

Board of Community Health
Meeting
July 12, 2018

Members Present

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

Members Absent

The Board of Community Health held its regularly scheduled meeting at the Department of Community Health (DCH), 5th Floor Board Room, 2 Peachtree Street, N.W., Atlanta, Georgia. (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 June 14, 2018 meeting were unanimously approved.

Opening Comments

None to report.

Committee Reports

None to report.

Commissioner's Report

Commissioner Berry thanked the Board, members of the public and staff for their attendance.

Commissioner Berry updated the Board on the following June events:

- South Ga. hospital visits (June 21st-22nd)
- Employee Appreciation Week (June 25th-28th)
Locations: Perry, Atlanta and Cartersville
- Eastside Medical Center site visit (July 11th)

Brian Dowd, Assistant Chief, Medicaid presented to the Board for final adoption the Medical Assistance Plans, The Georgia Pediatric Program (GAPP), to increase Licensed Professional Nurses (LPN) and Registered Nurses (RN) rates Public Notice.

This item does not require a State Plan Amendment or Centers for Medicare and Medicaid (CMS) approval. This item is located in the Coverage Section of the State Plan. Rates for GAPP are not listed in the reimbursement section of the State Plan, but are published online instead.

Effective July 1, 2018, or upon final Board approval, the Department proposes to increase reimbursement rates for pediatric in-home skilled nursing services.

The Department estimates that the total cost of the proposal for SFY 2019 for the Aged, Blind, and Disabled Population (ABD) will be \$2,727,542 and for Low Income Medicaid will be \$380,196. These rates were authorized and funded by the Georgia Legislature.

| Program | State Cost | Federal Cost | Total Cost |
|---|------------|--------------|-------------|
| Aged, Blind and Disabled; SFY 2019 | \$877,177 | \$1,850,365 | \$2,727,542 |
| Low Income Medicaid; SFY 2019 | \$122,271 | \$257,925 | \$380,196 |

The proposed rate change for rates for pediatric in-home skilled nursing services is as follows:

| Procedure Code | Service | Current Rate | Proposed Rate |
|----------------|---|----------------------------|----------------------------|
| S9123 | Registered Nurse In-Home Skilled Nursing Care | \$10.00 per 15-minute unit | \$10.63 per 15-minute unit |
| S9124 | Licensed Practical Nurse In-Home Skilled Nursing Care | \$8.75 per 15-minute unit | \$9.32 per 15-minute unit |

An opportunity for public comment was held on June 21, 2018 at 4:00 p.m. at the Department of Community Health (2 Peachtree Street, N.W., Atlanta, Georgia 30303) in the 5th Floor Commissioner's Conference Room. Written comments were accepted on or before June 28, 2018. No comments were received.

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

Russell Crutchfield MADE a MOTION to approve for final adoption the Medical Assistance Plans, The Georgia Pediatric Program (GAPP), increase Licensed Professional Nurses (LPN) and Registered Nurses (RN) rates Public Notice. Roger Folsom SECONDED the MOTION. ON THE MOTION, the yeas were 8, nays 0,

abstained 0, and the MOTION was APPROVED. (A copy of the Medical Assistance Plans, The Georgia Pediatric Program (GAPP), to increase Licensed Professional Nurses (LPN) and Registered Nurses (RN) rates Public Notice is attached hereto and made an official part of these minutes as Attachment #3).

John Upchurch, Director of Medicaid Reimbursement presented to the Board for final adoption the Medical Assistance Plans, State Plan Amendment: Nursing Home Services Growth Allowance Rate Increase Public Notice.

For FY 2019, the General Assembly appropriated \$52,563,837 total funds (\$16,894,882 state funds) for a 4.3% inflationary increase to nursing facility rates. This rate adjustment will be recognized as a 10.3% growth allowance applied to the current FY 2012, 2013, or 2014 cost report data used to determine a facility's reimbursement rate.

The rate will be effective on July 1, 2018, pending Centers for Medicare and Medicaid Services (CMS) approval.

An opportunity for public comment was held on June 20, 2018 at 3:00 p.m. at the Department of Community Health (2 Peachtree Street, N.W., Atlanta, Georgia 30303) in the 5th Floor Commissioner's Conference Room. Written comments were accepted on or before June 27, 2018. No oral public comments were received. One written comment was received from Donna Nackers, Vice President of Reimbursement for the Georgia Health Care Association (GHCA) in support of this action.

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

Mark Trail MADE a MOTION to approve for final adoption Medical Assistance Plans, State Plan Amendment: Nursing Home Services Growth Allowance Rate Increase Public Notice. Allana Cummings SECONDED the MOTION. ON THE MOTION, the yeas were 8, nays 0, abstained 0, and the MOTION was APPROVED. (A copy of the Medical Assistance Plans, State Plan Amendment: Nursing Home Services Growth Allowance Rate Increase Public Notice is attached hereto and made an official part of these minutes as Attachment #4).

John Upchurch, Director of Medicaid Reimbursement presented to the Board for final adoption the Medical Assistance Plans, State Plan Amendment: Nursing Home Services General and Professional Liability Insurance Rate Increase Public Notice.

Currently, nursing facility provider rates are based on either FY 2012, 2013, or 2014 costs specific to each nursing facility and include a 6% growth allowance (which is proposed to increase to 10.3% in FY 2019). General and professional liability insurance is included in this cost. This proposal will move the cost for general and professional liability insurance to a new cost center and base that cost on FY 2018 results and is

projected to increase provider payments. For FY 2019, the General Assembly appropriated \$15,547,264 total funds (\$5,000,000 state funds) for this increase.

The rate will be effective on July 1, 2018, pending Centers for Medicare and Medicaid Services (CMS) approval.

An opportunity for public comment was held on June 20, 2018 at 3:30 p.m. at the Department of Community Health (2 Peachtree Street, N.W., Atlanta, Georgia 30303) in the 5th Floor Commissioner's Conference Room. Written comments were accepted on or before June 27, 2018. No oral public comments were received. One written comment was received from Donna Nackers, Vice President of Reimbursement for the Georgia Health Care Association (GHCA) in support of this action.

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

Allana Cummings MADE a MOTION to approve for final adoption the Medical Assistance Plans, State Plan Amendment: Nursing Home Services General and Professional Liability Insurance Rate Increase Public Notice. Russell Crutchfield SECONDED the MOTION. ON THE MOTION, the yeas were 8, nays 0, abstained 0, and the MOTION was APPROVED. (A copy of the Medical Assistance Plans, State Plan Amendment: Nursing Home Services General and Professional Liability Insurance Rate Increase Public Notice is attached hereto and made an official part of these minutes as Attachment #5).

John Upchurch, Director of Medicaid Reimbursement presented to the Board for final adoption the Medical Assistance Plans, Medicaid Hospital Triage Rate Increase Public Notice.

For FY 2019, the General Assembly appropriated \$5,572,578 total funds (\$1,792,141 state funds) for this increase. This proposal is to increase the triage rate from \$50 to \$70 for rural hospitals and from \$50 to \$60 for all other hospitals.

The "triage rate" is the rate paid to hospitals for emergency room visits for minor and non-acute illnesses which are not considered to be true or potential medical emergencies. A "rural hospital" as defined by the General Assembly for this action is a hospital in a Georgia county that has a population of less than 50,000 according to the United States decennial census of 2010, less any military personnel and their dependents.

The rate will be effective on July 1, 2018, pending Centers for Medicare and Medicaid Services (CMS) approval.

An opportunity for public comment was held on June 21, 2018 at 2:00 p.m. at the Department of Community Health (2 Peachtree Street, N.W., Atlanta, Georgia 30303) in the 5th Floor Commissioner's Conference Room. Written comments were accepted on

or before June 28, 2018. No oral public comments were received. One written comment was received from Jimmy Lewis, CEO of Hometown Health, LLC in support of this action.

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

Roger Folsom MADE a MOTION to approve for final adoption the Medical Assistance Plans, Medicaid Hospital Triage Rate Increase Public Notice. Russ Childers SECONDED the MOTION. ON THE MOTION, the yeas were 8, nays 0, abstained 0, and the MOTION was APPROVED. (A copy of the Medical Assistance Plans, Medicaid Hospital Triage Rate Increase Public Notice is attached hereto and made an official part of these minutes as Attachment #6).

John Upchurch, Director of Medicaid Reimbursement presented to the Board for final adoption the Medical Assistance Plans, Medicaid Dental Rate Increase Public Notice.

This proposed action will increase the Medicaid reimbursement for twenty (20) dental procedure codes by one percent. For FY 2019, the General Assembly appropriated \$1,446,070 total funds (\$465,056 state funds) for this increase.

The rate will be effective on July 1, 2018, pending Centers for Medicare and Medicaid Services (CMS) approval.

An opportunity for public comment was held on June 21, 2018 at 2:30 p.m. at the Department of Community Health (2 Peachtree Street, N.W., Atlanta, Georgia 30303) in the 5th Floor Commissioner's Conference Room. Written comments were accepted on or before June 28, 2018. No comments were received.

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

Kenneth Davis MADE a MOTION to approve for final adoption the Medical Assistance Plans, Medicaid Dental Rate Increase Public Notice. Allana Cummings SECONDED the MOTION. ON THE MOTION, the yeas were 8, nays 0, abstained 0, and the MOTION was APPROVED. (A copy of the Medical Assistance Plans, Medicaid Dental Rate Increase Public Notice is attached hereto and made an official part of these minutes as Attachment #7).

John Upchurch, Director of Medicaid Reimbursement presented to the Board for final adoption the Medical Assistance Plans, Medicaid Newborn Kick Payment for Rural Hospitals with a population of less than 35,000 Public Notice.

This proposed action will increase the add-on payment to hospitals in rural counties from \$750 for every newborn delivery to \$1,000 for every newborn delivery. For FY

2019, the General Assembly appropriated \$1,950,838 total funds (\$627,90 state funds) for this increase.

The rate will be effective on July 1, 2018, pending Centers for Medicare and Medicaid Services (CMS) approval.

A "rural hospital" as defined by the General Assembly for this action is a hospital in a Georgia county that has a population of less than 35,000 according to the United States decennial census of 2010, less any military personnel and their dependents.

An opportunity for public comment was held on June 21, 2018 at 3:00 p.m. at the Department of Community Health (2 Peachtree Street, N.W., Atlanta, Georgia 30303) in the 5th Floor Commissioner's Conference Room. Written comments were accepted on or before June 28, 2018. No oral comments were received. One written comment was received from Jimmy Lewis, CEO of Hometown Health, LLC. in support of this action.

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

Russ Childers MADE a MOTION to approve for final adoption the Medical Assistance Plans, Medicaid Newborn Kick Payment for Rural Hospitals with a population of less than 35,000 Public Notice. Mark Trail SECONDED the MOTION. ON THE MOTION, the yeas were 8, nays 0, abstained 0, and the MOTION was APPROVED. (A copy of the Medical Assistance Plans, Medicaid Newborn Kick Payment for Rural Hospitals with a population of less than 35,000 Public Notice is attached hereto and made an official part of these minutes as Attachment #8).

John Upchurch, Director of Medicaid Reimbursement presented to the Board for final adoption the Medical Assistance Plans, Personal Needs Allowance increase for Nursing Home Residents Public Notice.

This proposed action will increase the personal needs allowance for Medicaid recipients residing in nursing homes from \$50 per month to \$65 per month. For FY 2019, the General Assembly appropriated \$3,860,280 total funds (\$1,241,466 state funds) for this increase.

The rate will be effective on July 1, 2018, pending Centers for Medicare and Medicaid Services (CMS) approval.

An opportunity for public comment was held on June 20, 2018 at 4:00 p.m. at the Department of Community Health (2 Peachtree Street, N.W., Atlanta, Georgia 30303) in the 5th Floor Commissioner's Conference Room. Written comments were accepted on or before June 27, 2018. No oral public comments were received. One written comment was received from Melanie S. McNeil, State Long-Term Care Ombudsman in support of this action.

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

Allana Cummings MADE a MOTION to approve for final adoption the Medical Assistance Plans, Personal Needs Allowance increase for Nursing Home Residents Public Notice. Russell Crutchfield SECONDED the MOTION. ON THE MOTION, the yeas were 8, nays 0, abstained 0, and the MOTION was APPROVED. (A copy of the Medical Assistance Plans, Personal Needs Allowance increase for Nursing Home Residents Public Notice is attached hereto and made an official part of these minutes as Attachment #9).

Rachel L. King, Executive Director, Office of Health Planning presented to the Board for initial adoption the Amendment to Certificate of Need Rule 111-2-2-.01, Definitions Rule Change.

The Georgia Department of Community Health proposes to amend the Certificate of Need rules entitled "Definitions., Chapter § 111-2-2-.01". These changes are being proposed pursuant to the passage of HB769 in the 2018 General Assembly and the authority granted in O.C.G.A. § 31-6-21 and O.C.G.A. § 31-6-21.1.

The amendments include revisions to the definitions for rural and urban counties, the addition of a definition of a micro-hospital, and typographical corrections related to renumbering of definitions, effective December 1, 2018.

An opportunity for public comment will be held on August 28, 2018 at 10:00 a.m. at the Department of Community Health (2 Peachtree Street, N.W., Atlanta, Georgia 30303) in the 5th Floor Board Room. Written comments will be accepted on or before August 30, 2018.

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

Roger Folsom MADE a MOTION to approve for initial adoption the Amendment to Certificate of Need Rule 111-2-2-.01, Definitions Rule Change. Kenneth Davis SECONDED the MOTION. ON THE MOTION, the yeas were 8, nays 0, abstained 0, and the MOTION was APPROVED. (A copy of the Amendment to Certificate of Need Rule 111-2-2-.01, Definitions Rule Change is attached hereto and made an official part of these minutes as Attachment #10).

Rachel L. King, Executive Director, Office of Health Planning presented to the Board for initial adoption the Department of Community Health, Amendment to Certificate of Need Exemptions from Review., Chapter § 111-2-2-.03 Rule Change.

The Georgia Department of Community Health proposes to amend the Certificate of Need rules entitled "Exemptions from Review., Chapter § 111-2-2-.03." These changes are being proposed pursuant to the passage of HB769 in the 2018 General Assembly and the authority granted in O.C.G.A. § 31-6-21 and O.C.G.A. § 31-6-21.1.

The amendments include additional exemptions from Certificate of Need review for micro-hospitals and typographical corrections related to renumbering of exemptions, effective December 1, 2018.

An opportunity for public comment will be held on August 28, 2018 at 10:30 a.m. at the Department of Community Health (2 Peachtree Street, N.W., Atlanta, Georgia 30303) in the 5th Floor Board Room. Written comments will be accepted on or before August 30, 2018.

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

Mark Trail MADE a MOTION to approve for initial adoption the Department of Community Health, Amendment to Certificate of Need Exemptions from Review., Chapter § 111-2-2-.03 Rule Change. Russell Crutchfield SECONDED the MOTION. ON THE MOTION, the yeas were 8, nays 0, abstained 0, and the MOTION was APPROVED. (A copy of the Department of Community Health, Amendment to Certificate of Need Exemptions from Review., Chapter § 111-2-2-.03 Rule Change is attached hereto and made an official part of these minutes as Attachment #11).

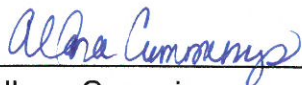
New Business/Closing Comments

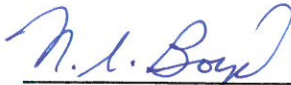
None to report.

Adjournment

There being no further business to be brought before the Board, Chairman Norman Boyd adjourned the meeting at 11:02 a.m.

THESE MINUTES ARE HEREBY APPROVED AND ADOPTED THIS THE 12th DAY OF July, 2018.


Allana Cummings
Secretary


Norman Boyd
Chairman

Official Attachments:

- #1 Agenda
- #2 List of Attendees

- #3 Medical Assistance Plans, The Georgia Pediatric Program (GAPP), increase Licensed Professional Nurses (LPN) and Registered Nurses (RN) rates
Public Notice
- #4 Medical Assistance Plans, State Plan Amendment: Nursing Home Services Growth Allowance Rate Increase Public Notice
- #5 Medical Assistance Plans, State Plan Amendment: Nursing Home Services General and Professional Liability Insurance Rate Increase Public Notice
- #6 Medical Assistance Plans, Medicaid Hospital Triage Rate Increase Public Notice
- #7 Medical Assistance Plans, Medicaid Dental Rate Increase Public Notice
- #8 Medical Assistance Plans, Medicaid Newborn Kick Payment for Rural Hospitals with a population of less than 35,000 Public Notice
- #9 Medical Assistance Plans, Personal Needs Allowance increase for Nursing Home Residents Public Notice
- #10 Amendment to Certificate of Need Rule 111-2-2-.01, Definitions Rule Change
- #11 Amendment to Certificate of Need Exemptions from Review., Chapter § 111-2-2-.03 Rule Change