

FACHSA Mid-Year Workshop

2015 Legislative Update

February 13, 2015

Susan Harbin, Legislative Advocate
Florida Association of Counties



FAC: Health and Human Services Carryover Issues - Overview

Healthcare

- Baker Act
- Emergency Medical Services
- Graduate Medical Education
- Statewide Medicaid Managed Care Program
- Trauma Care System

Human Services

- Community Care for the Elderly
- Open Water Life Guards
- Recovery Residences

FAC: Health and Human Services

New / Revised Items - Overview

Healthcare

- *Revised Behavioral Health System
- *Revised County Health Departments (CHDs)
- * Revised County Share of Cost for Medicaid Services
- * Revised Low Income Pool / IGT Distribution
- *New Healthcare Expansion

Human Services

- *Revised Healthy Start and Healthy Families
- *Revised Smoking Regulation
- *Revised Homelessness
- *New Veterans
- *Revised Transportation Disadvantaged (TD)

FAC: Health and Human Services Priorities

1. County Share of Cost for Medicaid Services
2. Low Income Pool (LIP)/Distribution of Intergovernmental Transfers (IGTs)
3. Homelessness
4. County Health Departments

HHS Priorities – Legislative Update

County Share of Cost for Medicaid Services

Policy Statement:

SUPPORT continued evaluation of the county-state Medicaid cost-share arrangement, taking into consideration the impacts of state policies designed to contain growth in Medicaid costs, including statewide Medicaid managed care and diagnosis related group reimbursement for hospitals. Additionally, consider possible alternatives to the current arrangement, including but not limited to:

- Alternative financing mechanisms;
- Targeted local investment of the statutory county Medicaid contribution;
- Allocation of **state** funds to reduce the cost-shift created by the implementation of an enrollment-based formula; and
- Elimination of the unfunded mandate.

SUPPORT establishing a cap on growth in the individual county Medicaid costs under s. 409.915, F.S. to address the anticipated cost shifts that result from the transition to a Medicaid enrollee based cost-sharing system.

OPPOSE efforts to further shift state Medicaid costs to counties.

HHS Priorities – Legislative Update

County Share of Cost for Medicaid Services

Legislative Update:

- Concepts on the table: 3, 4, or 5 percent cap on annual growth
 - Total county contribution growth: approximately 2.6%
 - Total state share of Medicaid expenditures growth: 5.2%
- Issue will likely be addressed in budget process
 - House and Senate are beginning budget development processes
 - Allocations have not yet been issued to subcommittees
- Discussions with appropriate members and staff are ongoing
- Keep it on your delegation's radar!

HHS Priorities – Legislative Update

Low Income Pool/IGT Distribution

Policy Statement:

SUPPORT a system for distributing intergovernmental transfers (IGTs) that ensures donor counties are able to direct the federal matching dollars generated by their local IGT contributions to best meet the health care needs of their constituents, rather than having those dollars redistributed throughout the state.

OPPOSE the tiered hospital rate system for distributing IGTs as established in sec. 409.97(4), F.S.

HHS Priorities – Legislative Update

Low Income Pool/IGT Distribution

Legislative Update:

Two issues to address: 1) Tiered Hospital Rate Distribution; 2) Future of the Low Income Pool (LIP)

Tiering Formula

- Concerns:
 - Redistribution of federal Medicaid match dollars
 - Removal of incentive to contribute IGTs at historical levels (particularly for LIP-6 contributors)
- Governor's proposed Medicaid conforming bill repeals the tiered hospital rate system altogether; FAC supports this
- Expect House and Senate to follow suit

HHS Priorities – Legislative Update

Low Income Pool/IGT Distribution

Legislative Update:

Future of Low Income Pool (LIP)

- Concerns:
 - LIP set to expire on June 30, 2015.
 - Federal CMS indicated its desire to reduce or eliminate Florida's dependence on the IGT funded hospital rates and payments that are allocated by the LIP program.
 - Loss of a \$2.1 billion dollar program! (FY 13-14)
 - Without LIP or a similar program, replacement revenues are needed.
- Governor's budget does include LIP funds; however, this is subject to federal approval and action.
- AHCA and other stakeholders remain confident that CMS will authorize some type of supplemental hospital funding program; however, changes to LIP are likely inevitable.
- Bottom line: it's game of political chicken!

HHS Priorities – Legislative Update

Homelessness

Policy Statement:

SUPPORT developing a dedicated state funding source for homeless programs.

SUPPORT legislation that streamlines current state statutes relating to homelessness and associated programs, including the funding allocation and appropriation processes.

SUPPORT the implementation of discharge protocols and/or procedures for hospitals, correctional facilities, and mental health facilities when releasing homeless persons.

SUPPORT the development of strategies that would allow local governments to work with the state and federal government to serve target populations: the chronically homeless, veterans, and families and children, with particular emphasis on children aging out of the foster care system.

SUPPORT continued coordination with the state's homeless planning council, specifically as it develops policies in support of the new Federal Strategic Plan to End Homelessness.

SUPPORT efforts to extend tax credits to businesses that employ the homeless.

SUPPORT creation of a public records exemption for individual identifying information entered into the Homeless Management Information System

SUPPORT creation of a public records exemption for individual identifying information entered into the Homeless Management Information System

HHS Priorities – Legislative Update

Homelessness

Legislative Update:

HB 379 (Rep. Peters) – Local Housing Distributions

- Provides for dedicated funding
- Four percent off the top of the total amount distributed into the Local Government Housing Trust Fund to:
 - DCF (95%), for the designated lead agencies
 - DEO (5%), for training and technical assistance

HB 545 (C. Latvala) & **SB 552** (Hays) – Public Records/Homelessness Surveys and Databases

- Creates public records exemption for individual identifying information of person contained in Point-In-Time Count & Survey or data in Homeless Management Information System

Additional homelessness/affordable housing legislation forthcoming

HHS Priorities – Legislative Update

County Health Departments

Policy Statement:

SUPPORT increasing state general revenue funding for CHDs, and **OPPOSE** any state reductions to the CHD Trust Funds. **SUPPORT** restoring funding reductions in operating support for CHDs. **SUPPORT** efforts to enable CHDs to transition to managed care under the Statewide Medicaid Managed Care Program without impacting service capacity. **SUPPORT** maintaining a coordinated system of CHDs that is centrally housed within the Department of Health (DOH). **SUPPORT** preserving the ability of CHDs to provide primary care and direct patient care services, particularly in communities without adequate substitutes or alternative providers for these services.

Legislative Update: budget issue

Public Safety – Legislative Update

Juvenile Detention

Policy Statement:

SUPPORT the state taking full responsibility for funding and operation of detention facilities serving juveniles, both for pre-disposition and post-disposition days. In the alternative, **SUPPORT** funding for the secure detention as upheld by Florida's courts.

SUPPORT allowing counties to pay actual costs on a monthly reimbursement basis.

SUPPORT initiatives which reduce juvenile detention through prevention, treatment, and rehabilitation services.

Public Safety – Legislative Update

Juvenile Detention

Legislative Update:

- During the 2014 Legislative Session, FAC made every effort to pass beneficial legislation to fix the fundamentally flawed cost-share system and to end the cycle of litigation.
- HB 5305 and SB 1532 put forth a simple streamlined solution that contemplated a 50/50 split of costs between the counties and the state; HB 5305 included a reimbursement schedule to counties for overpayments, SB 1532 did not.
- Legislation did not pass requiring DJJ to draft new rules dictating the method and ultimately the amount counties will pay for detention care.
- The proposed rules appear to shift an additional \$20 million in costs to counties from what DJJ billed in FY13-14.
- FAC and 27 counties challenged the proposed rules and currently await the Final Order, which we expect to be issued sometime in March.
- FAC staff continues to have discussions with House and Senate over a legislative solution; nothing agreed upon or filed yet.

FAC: HHS Legislative Update

Other Bills of Interest

HB 21 (Hager) & **SB 326** (Clemens) – Substance Abuse Services

- Directs DCF to create voluntary certification program for recovery residences/sober homes
- Inspections, background screening, referrals
- HB 21 has passed one committee; SB 326 will be heard next week

HB 79 (Cummings) & **SB 340** (Grimsley) – Crisis Stabilization Units

- Directs DCF to establish crisis stabilization services utilization database
- Does not change reimbursement model

HB 505 (Berman) & **SB 514** (Abruzzo) – Baker Act workgroup

- Goal is to provide recommendations to improve operational effectiveness

FAC: HHS Legislative Update

Other Bills of Interest

SB 834 (Joyner) – High Veteran Impact Counties

- Recently filed; no companion bill yet
- Pinellas County initiative

HB 681 (Trujillo) & **SB 516** (Bean/Garcia) – Health Insurance Coverage for Emergency Services

- Limits reimbursement to out-of-network emergency medical providers, including county EMS/ambulance transport
 - Force provider into contracts
 - Medicare allowable likely to be highest reimbursement
- Prohibits balance billing
- Statewide fiscal impact expected to be significant
- Not yet scheduled to be heard in committee

FAC: HHS Legislative Update Other Issues

Healthcare Expansion

Smoking Regulation

Transportation Disadvantaged

Various Funding Issues

Questions



(850) 922-4300

www.fl-counties.com

facebook.com/flcounties

Twitter: @flcounties

