

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-fourth Legislature First Regular Session - 2017

IN THE SENATE

SENATE BILL NO. 1174

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE MEDICAID DIVISION FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2018; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; REQUIRING MONTHLY MEDICAID TRACKING REPORTS; PROVIDING FOR TRANSFER OF APPROPRIATIONS BETWEEN CERTAIN PROGRAMS; REQUIRING BIENNIAL REPORTS ON MEDICAID MANAGED CARE IMPLEMENTATION; REQUIRING A REPORT ON FLEXIBLE RECEIPT AUTHORITY; PROVIDING FOR LEGISLATIVE INTENT ON NON-EMERGENCY MEDICAL TRANSPORTATION; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE MEDICAID DIVISION FOR FISCAL YEAR 2017; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE ENHANCED MEDICAID PLAN FOR FISCAL YEAR 2017; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE ENHANCED MEDICAID PLAN FOR FISCAL YEAR 2017; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2017; PROVIDING FOR LEGISLATIVE INTENT ON NON-EMERGENCY MEDICAL TRANSPORTATION; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Department of Health and Welfare, the following amounts to be expended according to the designated programs and expense classes, from the listed funds for the period July 1, 2017, through June 30, 2018:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
I. MEDICAID ADMINISTRATION AND MEDICAL MGMT:				
FROM:				
Cooperative Welfare (General)				
Fund	\$6,395,900	\$7,621,300	\$424,100	\$14,441,300
Cooperative Welfare (Dedicated)				
Fund		8,883,800		8,883,800
Cooperative Welfare (Federal)				
Fund	<u>9,890,600</u>	<u>37,370,100</u>	<u>1,503,100</u>	<u>48,763,800</u>
TOTAL	\$16,286,500	\$53,875,200	\$1,927,200	\$72,088,900

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
II. COORDINATED MEDICAID PLAN:				
FROM:				
Cooperative Welfare (General)				
Fund			\$164,519,500	\$164,519,500
Hospital Assessment				
Fund			16,863,100	16,863,100
Cooperative Welfare (Dedicated)				
Fund			8,488,600	8,488,600
Cooperative Welfare (Federal)				
Fund			<u>376,008,200</u>	<u>376,008,200</u>
TOTAL			\$565,879,400	\$565,879,400
III. ENHANCED MEDICAID PLAN:				
FROM:				
Cooperative Welfare (General)				
Fund			\$183,068,100	\$183,068,100
Hospital Assessment				
Fund			1,682,400	1,682,400
Cooperative Welfare (Dedicated)				
Fund			264,613,200	264,613,200
Cooperative Welfare (Federal)				
Fund			<u>509,285,000</u>	<u>509,285,000</u>
TOTAL			\$958,648,700	\$958,648,700
IV. BASIC MEDICAID PLAN:				
FROM:				
Cooperative Welfare (General)				
Fund			\$169,875,000	\$169,875,000
Hospital Assessment				
Fund			11,454,500	11,454,500
Cooperative Welfare (Dedicated)				
Fund			16,084,700	16,084,700

			FOR	
	FOR	FOR	TRUSTEE AND	
	PERSONNEL	OPERATING	BENEFIT	
	COSTS	EXPENDITURES	PAYMENTS	TOTAL
Cooperative Welfare (Federal)				
Fund			<u>491,277,400</u>	<u>491,277,400</u>
TOTAL			\$688,691,600	\$688,691,600
GRAND TOTAL	\$16,286,500	\$53,875,200	\$2,215,146,900	\$2,285,308,600

SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519, Idaho Code, the Department of Health and Welfare is authorized no more than two hundred sixteen (216) full-time equivalent positions for the Medicaid Administration and Medical Management program at any point during the period July 1, 2017, through June 30, 2018, unless specifically authorized by the Governor. The Joint Finance-Appropriations Committee will be notified promptly of any increased positions so authorized. Further, notwithstanding any other provision of law, it is the intent of the Legislature that the Department of Health and Welfare has the authority to transfer authorized full-time equivalent positions between budgeted programs.

SECTION 3. GENERAL FUND TRANSFERS. As appropriated, the State Controller shall make transfers from the General Fund to the Cooperative Welfare Fund, periodically, as requested by the director of the Department of Health and Welfare and approved by the Board of Examiners.

SECTION 4. TRUSTEE AND BENEFIT PAYMENTS. Notwithstanding the provisions of Section 67-3511, Idaho Code, funds budgeted in the trustee and benefit payments expenditure class shall not be transferred to any other expense class during fiscal year 2018.

SECTION 5. PROGRAM INTEGRITY. Notwithstanding any other provision of law, it is hereby declared to be the intent of the Legislature that the Department of Health and Welfare shall be required to provide those services authorized or mandated by law in each program, only to the extent of funding and available resources appropriated for each budgeted program.

SECTION 6. MEDICAID TRACKING REPORT. The Department of Health and Welfare, Medicaid Division and Indirect Support Services Division, shall deliver on a monthly basis to the Legislative Services Office and the Division of Financial Management a report that compares the Medicaid budget as appropriated, distributed by month for the year, to actual expenditures and remaining forecasted expenditures for the year. The report shall also include a forecast, updated monthly, of the next fiscal year's anticipated trustee and benefit expenditures. The format of the report, and the information included therein, shall be determined by the Legislative Services Office and the Division of Financial Management.

1       SECTION 7. TRANSFER OF APPROPRIATIONS. Notwithstanding the provisions  
2 of Section 67-3511, Idaho Code, funding provided for the trustee and bene-  
3 fit payments expenditure class in the Medicaid Division may be transferred  
4 in excess of ten percent (10%) among the Coordinated Medicaid Plan, Enhanced  
5 Medicaid Plan, Basic Medicaid Plan, and Medicaid Administration and Medical  
6 Management Program, but shall not be transferred to any other budgeted pro-  
7 grams or expenditure class within the Department of Health and Welfare dur-  
8 ing fiscal year 2018.

9       SECTION 8. MEDICAID MANAGED CARE IMPLEMENTATION. The Medicaid Division  
10 shall provide reports biannually to the Legislative Services Office and the  
11 Division of Financial Management on progress in integrating managed care  
12 approaches into the state Medicaid system. The format of the report and  
13 the information contained therein, shall be determined by the Legislative  
14 Services Office and the Division of Financial Management. The first report  
15 shall be submitted no later than December 31, 2017; and the second report  
16 shall be submitted no later than June 30, 2018.

17       SECTION 9. REPORT ON FLEXIBLE RECEIPT AUTHORITY. The Medicaid Division  
18 shall provide reports annually, at the time of budget submission, to the Leg-  
19 islative Services Office and the Division of Financial Management, that de-  
20 scribe the need for having additional receipt authority built into the bud-  
21 get. The additional dedicated fund appropriation is not to be considered  
22 when calculating the estimated need for ongoing Medicaid costs, but rather  
23 to be held in reserve and used in lieu of General Fund moneys when non-cogniz-  
24 able receipts are received by the department.

25       SECTION 10. NON-EMERGENCY MEDICAL TRANSPORTATION. It is the intent of  
26 the Legislature that of the moneys appropriated in Section 1 of this act,  
27 \$200,000 shall be used solely for purposes of improving the Non-Emergency  
28 Medical Transportation (NEMT) program. This shall include, but is not lim-  
29 ited to, the hiring of an outside entity to conduct an audit of the NEMT pro-  
30 gram and to develop and implement a training program that meets the needs of  
31 all provider types, the contracted broker, the Department of Health and Wel-  
32 fare, and most importantly the Idahoans who are participating in this pro-  
33 gram. The training program is to be developed in collaboration with relevant  
34 stakeholder groups. In addition, no later than December 30, 2017, and again  
35 on June 30, 2018, the Department of Health and Welfare, Division of Medicaid,  
36 shall provide to the Legislative Services Office and the Division of Finan-  
37 cial Management a report that includes details on the implementation of the  
38 audit, training, and any other steps that have been taken by the department  
39 to improve the NEMT program. Any unexpended and unencumbered funds that have  
40 been appropriated for this purpose are to be reverted at the end of the fiscal  
41 year, or as soon thereafter as practicable.

42       SECTION 11. In addition to the appropriation made in Section 1, Chapter  
43 179, Laws of 2016, and any other appropriation provided for by law, there is  
44 hereby appropriated to the Department of Health and Welfare, the following  
45 amounts to be expended for the designated programs and expense classes, from  
46 the listed funds for the period July 1, 2016, through June 30, 2017:

		FOR	FOR	FOR	
		PERSONNEL	OPERATING	TRUSTEE AND	
		COSTS	EXPENDITURES	BENEFIT	TOTAL
				PAYMENTS	
1					
2					
3					
4					
5	I. MEDICAID ADMINISTRATION AND MEDICAL MGMT:				
6	FROM:				
7	Cooperative Welfare (General)				
8	Fund	\$139,500	\$231,300		\$370,800
9	Cooperative Welfare (Federal)				
10	Fund	<u>139,500</u>	<u>231,200</u>		<u>370,700</u>
11	TOTAL	\$279,000	\$462,500		\$741,500
12	II. ENHANCED MEDICAID PLAN:				
13	FROM:				
14	Cooperative Welfare (Dedicated)				
15	Fund			\$10,000,000	\$10,000,000
16	GRAND TOTAL	\$279,000	\$462,500	\$10,000,000	\$10,741,500

17 SECTION 12. Notwithstanding any other provision of law to the contrary,  
18 the appropriation made to the Department of Health and Welfare for the En-  
19 hanced Medicaid Plan program in Section 1, Chapter 179, Laws of 2016, from  
20 the Cooperative Welfare (General) Fund, is hereby reduced by \$6,461,700 for  
21 trustee and benefit payments, for the period July 1, 2016, through June 30,  
22 2017.

23 SECTION 13. Notwithstanding any other provision of law to the contrary,  
24 the appropriation made to the Department of Health and Welfare for the En-  
25 hanced Medicaid Plan program in Section 1, Chapter 179, Laws of 2016, from  
26 the Cooperative Welfare (Federal) Fund, is hereby reduced by \$16,138,300 for  
27 trustee and benefit payments, for the period July 1, 2016, through June 30,  
28 2017.

29 SECTION 14. FTP AUTHORIZATION. The full-time equivalent position au-  
30 thorization provided to the Department of Health and Welfare in Section 2,  
31 Chapter 179, Laws of 2016, is increased by five (5) for the period July 1,  
32 2016, through June 30, 2017.

33 SECTION 15. NON-EMERGENCY MEDICAL TRANSPORTATION. It is the intent of  
34 the Legislature that of the moneys appropriated in Section 11 of this act,  
35 \$200,000 shall be used solely for purposes of improving the Non-Emergency  
36 Medical Transportation (NEMT) program. This shall include, but is not lim-  
37 ited to, the hiring of an outside entity to conduct an audit of the NEMT pro-  
38 gram and to develop and implement a training program that meets the needs of  
39 all provider types, the contracted broker, the Department of Health and Wel-  
40 fare, and most importantly the Idahoans who are participating in this pro-

1 gram. The training program is to be developed in collaboration with relevant  
2 stakeholder groups. In addition, no later than June 30, 2017, the Department  
3 of Health and Welfare, Division of Medicaid, shall provide to the Legisla-  
4 tive Services Office and the Division of Financial Management a report that  
5 includes details on the implementation of the audit, training, and any other  
6 steps that have been taken by the department to improve the NEMT program. Any  
7 unexpended and unencumbered funds that have been appropriated for this pur-  
8 pose are to be reverted at the end of the fiscal year, or as soon thereafter as  
9 practicable.

10 SECTION 16. An emergency existing therefor, which emergency is hereby  
11 declared to exist, the provisions of Sections 11, 12, 13, 14 and 15 of this  
12 act shall be in full force and effect on and after passage and approval.