindergarten education in Idaho, similar to previous legislation over the past few years. She also described Rep. Thayne’s bill (HO 0025) that would</p>

<p><b>Action ⇒</b></p>	<p>create kindergarten achievement standards and an assessment to determine a child’s mastery of the standards, provide for pre-kindergarten counseling, and payment to parents who have home-schooled their children during kindergarten.</p> <p><b>Julie Fodor moved that the Council oppose House Bill 0025 related to pre-kindergarten counseling and payments.</b></p> <p><b>Joni Sullivan seconded.</b></p> <p><b>Members voted and motion passed.</b></p> <p>Julie Fodor recommended we look at the pre-kindergarten legislation more closely especially related to the qualifications for educational professionals before taking a position.</p> <p>Tracy asked members if they would set a priority for the legislation we just took a position on.</p> <p>Members agreed to set both the Assisted Living legislation and the Pre-kindergarten bill (H0025) as priority 2.</p>
<p><b>Review of Action Items</b></p>	<p><u>Action Items</u></p> <ul style="list-style-type: none"> <li>✓ Support Epilepsy funding by signing CID position paper.</li> <li>✓ Oppose Assisted Living payments legislation.</li> <li>✓ Oppose HB 0025 Pre-kindergarten counseling and payments.</li> </ul> <p><u>Future Agenda Items</u></p> <p>Letter and guardianship information from Consumer Leadership Caucus</p>
<p><b>Adjourned</b></p>	<p>There being no further business, the meeting adjourned at 12:20 pm.</p>