

Board of Community Health
Meeting
June 14, 2018

Members Present

Norman Boyd
Roger Folsom
Russell Crutchfield
Russ Childers
Kenneth Davis
Mark Trail

Members Absent

Allana Cummings
Anthony Williamson

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 10:32 a.m.

Minutes

The Minutes of the April 12, 2018 meeting were unanimously approved.

Opening Comments

None to report.

Committee Reports

Audit Committee Chairman, Norman Boyd shared the following topics of discussion from the meeting:

- Audit findings:
 - No material findings.
 - Review of internal controls.
 - Coordination within Medicaid regarding various vendors.
 - IT risk management.

Committee members in attendance: Norman Boyd, Russell Crutchfield, Russ Childers and Mark Trail.

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 meetings and events:
 - “Coffee with the Commissioner” and State Office of Rural Health (SORH) Board meeting in Cordele.
 - Georgia Healthcare Association (GHCA) Conference on Amelia Island.
 - Significant partner serving individuals across the state.
 - Agreed to work together to determine quality outcomes and work in a partnership.

Brandy Sylvan, Director of Public Affairs presented to the Board 2018 Legislative Session updates passed by the Georgia General Assembly that will have an impact on the Department. The legislative overview included HB 635, HB 769, HB 790, HB 909, SB 118, SB 370, SB 406, SB 407, SB 444, HR 1292, SR 506 and SR 1063. The Office of Public Affairs will continue to work with division chiefs and subject matter experts to ensure departmental implementation of these bills in accordance with the legislative requirements. (A copy of the 2018 Legislative Session Update is attached hereto and made an official part of these minutes as Attachment #3).

Rachel L. King, Executive Director, Office of Health Planning presented to the Board for initial adoption the Amendment to Certificate of Need for Home Health Services Rule Change.

The amendment includes an additional exception from the numeric need analysis considerations for new or expanded home health services which are operated as part of a long-term care case management network as well as the inclusion of definitions for new terms associated with the exception.

An opportunity for public comment will be held on July 17, 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 July 20, 2018.

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

Russell Crutchfield MADE a MOTION to approve for initial adoption the Amendment to Certificate of Need for Home Health Services Rule Change. Roger Folsom SECONDED the MOTION. ON THE MOTION, the yeas were 6, nays 0, abstained 0, and the MOTION was APPROVED. (A copy of the Amendment to Certificate of Need for Home Health Services Rule Change is attached hereto and made an official part of these minutes as Attachment #4).

Joseph Hood, Deputy Commissioner presented to the Board for initial adoption the Public Notice for Medical Assistance Plans, Estate Recovery: Commissioner may waive the first \$25,000 of an estate pursuant to Senate Bill 370.

The rate will be effective on July 1, 2018, upon final Board and Centers for Medicare and Medicaid Services (CMS) approval, pursuant to Senate Bill 370 (SB 370), the Department proposes to allow the Commissioner to waive the first \$25,000 of an estate.

This proposed change is estimated to reduce estate recoveries as follows:

	Annual Recovery
SFY 2017 Recoveries (Actual)	\$ 4,084,082
SFY 2017 Recoveries (Under Proposal)	\$ 3,455,977
Reduction (Total Dollars)	\$ 628,105
Reduction (Percent of Recoveries)	15%

Federal and State law require the State to recover up to the amount of medical assistance paid on behalf of a member from the member's estate upon their death. The Department's Rules and Regulations mirror the federal and state requirements.

SB 370 amends Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated. Under current Department of Community Health policy, the Department does not recover from estates valued under \$25,000, but does recover from estates valued over \$25,000.

For example, under current policy an estate that is valued at \$30,000 could be recovered in its entirety, while an estate valued at \$25,000 would not be recovered. This example assumes Medicaid is owed \$30,000 or more, and Medicaid only seeks the amount owed.

To determine the fiscal impact of the proposed legislation, the Department used the previous year's recoveries to determine the overall impact of the bill. This proposal will reduce the amount of recoveries by 15%. This proposal will impact 36% of recovery cases. Because the level of recoveries can vary each year, the actual amount of impact per year cannot readily be determined. The actual fiscal impact could range between \$400,000 to \$1,000,000 per year.

An opportunity for public comment will be held on June 20, 2018 at 1:30 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 will be accepted on or before July 16, 2018.

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

Roger Folsom MADE a MOTION to approve for initial adoption the Medical Assistance Plans, Estate Recovery: Commissioner may waive the first \$25,000 of an estate

pursuant to Senate Bill 370 Public Notice. Mark Trail SECONDED the MOTION. ON THE MOTION, the yeas were 6, nays 0, abstained 0, and the MOTION was APPROVED. (A copy of the Medical Assistance Plans, Estate Recovery: Commissioner may waive the first \$25,000 of an estate pursuant to Senate Bill 370 Public Notice is attached hereto and made an official part of these minutes as Attachment #5).

Brian Dowd, Assistant Chief, Medicaid presented to the Board for initial adoption the Public Notice for Medical Assistance Plans, Waiver Amendment: Elderly and Disabled (E&D) Waivers, increase Adult Day Health Center Rates and increase Alternative Living Service Providers Rates.

Pending Centers for Medicare and Medicaid Services (CMS) approval, the Department of Community Health (DCH) proposes a waiver amendment to increase rates for Alternative Living Services and Adult Day Health in the Elderly and Disabled (E&D) Waiver, effective July 1, 2018. The Elderly and Disabled (E&D) Waiver consists of the Community Care Service Program (CCSP) and the Service Options Using Resources in a Community Environment Program (SOURCE).

The Department estimates that the total cost of the proposal for SFY 2019 would be \$13,040,193 (\$8,846,467 Federal Funds; \$4,193,726 State Funds). These rates were authorized and funded by the Georgia Legislature. The only changes to be made in the E&D Waiver Amendment submitted to CMS will be these rate changes.

SFY 2019	State Cost	Federal Cost	Total Cost
Alternative Living Services	\$3,740,277	\$7,889,937	\$11,630,214
Adult Day Health	\$453,449	\$956,530	\$1,409,979
Total Cost	\$4,193,726	\$8,846,467	\$13,040,193

Increase service rates for Alternative Living Services. Alternative Living Services include personal care services and are provided in a residential group or family model setting, as indicated in part of the member's individualized plan of treatment.

Procedure Code	Alternative Living Services	Unit	Current Rate	Proposed Rate
T1020/HQ	Group	Per diem	\$37.38	\$50.00

T1020/TT	Family Model	Per diem	\$37.38	\$50.00
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Increase service rates for Adult Day Health. Adult Day Health services are based on a group model with rates based on levels of care and acuity.

Procedure Code	Adult Day Health	Unit	Current Rate	Proposed Rate
S5101	Partial Day Level 1	Per diem	\$31.78	\$33.37
S5102	Full Day Level 1	Per diem	\$52.97	\$55.62
S5101/TF	Partial Day Level 2	Per diem	\$39.74	\$41.73
S5102/TF	Full Day Level 2	Per diem	\$66.22	\$69.53

An opportunity for public comment will be held on June 20, 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 will be accepted on or before July 16, 2018.

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

Russ Childers MADE a MOTION to approve for initial adoption the Medical Assistance Plans, Waiver Amendment: Elderly and Disabled (E&D) Waivers, increase Adult Day Health Center Rates and increase Alternative Living Service Providers Rates Public Notice. Kenneth Davis SECONDED the MOTION. ON THE MOTION, the yeas were 6, nays 0, abstained 0, and the MOTION was APPROVED. (A copy of the Medical Assistance Plans, Waiver Amendment: Elderly and Disabled (E&D) Waivers, increase Adult Day Health Center Rates and increase Alternative Living Service Providers Rates Public Notice is attached hereto and made an official part of these minutes as Attachment #6).

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

The rate will be effective on July 1, 2018, upon Final Board approval, the Department proposes to increase reimbursement rates for pediatric in-home skilled nursing services.

This proposed reimbursement rate change is estimated to increase expenditures as follows:

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 will be 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 will be accepted on or before June 28, 2018.

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

Mark Trail MADE a MOTION to approve for initial adoption the Medical Assistance Plans, The Georgia Pediatric Program (GAPP), increase Licensed Professional Nurses (LPN) and Registered Nurses (RN) rates Public Notice. Russell Crutchfield SECONDED the MOTION. ON THE MOTION, the yeas were 5, nays 0, abstained 1, 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 #7).

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

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. Effective on July 1, 2018, and pending Centers for Medicare and Medicaid Services (CMS) approval.

An opportunity for public comment will be 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 will be accepted on or before June 27, 2018.

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

Roger Folsom MADE a MOTION to approve for initial adoption Medical Assistance Plans, State Plan Amendment: Nursing Home Services Growth Allowance Rate Increase Public Notice. Kenneth Davis SECONDED the MOTION. ON THE MOTION, the yeas were 6, 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 #8).

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

Currently, nursing facility provider rates are based on either FY 2012, 2013, or 2014 cost 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 will be 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 will be accepted on or before June 27, 2018.

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

Russell Crutchfield MADE a MOTION to approve for initial adoption the Medical Assistance Plans, State Plan Amendment: Nursing Home Services General and Professional Liability Insurance Rate Increase Public Notice. Roger Folsom SECONDED the MOTION. ON THE MOTION, the yeas were 6, 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 #9).

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

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 will be 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 will be accepted on or before June 28, 2018.

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

Mark Trail MADE a MOTION to approve for initial adoption the Medical Assistance Plans, Medicaid Hospital Triage Rate Increase Public Notice. Kenneth Davis SECONDED the MOTION. ON THE MOTION, the yeas were 6, 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 #10).

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

This proposed action will increase the Medicaid reimbursement for 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; not subject to Centers for Medicare and Medicaid Services (CMS) approval.

An opportunity for public comment will be 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 will be accepted on or before June 28, 2018.

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

Roger Folsom MADE a MOTION to approve for initial adoption the Medical Assistance Plans, Medicaid Dental Rate Increase Public Notice. Russ Childers SECONDED the MOTION. ON THE MOTION, the yeas were 6, 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 #11).

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

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 (\$627,390 state funds) for this increase.

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.

Board member Mark Trail commented that the Department should monitor this action to ensure that it does not create a disincentive for rural hospitals to transfer high-risk cases to a more appropriate setting where warranted.

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

An opportunity for public comment will be 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 will be accepted on or before June 28, 2018.

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

Roger Folsom MADE a MOTION to approve for initial 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 6, 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 #12).

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

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 will be 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 will be accepted on or before June 27, 2018.

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

Russ Childers MADE a MOTION to approve for initial 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 6, 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 #13).

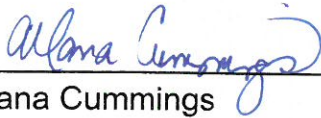
New Business/Closing Comments

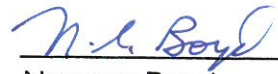
None to report.

Adjournment

There being no further business to be brought before the Board, Chairman Norman Boyd adjourned the meeting at 11:18 a.m.

THESE MINUTES ARE HEREBY APPROVED AND ADOPTED THIS THE 14th DAY OF June, 2018.


Allana Cummings
Secretary
Official Attachments:


Norman Boyd
Chairman

- #1 Agenda
- #2 List of Attendees
- #3 2018 Legislative Session Update
- #4 Amendment to Certificate of Need for Home Health Services Rule Change
- #5 Medical Assistance Plans, Estate Recovery: Commissioner may waive the first \$25,000 of an estate pursuant to Senate Bill 370 Public Notice
- #6 Medical Assistance Plans, Waiver Amendment: Elderly and Disabled (E&D) Waivers, increase Adult Day Health Center Rates and increase Alternative Living Service Providers Rates Public Notice
- #7 Medical Assistance Plans, The Georgia Pediatric Program (GAPP), increase Licensed Professional Nurses (LPN) and Registered Nurses (RN) rates Public Notice
- #8 Medical Assistance Plans, State Plan Amendment: Nursing Home Services Growth Allowance Rate Increase Public Notice
- #9 Medical Assistance Plans, State Plan Amendment: Nursing Home Services General and Professional Liability Insurance Rate Increase Public Notice
- #10 Medical Assistance Plans, Medicaid Hospital Triage Rate Increase Public Notice
- #11 Medical Assistance Plans, Medicaid Dental Rate Increase Public Notice
- #12 Medical Assistance Plans, Medicaid Newborn Kick Payment for Rural Hospitals with a population of less than 35,000 Public Notice
- #13 Medical Assistance Plans, Personal Needs Allowance increase for Nursing Home Residents Public Notice