

**IDAHO BOARD OF HEALTH AND WELFARE  
MINUTES  
November 17, 2016**

The Board of Health and Welfare convened at:  
Pete T. Cenarrusa Building  
450 W. State Street  
Boise, Idaho 83720

**BOARD MEMBERS PRESENT**

Darrell Kerby, Chairman  
Tom Stroschein, Vice-Chair  
Richard Armstrong, Secretary  
Dr. Richard Roberge  
James Giuffré  
Wendy Jaquet  
Stephen Weeg  
Tammy Perkins  
Janet Penfold

**STAFF PRESENT**

Russ Barron, Deputy Director, FACS and Welfare Services  
David N. Taylor, Deputy Director, Support Services  
Lisa Hettinger, Deputy Director of Medicaid, Behavioral Health, Public Health and Health Policy Innovation  
Tauscha Huerta, Board Liaison, Director's Office  
Kathie Brack, Special Assistant to Director, Director's Office  
Niki Forbing-Orr, Manager, Public Information  
Tamara Prisock, Division Administrator, Licensing & Certification  
Elke Shaw-Tulloch, Division Administrator, Public Health  
Gary Moore, Division Administrator, FACS  
Paul Spannkebel, Division Administrator, Operational Services  
Bruce Cheeseman, Program Manager, EMS  
John Cramer, Program Manager, EMS  
Wayne Denny, Bureau Chief, EMS  
Fernando Castro, Program Supervisor, Criminal History Unit  
Michelle Weir, Program Manager, FACS  
Steve Millward, Program Manager, Certified Family Homes  
Leslie Tengelsen, PhD, DVM, State Public Health Veterinarian, Public Health  
Dr. Christine Hahn, Medical Director & State Epidemiologist, Public Health  
Patrick Guzzle, Program Manager, Food Protection  
Kathryn Turner, PhD, Bureau Chief, Communicable Disease Prevention  
Rosie Andueza, Program Manager, Behavioral Health  
Crystal Campbell, Program Specialist, Behavioral Health  
Miren Unsworth, Deputy Division Administrator, FACS

### **OTHERS PRESENT**

Nicole McKay, Chief, Health and Human Services, Office of the Attorney General  
Sara Stover, Division of Financial Management, Analyst  
Jared Tatro, Principal Budget and Policy Analyst, Legislative Services Office  
Darrell Keim, Latah Recovery Center  
Sara Bartles, Optum Idaho  
Monica Forbes, PEER Wellness

### **CALL TO ORDER**

Following proper notice in accordance with Idaho Code, Section 67-2343, and pursuant to call by the Chairman of the Board, the meeting of the Idaho Board of Health and Welfare was called to order by Darrell Kerby at 8:00 a.m. Thursday, November 17, 2016, at the Pete T. Cenarrusa Bldg., 450 W. State Street, Boise, Idaho.

### **ROLL CALL**

Director Armstrong, Secretary, called the roll. Roll call showed **nine (9)** members present. With **seven (7)** voting members present, Chairman Kerby declared a quorum. Absent and excused were Representative Fred Wood and Senator Lee Heider.

### **PUBLIC COMMENT PERIOD**

Chairman Kerby opened the floor for public comment. There being none, the Board advanced to the next order of business.

### **ADOPTION OF AUGUST 18, 2016 BOARD MEETING MINUTES**

Motion: Janet Penfold moved that the minutes of the August 18, 2016, Board meeting be adopted as presented.

Second: Dr. Richard Roberge

Roll Call Vote:

Ayes: **Giuffré, Jaquet, Kerby, Stroschein, Weeg, Perkins, Penfold, Roberge**

Nays: **None**

Motion Carried

### **COMMENTS FROM BOARD MEMBERS**

Rosie Andueza, Program Manager, Behavioral Health, presented a recording of the Advocates for Recovery Award Ceremony and introduced Darrell Keim, 2016 Champion of Recovery recipient to the Board.

### **OFFICER ELECTION FOR BOARD CHAIR**

Idaho Code requires the annual election of a Board chair and vice-chair.

Motion: Wendy Jaquet nominated Darrell Kerby to be considered for the Chair of the Idaho Board of Health and Welfare.

Second: Jeff Giuffré

Roll Call Vote:

Ayes: **Giuffré, Jaquet, Stroschein, Weeg, Perkins, Penfold, Roberge**

Nays: **None**

Motion Carried.

Chairman Kerby presided over the remainder of the meeting.

### **OFFICER ELECTION FOR BOARD VICE-CHAIR**

Motion: Wendy Jaquet nominated Tom Stroschein to be considered for the Vice- Chair of the Idaho Board of Health and Welfare.

Second: Jeff Giuffré

Roll Call Vote:

Ayes: **Giuffré, Jaquet, Kerby, Weeg, Perkins, Penfold, Roberge**

Nays: **None**

Motion Carried.

### **SUMMARY OF RULES**

Division Administrator, Tamara Prisock, distributed handouts that contained a list of rules that the Department will be presenting to the 2017 Idaho Legislature. This list contains rules that do and do not fall under the jurisdiction of the Board of Health and Welfare.

### **SUMMARY OF LEGISLATIVE PROPOSALS**

Division Administrator, Tamara Prisock, also discussed and distributed handouts that contained a summary of legislative proposals that the Department will be presenting to the 2017 Idaho Legislature.

**APPROVAL OF TEMPORARY AND PENDING RULES**

**Emergency Medical Services (EMS) – Rule Definitions**

**Docket No. 16-0102-1601:**

Presenter: Bruce Cheeseman

Bruce Cheeseman, Program Manager, EMS, presented the EMS Rule Definitions rule docket for the Board’s approval.

Motion: Wendy Jaquet moved that the Idaho Board of Health and Welfare adopt the “Pending Rules for the ‘Emergency Medical Services (EMS) - Rule Definitions,’” presented under Docket No. 16-0102-1601, with an effective date of July 1, 2017.

Second: James Giuffré

Vote: Ayes: **Giuffré, Jaquet, Kerby, Penfold, Roberge, Stroschein, Weeg**  
Nays: None

Motion Carried.

**Emergency Medical Services (EMS) – Agency Licensing Requirements**

**Docket No. 16-0103-1601:**

Presenter: Bruce Cheeseman

Bruce Cheeseman, Program Manager, EMS, presented the Agency Licensing Requirements rule docket for the Board’s approval.

Motion: Steven Weeg moved that the Idaho Board of Health and Welfare adopt the “Pending Rules for the ‘Emergency Medical Services (EMS) - Agency Licensing Requirements,’” presented under Docket No. 16-0103-1601, with an effective date of July 1, 2017.

Second: Janet Penfold

Vote: Ayes: **Giuffré, Jaquet, Kerby, Penfold, Roberge, Stroschein, Weeg**  
Nays: None

Motion Carried.

**Emergency Medical Services (EMS) – Agency Licensing Requirements**

**Docket No. 16-0103-1602:**

Presenter: Bruce Cheeseman

Bruce Cheeseman, Program Manager, EMS, presented the Agency Licensing Requirements rule docket for the Board’s approval.

Motion: Steven Weeg moved that the Idaho Board of Health and Welfare adopt the “Pending Rules for the ‘Emergency Medical Services (EMS) - Agency Licensing Requirements,’” presented under Docket No. 16-0103-1602, effective Sine Die, 2017.

Second: Janet Penfold

Vote: Ayes: **Giuffré, Jaquet, Kerby, Penfold, Roberge, Stroschein, Weeg**  
Nays: None

Motion Carried.

**Emergency Medical Services (EMS) – Data Collection and Submission Requirements**  
**Docket No. 16-0106-1601:**

Presenter: John Cramer

John Cramer, Program Manager, EMS, presented the Data Collection and Submission Requirements rule docket for the Board’s approval.

Motion: Jim Giuffré moved that the Idaho Board of Health and Welfare adopt the "Pending Rules for the ‘Emergency Medical Services (EMS) - Data Collection and Submission Requirements,’” presented under Docket No. 16-0106-1601, with an effective date of July 1, 2017.

Second: Wendy Jaquet

Vote: Ayes: **Giuffré, Jaquet, Kerby, Penfold, Roberge, Stroschein, Weeg**  
Nays: None

Motion Carried.

**Emergency Medical Services (EMS) – Personnel Licensing Requirements**  
**Docket No. 16-0107-1601:**

Presenter: Bruce Cheeseman

Bruce Cheeseman, Program Manager, EMS, presented the Personnel Licensing Requirements, rule docket for the Board’s approval.

Motion: Janet Penfold moved that the Idaho Board of Health and Welfare adopt the “Pending Rules for the ‘Emergency Medical Services (EMS) - Personnel Licensing Requirements,’” presented under Docket No. 16-0107-1601, effective Sine Die, 2017.

Second: Wendy Jaquet

Vote: Ayes: **Giuffré, Jaquet, Kerby, Penfold, Roberge, Stroschein, Weeg**  
Nays: None

Motion Carried.

**Idaho Reportable Diseases**

**Docket No. 16-0210-1701:**

Presenter: Leslie Tengelsen

Leslie Tengelsen, PhD, DVM, State Public Health Veterinarian, Public Health, presented the Idaho Reportable Diseases, rule docket for the Board's approval.

Motion: Wendy Jaquet moved that the Idaho Board of Health and Welfare adopt the "Temporary Rules for the 'Idaho Reportable Diseases,'" presented under Docket No. 16-0210-1701, with an effective date of January 1, 2017.

Second: Janet Penfold

Vote: Ayes: **Giuffré, Jaquet, Kerby, Penfold, Roberge, Stroschein, Weeg**  
Nays: None

Motion Carried.

**Food Safety & Sanitation Standards for Food Establishments (The Idaho Food Code)**

**Docket No. 16-0219-1601:**

Presenter: Patrick Guzzle

Patrick Guzzle, Program Manager, Food Protection, presented the Food Safety & Sanitation Standards for Food Establishments (The Idaho Food Code), rule docket for the Board's approval.

Motion: Jim Giuffré moved that the Idaho Board of Health and Welfare adopt the "Pending Rules for the 'Food Safety and Sanitation Standards for Food Establishments (The Idaho Food Code),' " presented under Docket No. 16-0219-1601, effective Sine Die, 2017.

Second: Wendy Jaquet

Vote: Ayes: **Giuffré, Jaquet, Kerby, Penfold, Roberge, Stroschein, Weeg**  
Nays: None

Motion Carried.

**Certified Family Homes**

**Docket No. 16-0319-1601:**

Presenter: Steve Millward

Steve Millward, Program Manager, Certified Family Homes, presented the Rules Governing Certified Family Homes, rule docket for the Board's approval.

Motion: Janet Penfold moved that the Idaho Board of Health and Welfare adopt the "Pending Rules for the 'Rules Governing Certified Family Homes,'" presented under Docket No. 16-0319-1601, with an effective date of July 1, 2017.

Second: Steven Weeg

Vote: Ayes: **Giuffré, Jaquet, Kerby, Penfold, Roberge, Stroschein, Weeg**  
Nays: None

Motion Carried.

**Criminal History and Background Checks**  
**Docket No. 16-0506-1601**

Presenter: Fernando Castro

Fernando Castro, Program Supervisor, Criminal History Unit, presented the Criminal History and Background Checks, rule docket for the Board's approval.

Motion: Wendy Jaquet moved that the Idaho Board of Health and Welfare adopt the "Pending Fee Rules for the 'Criminal History and Background Checks,'" presented under Docket No. 16-0506-1601, effective Sine Die 2017.

Second: Jim Giuffré

Vote: Ayes: **Giuffré, Jaquet, Kerby, Penfold, Roberge, Stroschein, Weeg**  
Nays: None

Motion Carried.

**Criminal History and Background Checks**  
**Docket No. 16-0506-1602**

Presenter: Fernando Castro

Fernando Castro, Program Supervisor, Criminal History Unit, presented the Criminal History and Background Checks, rule docket for the Board's approval.

Motion: Jim Giuffré moved that the Idaho Board of Health and Welfare adopt the "Pending Fee Rules for the 'Criminal History and Background Checks,'" presented under Docket No. 16-0506-1602, with an effective date of July 1, 2017.

Second: Dr. Richard Roberge

Vote: Ayes: **Giuffré, Jaquet, Kerby, Penfold, Roberge, Stroschein, Weeg**  
Nays: None

Motion Carried.

**Child and Family Services**  
**Docket No. 16-0601-1601**

Presenter: Michelle Weir

Michelle Weir, Program Manager, FACS, presented the Child and Family Services, rule docket for the Board's approval.

Motion: Steven Weeg moved that the Idaho Board of Health and Welfare adopt the "Pending Rules for the 'Child and Family Services,'" presented under Docket No. 16-0601-1601, with an effective date of July 1, 2017.

Second: Wendy Jaquet

Vote: Ayes: **Giuffré, Jaquet, Kerby, Penfold, Roberge, Stroschein, Weeg**  
Nays: None

Motion Carried.

**MEDICAID/ BEHAVIORAL HEALTH/ PUBLIC HEALTH/ HEALTH POLICY**  
**INNOVATION UPDATE**

Lisa Hettinger, Deputy Director of Medicaid, Behavioral Health, Public Health and Health Policy Innovation, reported on the following topics:

***Behavioral Health***

**Youth Empowerment Services (YES)**

The YES team has been working diligently to finalize the project plan that will direct the 2017 implementation of the YES program.

1. 27 services will become available to children, youth and families through the YES program. CMH staff will be re-assigned to perform Intensive Care Coordination for the most challenging 15% - 20% of Idaho's children and youth with serious emotional disturbances SED.
2. The services are meant to prevent children from ending up in institutional settings and keep them in community home settings.
3. Federal mandates require the delivery of services. Medicaid will provide funding for the administrative tasks necessary for the program to comply with federal mandates and to oversee service providers who will deliver the services.

**Crisis Centers**

The 2016 Idaho Legislature funded two new mental health crisis centers in Twin Falls and Boise. The Twin Falls center is set to open in December, 2016. The Boise center is being developed through a joint powers agreement between Ada County and the City of Boise which will operate the Allumbaugh House. The location of the Boise center is still being negotiated.

***Medicaid***

**Contracts**

- **Non-Emergency Medical Transportation (Veyo)**



The non-emergency medical transportation brokerage contract, previously held by American Medical Response (AMR), was re-bid as required by the Department of Administration. The contract was awarded to Veyo LLC, and was implemented on July 1, 2016. Initially, there were numerous issues in the transition between providers, including missed trips and transportation difficulties for participants. Veyo has been responsive to those concerns and has addressed the concerns brought to its attention by Medicaid staff, participants, providers and advocates. At this time, missed appointments have been reduced and most of the initial difficulties have been resolved.

- **Independent Assessor (Liberty)**

The contract for the independent assessment of developmentally disabled individuals to determine eligibility for Medicaid services transitioned to Liberty on August 24, 2016, after the previous contract expired. Liberty makes in-home visits to complete the individual assessments to determine eligibility for participants.

- **Dental (MCNA)**

The Medicaid dental contract was awarded to Managed Care of North America (MCNA) by the Department of Administration. Litigation is pending against the Department of Administration regarding the bidding process and a stay has been issued by the District Court. The previous contract recipient, Blue Cross of Idaho Care Plus, is continuing to provide services while its challenge (as well as that of Advantage Dental Plan, Inc.) to the award of the contract to MCNA is pending. Currently, the expected implementation date is February 1, 2016, unless the court determines that the contract was improperly awarded to MCNA.

### ***Statewide Healthcare Innovation Plan (SHIP)***

SHIP is midway into year two of its four year grant. The program is progressing with the transformation of services and payment and continues to work with commercial payers to advance pay for value rather than pay for volume. There are concerns regarding the continued funding of the grant. In the event the grant funding ceases, the Idaho Healthcare Coalition (IHC) will work to find additional funding to continue SHIP's efforts to reform Idaho's healthcare delivery and payment systems.

## **WELFARE/ FAMILY AND COMMUNITY SERVICES UPDATE**

Russ Barron, Deputy Director of Welfare and Family and Community Services (FACS), reported on the following topics:

### ***Family and Community Services***

#### **Foster Care**

- An Office of Performance Evaluation (OPE) study is continuing and is expected to be completed in December 2016.
- A legislative interim committee convened in August 2016 has been meeting twice a month. The committee's last meeting will take place on November 28, 2016. At the final meeting the committee is expected to announce its recommendations including the following possibilities:
  - Request a subsequent interim committee for 2017
  - Clarify definitions

- Recommendation improve communications between Department staff and with stakeholders
- Foster child guardianship
- The Foster Care program is continuing with its strategic initiative plan. A steering committee has been established and the first meeting is expected to be held in October, 2017. The next meeting will be held in December, 2017, and each quarter thereafter, for approximately two years.

### *Welfare*

#### **Food Stamp Participation (SNAP)**

- The Department continues to see a decline in the SNAP caseload. There were approximately 177,000 individuals involved in 77,000 cases in October. This is a decline of 351 individuals from September and a total decline of 16,230 individuals since January, 2016.
- Over \$20 million in SNAP benefits are being distributed monthly to eligible participants.

#### **Health Insurance Exchange -Your Health Idaho (YHI)**

- Open enrollment on the Exchange began November 1, 2016, and will conclude January 31, 2017.
- The Exchange had nearly 69,000 re-evaluations for the Advance Premium Tax Credit (APTC) subsidy.
- Of the 69,000 subsidies, approximately 32,500 were renewed automatically. The remaining are in the process of being manually reviewed by YHI and Department staff.
- Since open enrollment began, the Exchange has received approximately 2,300 new applications for coverage.
  - Roughly 175 applications are submitted per day, which is similar to the numbers in 2015.
  - Applications are processed within two business days. There are no backlogs at this time.

### **DIVISION OF SUPPORT SERVICES UPDATE**

Dave Taylor, Deputy Director over Support Services & License and Certification, reported on the following topics:

A draft of the Department’s SFY 2016 “Report to our Citizens” was shared with the Board.

A Legislative Audit management review of the Department was issued on November 9, 2016. The report, covering state fiscal years 2013 and 2014, contained no findings or recommendations. The review also reflected the closing of two findings from a prior report covering fiscal years 2011 and 2012. A copy of the information was provided to the Board.

An October 31, 2016 memo from the Legislative Services Office Budget & Policy Analysis Division outlining the changes to the 2017 legislative session Joint Finance and Appropriations Committee (JFAC) budget hearing process was shared and discussed with the Board.

An update to the Department's September 1, 2016 budget submission for the 2017 legislative session was reviewed and discussed with the Board.

**DIRECTOR'S UPDATE**

Director Armstrong discussed the possibility of legislation coming from the Department of Education regarding safety regulations for residential schools not accredited by the Department of Education. Currently, the Department of Health and Welfare only requires fire and safety regulations for non-accredited residential schools. Accredited residential schools are governed by the Department of Education and are not subject to the same fire and safety regulations as non-accredited schools. The proposed legislation would require that both non-accredited and accredited residential schools be subject to the same standards. In the event the legislation proposal is brought to the 2017 Legislative Session, it is expected there will be opposition by accredited schools.

**ADJOURNMENT**

The next meeting of the Idaho Board of Health and Welfare is scheduled to be held February 16, 2017. There being no further business to come before the Board, Chairman Kerby adjourned the meeting at 2:00 p.m.

Respectfully signed and submitted by:

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Darrell Kerby, Chairman

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Richard M. Armstrong, Secretary



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Tauscha Huerta, Liaison to the Board