

Board of Community Health
Meeting
August 13, 2020

Members Present

Norman Boyd
Allana Cummings
Roger Folsom
Mark Trail
David Crews
Russ Childers
Russell Crutchfield
Anthony Williamson
Kenneth Davis

Members Absent

The Board of Community Health held its meeting via WebEx teleconference. (An agenda and a List of Attendees are attached hereto and made an official part of these Minutes as Attachments #1 and #2). Chairman Norman Boyd presided and called the meeting to order at 10:30 a.m.

Minutes

The Minutes of the July 9, 2020 meeting were unanimously approved.

Opening Comments

None to report.

Commissioner's Report

Commissioner Berry thanked the Board, members of the public and staff for their participation via WebEx.

Commissioner Berry updated the Board on the following:

- Recognitions:
 - Front-line workers in hospital and community settings for their service to the citizens of Georgia during COVID-19 on behalf of Governor Brian P. Kemp and the DCH team.
 - On July 31, the Healthcare Facility Regulation (HFR) survey team met the Centers for Medicaid and Medicare Services (CMS) requirement deadline by completing 358 infectious disease surveys, which allowed a draw-down of federal funding.

- Jeff Rickman and the State Health Benefit Plan (SHBP) team monitoring of member COVID-19 cases, renewals and ensuring they are receiving the necessary care through our partners Anthem, United Healthcare and Kaiser Permanente.
- Marial Ellis' leadership and dedication to the Department.
- Joe Hood's leadership and the partnership with HWL Healthcare for staff augmentation in hospitals and nursing homes.



Staff includes: doctors, nurses, respiratory therapist and a variety of other clinical staff.

- Opened the Georgia World Congress Center in partnership with the Governor's Office, Georgia Emergency Management Agency (GEMA), Department of Public Health (DPH) and other state partners.
 - Currently, 31 patients in care
- Developed a partnership under the Governor's leadership with Piedmont Healthcare (Kevin Brown, Dr. Cohen and Dr. Battey)
 - Approximately 70 beds will be on-line

During the Commissioner's Report, Blake Fulenwider, Chief Health Policy Officer provided an update to the Board on the Patients First Act 1115 "Georgia Pathways to Coverage" demonstration waiver and the 1332 "Georgia Access" waiver currently pending approval by the federal government.

Mr. Fulenwider indicated that negotiations on both waivers is ongoing and the state is very pleased and appreciative of the collaborative nature of the discussions. He noted that Governor Brian P. Kemp submitted a modified 1332 "Georgia Access" waiver to the Center for Consumer Information and Insurance Oversight (CCIIO) and the U.S. Treasury on July 31, 2020. The modified waiver is currently pending completeness review. Upon certification of completeness, the federal government will begin a 30-day public comment period.

Mr. Fulenwider noted that the 1115 "Georgia Pathways to Coverage" Medicaid demonstration waiver is similarly progressing well. The Department continues to answer questions that the Centers for Medicare and Medicaid Services (CMS) raises to the state. Currently, discussions have largely focused on "reasonable accommodations" for individuals with a disability who do not necessarily meet the threshold for eligibility for disability-based Medicaid enrollment. The state and CMS are

discussing ways to enable these individuals who wish to participate in "Georgia Pathways" to be able to do so, even though they may not be able to meet the core eligibility requirements related to Qualifying Activities requirements.

Mr. Fulenwider advised that the state is hoping to receive formal Summary Terms and Conditions (STCs) for each of the waivers soon and are likewise hopeful that ultimate approval will be secured for each waiver in the coming several weeks.

Mr. Fulenwider thanked the Board for the opportunity to provide an update and asked if any members had a question. No questions were raised.

Kim Morris, Director, Reimbursement Financial Management presented to the Board for initial adoption the Medicaid Rate Increase for Nursing Home Mechanized Ventilator Care Programs Public Notice.

For FY 2021, the General Assembly appropriated total funds of \$576,292 for a 3% increase to the nursing home mechanical ventilator per diem. The current nursing home mechanical ventilator per diem is \$540.55.

Pending Centers for Medicare and Medicaid Services (CMS) approval with an effective date of July 1, 2020, the daily mechanical ventilator per diem will increase to \$556.77.

An opportunity for public comment will be held on August 18, 2020 at 10:00 a.m., via WebEx. Written comments will be accepted on or before August 25, 2020.

Ms. Morris respectfully asked for the Board's favorable consideration of initial adoption.

Allana Cummings MADE a MOTION to approve for initial adoption the Medicaid Rate Increase for Nursing Home Mechanized Ventilator Care Programs Public Notice. Kenneth Davis SECONDED the MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the Medicaid Rate Increase for Nursing Home Mechanized Ventilator Care Programs Public Notice is attached hereto and made an official part of these minutes as Attachment #3).

Kim Morris, Director, Reimbursement Financial Management presented to the Board for initial adoption the Add Silver Diamine Fluoride Public Notice.

For FY 2021, the General Assembly appropriated total funds of \$3,381,786 for a reimbursement rate of \$15.00 per application, with a maximum of two (2) applications per tooth.

Silver Diamine Fluoride is a type of fluoride varnish that can be applied to immediately stop cavities from growing and spreading to other teeth. The American Academy of

Pediatric Dentistry (AAPD) supports the use of Silver Diamine Fluoride to stop the progression of cavities on primary teeth in children, without having to drill teeth.

Pending Centers for Medicare and Medicaid Services (CMS) approval with an effective date of January 1, 2021, DCH will add CPT code D1354-Silver Diamine Fluoride as a covered dental service.

An opportunity for public comment will be held on August 18, 2020 at 11:00 a.m., via WebEx. Written comments will be accepted on or before August 25, 2020.

Ms. Morris respectfully asked for the Board's favorable consideration of initial adoption.

Roger Folsom MADE a MOTION to approve for initial adoption the Add Silver Diamine Fluoride Public Notice. Mark Trail SECONDED the MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the Add Silver Diamine Fluoride Public Notice is attached hereto and made an official part of these minutes as Attachment #4).

Kim Morris, Director, Reimbursement Financial Management presented to the Board for initial adoption the Primary Care Codes Rate Increase Public Notice.

For FY 2021, the General Assembly appropriated total funds of \$7,192,884 for a 1% rate increase for the listed 108 primary care codes. The increase in the reimbursement rate will provide eligible Medicaid recipients better access to primary care services.

Pending Centers for Medicare and Medicaid Services (CMS) approval with an effective date of July 1, 2020, DCH will apply a 1% reimbursement rate increase for the 108 primary care codes

An opportunity for public comment will be held on August 20, 2020 at 10:00 a.m., via WebEx. Written comments will be accepted on or before August 27, 2020.

Ms. Morris respectfully asked for the Board's favorable consideration of initial adoption.

Mark Trail MADE a MOTION to approve for initial adoption the Primary Care Codes Rate Increase Public Notice. Russell Crutchfield SECONDED the MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the Primary Care Codes Rate Increase Public Notice is attached hereto and made an official part of these minutes as Attachment #5).

Kim Morris, Director, Reimbursement Financial Management presented to the Board for initial adoption the Financial Quality Incentive for Nursing Homes Public Notice.

For FY 2021, the General Assembly appropriated total funds of \$1,367,781 for nursing homes that receive national quality awards or accreditation.

The Department proposes to add a financial incentive to nursing homes that receive American Health Care Association (AHCA) National Quality Award and/or The Joint Commission Accreditation.

These national programs provide nursing homes with a proven framework they can use to achieve improvements in clinical and operational standards for quality and excellence. National award recipients have to demonstrate superior performance in key quality outcomes (such as 30-day hospital readmissions, off-label use of antipsychotics, Five-Star ratings, high occupancy rates and operating margins).

AHCA has three (3) award levels: Bronze, Silver and Gold. The awards are issued annually and active for three (3) years.

The Joint Commission is awarded annually and renewed every three (3) years.

Nursing Home Per Diem is comprised of the following rates:

- Routine and Special Services
- Dietary
- Laundry and Housekeeping
- Maintenance of Plant
- Administrative and General,
- Supplemental Administrative and General- General and Professional Liability Insurance
- Property and Related

The financial incentive will be applied to the Routine and Special Services cost center. The incentive is based upon the award type and level.

Award Type/Level	Financial Incentive (Applied to Routine and Special Services Rate only)
AHCA Bronze, The Joint Commission	<ul style="list-style-type: none"> • Add 1% to My InnerView quality add-on, not to exceed a maximum add-on of 2%.
ACHA Silver	<ul style="list-style-type: none"> • Add 1% to the quality add-on, not to exceed a total quality add-on of 3%
AHCA Gold	<ul style="list-style-type: none"> • Add 2% to the quality add-on, not to exceed a total quality add-on of 4%

Pending Centers for Medicare and Medicaid Services (CMS) approval with an effective date of July 1, 2020, DCH will apply a financial quality incentive to the nursing home per diem.

An opportunity for public comment will be held on August 20, 2020 at 11:00 a.m., via WebEx. Written comments will be accepted on or before August 27, 2020.

Ms. Morris respectfully asked for the Board's favorable consideration of initial adoption.

Mark Trail MADE a MOTION to approve for initial adoption the Financial Quality Incentive for Nursing Homes Public Notice. Allana Cummings SECONDED the MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the Financial Quality Incentive for Nursing Homes Public Notice is attached hereto and made an official part of these minutes as Attachment #6).

Kim Morris, Director, Reimbursement Financial Management presented to the Board for initial adoption the Rules and Regulations for Hospital Care for the Indigent, Rules & Regs., R. 111-3-12 Public Notice.

This change is necessary to reflect that Hospital Care for the Indigent is subject to regulation by the Department of Community Health (DCH) rather than the Department of Human Resources (DHR), which has since been renamed as the Department of Human Services (DHS).

The proposed Rules and Regulations for Hospital Care for the Indigent, updates the existing rules by replacing the chapter number, replacing the department, and correcting the rule numbering and any grammatical errors. There are no changes to the content of the rule.

An opportunity for public comment will be held on September 15, 2020 at 1:00 p.m., via WebEx. Written comments will be accepted on or before September 18, 2020.

Ms. Morris respectfully asked for the Board's favorable consideration of initial adoption.

Russell Crutchfield MADE a MOTION to approve for initial adoption the Rules and Regulations for Hospital Care for the Indigent, Rules & Regs., R. 111-3-12 Public Notice. Russ Childers SECONDED the MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the Rules and Regulations for Hospital Care for the Indigent, Rules & Regs., R. 111-3-12 Public Notice is attached hereto and made an official part of these minutes as Attachment #7).

Melanie Simon, Executive Director, Healthcare Facility Regulation presented to the Board for initial adoption the Rules and Regulations for Birth Centers, Rules & Regs., R. 111-8-7.

This change is necessary to reflect that Birth Centers are subject to regulation by the Department of Community Health rather than the Department of Community Health (DCH) rather than the Department of Human Resources (DHR), which has since been renamed as the Department of Human Services (DHS). The rules are being transferred

directly from Chapter 290-5-41 to Chapter 111-8-7 with minor changes and corrections.

An opportunity for public comment will be held on September 15, 2020 at 10:00 a.m., via WebEx. Written comments will be accepted on or before September 18, 2020.

Ms. Simon respectfully asked for the Board's favorable consideration of initial adoption.

Mark Trail MADE a MOTION to approve for initial adoption the Rules and Regulations for Birth Centers, Rules & Regs., R. 111-8-7 Public Notice. Kenneth Davis SECONDED the MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the Rules and Regulations for Birth Centers, Rules & Regs., R. 111-8-7 Public Notice is attached hereto and made an official part of these minutes as Attachment #8).

Melanie Simon, Executive Director, Healthcare Facility Regulation presented to the Board for initial adoption the Rules and Regulations for Health Maintenance Organizations (HMOs), Rules & Regs., R. 111-8-29 Public Notice.

This change is necessary to reflect that HMOs are subject to regulation the Department of Community Health (DCH) rather than the Department of Human Resources (DHR), which has since been renamed as the Department of Human Services (DHS). The rules are being transferred directly from Chapter 290-5-37 to Chapter 111-8-29 with minor changes and corrections.

An opportunity for public comment will be held on September 15, 2020 at 11:00 a.m., via WebEx. Written comments will be accepted on or before September 18, 2020.

Ms. Simon respectfully asked for the Board's favorable consideration of initial adoption.

Russ Childers MADE a MOTION to approve for initial adoption the Rules and Regulations for Health Maintenance Organizations (HMOs), Rules & Regs., R. 111-8-29 Public Notice. Mark Trail SECONDED the MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the Rules and Regulations for Health Maintenance Organizations (HMOs), Rules & Regs., R. 111-8-29 Public Notice is attached hereto and made an official part of these minutes as Attachment #9).

Melanie Simon, Executive Director, Healthcare Facility Regulation presented to the Board for initial adoption the Rules and Regulations for X-Ray, Rules & Regs., R. 111-8-90 Public Notice.

This change is necessary to reflect that Laser Radiation is subject to regulation by the Department of Community Health (DCH) rather than the Department of Human

Resources (DHR), which has since been renamed as the Department of Human Services (DHS). The rules are being transferred directly from Chapter 290-5-27 to Chapter 111-8-90 with minor changes and corrections.

An opportunity for public comment will be held on September 15, 2020 at 11:30 a.m., via WebEx. Written comments will be accepted on or before September 18, 2020.

Ms. Simon respectfully asked for the Board's favorable consideration of initial adoption.

Roger Folsom MADE a MOTION to approve for initial adoption the Rules and Regulations for X-Ray, Rules & Regs., R. 111-8-90 Public Notice. David Crews SECONDED the MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the Rules and Regulations for X-Ray, Rules & Regs., R. 111-8-90 Public Notice is attached hereto and made an official part of these minutes as Attachment #10).

Melanie Simon, Executive Director, Healthcare Facility Regulation presented to the Board for initial adoption the Rules and Regulations for Laser Radiation, Rules & Regs., R. 111-8-91 Public Notice.

This change is necessary to reflect that X-Ray devices are subject to regulation the Department of Community Health (DCH) rather than the Department of Human Resources (DHR), which has since been renamed as the Department of Human Services (DHS). The rules are being transferred directly from Chapter 290-5-22 to Chapter 111-8-90 with minor changes and corrections.

An opportunity for public comment will be held on September 15, 2020 at 12:00 a.m., via WebEx. Written comments will be accepted on or before September 18, 2020.

Ms. Simon respectfully asked for the Board's favorable consideration of initial adoption.

Roger Folsom MADE a MOTION to approve for initial adoption the Rules and Regulations for Laser Radiation, Rules & Regs., R. 111-8-91 Public Notice. David Crews SECONDED the MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the Rules and Regulations for Laser Radiation, Rules & Regs., R. 111-8-91 Public Notice is attached hereto and made an official part of these minutes as Attachment #11).

Melanie Simon, Executive Director, Healthcare Facility Regulation presented to the Board for initial adoption the Rules and Regulations for Disaster Preparedness Plans, Ga. Comp. Rules & Regs., R. 111-8-16 Public Notice.

The proposed revisions are necessary to comply with portions of House Bill 987, the "Disabled Adults and Elder Persons Protection Act," pertaining to disaster preparedness. The revisions address pandemic planning, testing and other requirements for long-term care facilities related to the COVID-19 public health emergency.

An opportunity for public comment will be held on September 16, 2020 at 11:00 a.m., via WebEx. Written comments will be accepted on or before September 18, 2020.

Ms. Simon respectfully asked for the Board's favorable consideration of initial adoption.

Russ Childers MADE a MOTION to approve for initial adoption the Rules and Regulations for Disaster Preparedness Plans, Ga. Comp. Rules & Regs., R. 111-8-16 Public Notice. Mark Trail SECONDED the MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the Rules and Regulations for Disaster Preparedness Plans, Ga. Comp. Rules & Regs., R. 111-8-16 Public Notice is attached hereto and made an official part of these minutes as Attachment #12).

Brandy Sylvan, Director, Government Relations read a statement from a member of the State Health Benefit Plan (SHBP) Advisory Council. The Council reports meeting August 5 and receiving a presentation from SHBP Executive Director Jeff Rickman regarding the 2021 Plan. The Council was pleased with the additional wellness programs, and the only question presented was related to the impact of COVID-19 to the Plan.

Jeff Rickman, Executive Director, State Health Benefit Plan began by presenting the Employer Contribution rates for 2021 for both State and Teacher and Non-Certificated Public-School Employee Plans. The State Employer Resolution was a continuation of the 29.454% of total salaries approved last year. The section Resolution was also a continuation of the rates from last year and contains an employer contribution rate of \$945 Per Member Per Month (PMPM) for teachers and Non-Certificated Public-School employees, and a rate of \$843 PMPM for library employees under the Teachers Plan.

Mr. Rickman responded to questions from the Board and respectfully asked for the Board's favorable consideration of adoption.

Kenneth Davis MADE a MOTION to approve for adoption the SHBP State Employees Plan Employer Contribution Rates Resolution and SHBP Teachers Plan Employer Contribution Rates and Public-School Employee Plan Employer Contribution Rates Resolution. Roger Folsom SECONDED the MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the SHBP State Employees Plan Employer Contribution Rates Resolution

and SHBP Teachers Plan Employer Contribution Rates and Public-School Employee Plan Employer Contribution Rates Resolution is attached hereto and made an official part of these minutes as Attachment #13.

Mr. Rickman presented an overview of the 2021 Plan Design and Rates. The goal for 2020 has been to provide members with stability and consistency and to ensure the Plan is on firm financial footing. These same goals will guide the plan into 2021, as well as a focus on implanting additional benefits for the members. Plan designs, along with the current vendors, will remain the same for 2021. Active members would see an increase in the commercial rates next year of approximately 5%, or on average \$11.33 per month, although the actual amount will depend on the plan option and tier chosen. The Medicare Advantage (MA) rates will depend upon the vendor and option chosen, but the lowest cost standard MA plan will cost \$0 and the lowest cost premium MA plan will cost \$148.22.

Mr. Rickman respectfully asked for the Board's favorable consideration of adoption.

David Crews MADE a MOTION to approve for adoption the State Health Benefit Plan Calendar Year 2021 Member Contribution Rates Resolution. Mark Trail SECONDED the MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the State Health Benefit Plan Calendar Year 2021 Member Contribution Rates Resolution is attached hereto and made an official part of these minutes as Attachment #14.


New Business/Closing Comments

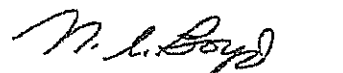
On behalf of the Board, Chairman Boyd recognized and thanked the Department for the hard work done for the state of Georgia during this pandemic.

Adjournment

There being no further business to be brought before the Board, Chairman Norman Boyd adjourned the meeting at 11:23 a.m.

THESE MINUTES ARE HEREBY APPROVED AND ADOPTED THIS THE 13th DAY OF August, 2020.


Allana Cummings
Secretary


Norman Boyd
Chairman

Official Attachments:

- #1 Agenda
- #2 List of Attendees
- #3 Medicaid Rate Increase for Nursing Home Mechanized Ventilator Care Programs Public Notice
- #4 Add Silver Diamine Fluoride Public Notice
- #5 Primary Care Codes Rate Increase Public Notice
- #6 Financial Quality Incentive for Nursing Homes Public Notice
- #7 Rules and Regulations for Hospital Care for the Indigent, Rules & Regs., R. 111-3-12 Public Notice
- #8 Rules and Regulations for Birth Centers, Rules & Regs., R. 111-8-7 Public Notice
- #9 Rules and Regulations for Health Maintenance Organizations, Rules & Regs., R. 111-8-29 Public Notice
- #10 Rules and Regulations for X-Ray, Rules & Regs., R. 111-8-90 Public Notice
- #11 Rules and Regulations for Laser Radiation, Rules & Regs., R. 111-8-91 Public Notice
- #12 Rules and Regulations for Disaster Preparedness Plans, Ga. Comp. Rules & Regs., R. 111-8-16 Public Notice
- #13 SHBP State Employees Plan Employer Contribution Rates Resolution and SHBP Teachers Plan Employer Contribution Rates and Public School Employee Plan Employer Contribution Rates Resolution
- #14 State Health Benefit Plan Calendar Year 2021 Member Contribution Rates Resolution