

**MINUTES OF THE
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE**
Wednesday, July 20, 2005 – 9:00 a.m. – Room W020 House Building

Members Present:

Rep. Bradley G. Last, House Chair
Sen. Sheldon L. Killpack
Sen. Peter C Knudson
Rep. D. Gregg Buxton
Rep. Wayne A. Harper
Rep. Patricia W. Jones
Rep. David Litvack
Rep. Rebecca D. Lockhart
Rep. Steven R. Mascaro
Rep. Ronda Rudd Menlove
Rep. Paul Ray

Members Absent:

Sen. Allen M. Christensen, Senate Chair
Sen. Scott D. McCoy

Staff Present:

Mr. Mark D. Andrews, Policy Analyst
Ms. Catherine J. Dupont, Associate General Counsel
Mr. Thomas R. Vaughn, Associate General Counsel
Ms. Joy L. Miller, Legislative Secretary

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

1. Committee Business

Chair Last called the meeting to order at 9:10 a.m. Sen. Christensen and Sen. McCoy were excused from the meeting.

MOTION: Sen. Killpack moved to approve the minutes of the June 15, 2005 meeting. The motion passed unanimously.

2. Health Inspections of Child Care Centers

Rep. Buxton said that for the past year he has been working with various entities to address the issue of contradictions involved in state and local health inspections of child care centers.

Mr. Johnny Anderson, Utah Private Child Care Association, noted that residential certificate providers account for 25 percent of child care capacity in the state and the state can do little to ensure the health and safety of the children in the care of these providers. He stated that the Legislature should correct these inconsistencies in the statute.

Ms. Jan Buttrey, DOH (Utah Department of Health), outlined some of the changes DOH desires to institute which include requiring a kitchen inspection for family and family group license providers and eliminating rules that duplicate items looked at by the local health departments at their kitchen inspections. DOH will send the local health departments monthly lists of all licensed facilities.

Mr. Gary Edwards, Director, Salt Lake Valley Health Department, indicated that local health departments are also concerned for children in residential certificate programs. He stated that food service oversight should be provided in those facilities. The fee required from these providers for this service would be approximately \$30-\$50 every two years.

Mr. Eric Peterson, Environmental Health Scientist, Salt Lake Valley Health Department, said one possible

solution would be for the department to provide consulted services to do a critical item inspection in residential facilities. The results of the inspection would be given to the licensing department for followup.

Members of the Committee expressed caution in over-regulating residential care providers so that they no longer offer their services.

3. Prioritization of Services from the DSPD (Division of Services for People with Disabilities)

Mr. Andrews reviewed the staff briefing paper "Prioritization of DSPD Services" with the Committee. Currently, there are 1,893 individuals on a waiting list for these services.

Ms. Lisa-Michele Church, Director, DHS (Department of Human Services), distributed "Remarks to Health and Human Services Interim Committee." She discussed the increased professionalism and accountability of the DSPD since the 2001 audit. It will take more than \$8 million in General Fund money to fund the current waiting list. Ms. Church expressed concerns over the effects of future cutbacks in Medicaid funding. She outlined options available to the DSPD to address the waiting list.

Mr. George Kelner, Director, DSPD, reviewed the needs assessment and scoring criteria for prioritization on the waiting list. He said there are some states that have adopted a first-come first-served system.

4. Oversight of Assisted Living Facilities

Rep. Lockhart explained that several years ago assisted living facilities were placed within the long-term care statute. The Legislature should consider moving assisted living facilities under the DHS. She asked that the issue be discussed in a future committee meeting.

5. Mental Health

Mr. Mark Payne, Director, Division of Substance Abuse and Mental Health, commented that due to recent federal reductions in Medicaid funding for mental health, the division is unable to serve the population with mental health needs it is directed to serve. He reviewed how the \$2 million one-time appropriation provided in the last general session will be spent.

Ms. Church distributed and reviewed "Department of Human Services Mental Health Services Contracts." In FY 2005, the DHS spent \$6.65 million on contract mental health services for Juvenile Justice Services clients, the DCFS (Division of Child and Family Services), and DSPD. Over 3,000 DHS clients received contracted mental health services. She pointed out that 87 percent of DCFS youth have a mental health diagnosis. She expressed concern with how the indigent population is being addressed.

6. Other Business / Adjourn

Mr. Andrews distributed, but did not discuss, "Rural Mental Health Therapist Financial Assistance Committee Annual Report" and "Disability Determination Services Advisory Council Annual Report."

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MOTION: Rep. Menlove moved to adjourn the meeting. The motion passed unanimously.

Chair Last adjourned the meeting at 11:30 a.m.