

**MINUTES OF THE
MEDICAID INTERIM COMMITTEE**

Wednesday, December 12, 2007 – 9:00 a.m. – Room W135 House Building

Members Present:

Sen. Allen M. Christensen, Senate Chair
Rep. Merlynn T. Newbold, House Chair
Sen. Gene Davis
Sen. Ross I. Romero
Rep. Stephen D. Clark
Rep. Tim M. Cosgrove
Rep. Brad Last
Rep. David Litvack
Rep. Michael E. Noel
Rep. Paul Ray

Members Absent:

Sen. Lyle W. Hillyard
Sen. Sheldon L. Killpack

Staff Present:

Mr. Mark D. Andrews, Policy Analyst
Mr. Russell Frandsen, Economist
Ms. Debbie Headden, Analyst
Ms. Catherine J. Dupont, Associate General Counsel
Mr. Thomas R. Vaughn, Associate General Counsel
Ms. Phalin L. Flowers, Legislative Secretary

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

1. Committee Business

Chair Newbold called the meeting to order at 9:13 a.m. Sen. Hillyard was excused from the meeting.

MOTION: Rep. Litvack moved to approve the minutes of the November 20, 2007 meeting. The motion passed unanimously with Sen. Clark, Rep. Clark, Rep. Cosgrove, and Rep. Last absent for the vote.

Chair Newbold turned the chair to Sen. Christensen.

2. Draft Legislation Regarding Changes to the State Medicaid Plan

Rep. Newbold discussed 2008 General Session draft legislation, "Notice of Changes to the State Medicaid Plan," which was included in the mailing packet.

Dr. David Sundwall, Executive Director, DOH (Utah Department of Health), spoke in support of the legislation.

MOTION: Rep. Noel moved to adopt 2008 General Session draft legislation, "Notice of Changes to the State Medicaid Plan," as a committee bill. The motion passed unanimously with Sen. Davis, Rep. Clark, Rep. Cosgrove, Rep. Last, and Rep. Litvack absent for the vote.

3. Draft Legislation Regarding Bed Capacity, Reimbursement, and Related Issues

Rep. Newbold explained that draft legislation on this agenda item had not been finalized at this time.

4. Draft Legislation Regarding TEFRA (Tax Equity and Fiscal Responsibility Act of 1982) Liens

Chair Christensen turned the chair to Rep. Newbold.

Sen. Christensen distributed and discussed 2008 General Session draft legislation, "Medical Benefits Recovery Amendments."

Mr. Mark Brasher, Director, ORS (Office of Recovery Services), and Ms. Sandra Langley, Assistant Attorney General, representing ORS, explained the importance of TEFRA liens and spoke in support of the draft legislation. They also answered committee questions about the draft legislation.

MOTION: Rep. Last moved to adopt 2008 General Session draft legislation, "Medical Benefits Recovery Amendments," as a committee bill. The motion passed unanimously with Sen. Davis and Rep. Clark absent for the vote.

5. Sunset Review: Licensing of Non-Medicaid Nursing Care Facility Beds

Rep. Last explained that he is supportive of continuing the moratorium on licensing non-medicaid nursing care facility beds, and that without the moratorium, the state will pay more in Medicaid expenses.

Dr. Sundwall spoke in favor of extending the sunset on the moratorium on licensing non-medicaid nursing care facility beds.

Rep. Last recommended extending the moratorium on licensing non-medicaid nursing care facility beds for two more years.

Mr. Dirk Anjewierden, Executive Director, Utah Health Care Association, spoke in favor of extending the moratorium for five to seven years.

MOTION: Rep. Last moved to recommend to the Legislature that the moratorium on licensing non-medicaid nursing care facility beds be extended for two more years. The motion passed with Rep. Newbold voting in opposition and Sen. Davis, Rep. Clark, and Rep. Noel absent for the vote.

6. Refresher on Medicaid Accountability

Mr. Frandsen distributed and discussed "Managed Care and Client Accountability" and "Summary of Medicaid Client Accountability in Other States."

Mr. Michael Hales, Director, Division of Health Care Financing, DOH, answered committee questions regarding Medicaid accountability in Utah.

MOTION: Sen. Davis moved to make a recommendation to the Legislative Management Committee to extend the Medicaid Interim Committee for an additional year. The motion passed with Rep. Clark and Rep. Last voting in opposition and Rep. Noel absent for the vote.

7. Adjourn

MOTION: Rep. Litvack moved to adjourn the meeting. The motion passed unanimously with Rep. Cosgrove and Rep. Noel absent for the vote.

Chair Newbold adjourned the meeting at 11:05 a.m.