

Florida Association of Counties Human Service Administrators
(FACHSA) Annual Meeting
Wednesday June 20, 2012
Orlando Florida

Attendees:

Florida Association of Counties: Heather Wildermuth

Alachua: Yul Anderson, Candie Nixon, Lanard Perry, Elmira Warren

Brevard: Ian Golden

Broward: Teresa Anderson, Michael Elwell

Charlotte: Victoria Carpenter

Citrus: Cathy Pearson, Cathy Taylor

Clay: Marion Hinson

Escambia: Marilyn Wesley

Lake: Dottie Keedy, Allison Thall

Lee: Ann Arnall

Manatee: Brenda Rogers

Marion: Cheryl Amey

Osceola: Celestia McCloud

Palm Beach: Claudia Tuck

Pinellas: Clark Scott

Polk: Kevin Almestia, Wilma Daniels, Jan Howell

Sarasota: Nancy DeLoach, Pauline Tracy

St. Lucie: Stefanie Myers, Beth Ryder

Volusia: Pat James

Guest: Jean Rags

Guest: Kim Barnhill

President Pauline Tracy called the meeting to order at 10:00 a.m. Introductions were made of all members present.

Pauline provided an overview of a meeting this morning with Representative Hudson to discuss the decentralization of County Health Departments. Representative Hudson indicated that he does not intend to reintroduce the bill next session and plans to have ongoing dialogue with County officials on this topic. It was noted that FACHSA previously held joint meetings with Public Health Officers. Kim Barnhill indicated they have a limited travel budget but could try to coordinate one meeting a year.

Heather reported on the Department of Health reorganization bill and the amendment. Representative Hudson is open to ideas on how to better utilize Health Departments. HB1263 proposed the decentralization of Health Departments which transferred responsibility to Counties. Health

Departments are County/State collaborations with core contracts issued to each County that indicate the amount of resources and services provided. All Public Health Officers under the current infrastructure receive state-wide information which provides valuable resources. There was concern that if the responsibility shifted to the Counties that the statewide resources would be eliminated and that Counties would have to provide additional funding to operate Health Departments. Decentralization can foster programs to meet local needs, but would keep some services centralized such as vital statistics, etc.

There have been many staffing changes at the Department of Health in Tallahassee. Change is bringing about opportunity to move in the right direction related to public health. Dialogue has increased about public health in local communities. There is the possibility that someone other than Representative Hudson may reintroduce the decentralization bill during the next session or in a subsequent session. The impact of changes in the Department of Health should be relayed to Heather Wildermuth or Kim Barnhill so that they can keep stay abreast of what is going on.

Medicaid access to the FLORIDA system and the associated costs are a concern for Counties. It was not previously communicated that Counties would have to pay for access and many different one time and ongoing fees have been quoted for licensing and the emulator. Bruce Belrose notified Heather that the FLORIDA system access will not be up and running for 45 days as the code has not been written. www.jollygiant.com/qws3270-secure is an emulator that some Counties are using.

Lexis Nexis is a database that can help verify identity and residency based on data pulled for multiple sources of public records. A user searches by social security number or name which brings up information on an individual such as last known addresses, etc. It is still uncertain if the State will accept the Lexis Nexis data as proof of residency since the Medicaid law states that the address in the FLORIDA system is where they consider the person residing. Lexis Nexis can run a routine of the Medicaid billing against their data and provide a report on exceptions. In Alachua County they verified the FLORIDA system information on a few clients and found that the addresses are out of date. The Department of Children and Families stated that they only update records on addresses once a year.

Medicaid litigation was filed by FAC on May 11, 2012. 55 Counties have joined the lawsuit with a few more still in the process of doing so. The State is supposed to respond to the suit by July 2 but most likely will ask for an extension. The lawsuit was filed on the basis of two violations related to Article 7 which requires a 2/3 majority vote to withhold a County's sales tax revenue and to pass a mandate. The third item is the constitutionality of the statute of limitations for claims prior to 2008.

The Medicaid rulemaking workshop was held in Tallahassee on June 1, 2012. Efforts of all who attended and provided written comments were appreciated. Several Counties testified and many submitted written comments. All 67 Counties were represented. Counties asked for an extension of advanced refund request beyond the November sunset and that the retrospective payments go back only to 2008. Counties also asked for a monthly payment plan for retrospective payments rather than a lump sum and that a source other than sales tax revenue be considered. There was also discussion about establishing

a disputable definition of residency. Letters have been posted on the FACmedicaid.com website.

Karen Zeiler from the Agency for Health Care Administration (AHCA) will speak at the annual business meeting on Thursday at 4 p.m. and may be revealing the newest draft version of the rule. AHCA's original plan was to publish the proposed rule in the Florida Administrative Weekly on June 22.

FAC has been in conversation with Governor's office, state staff, etc. to figure out a better way to proceed with the Medicaid billing process in the future. There have been several prior workgroups on this issue. One suggestion is to develop a formula methodology and evaluate how that would impact Counties. It would most likely not be equitable for all Counties when compared to the amounts currently being paid. Medicaid liability passed on to Counties is in effect in approximately 22 States and all calculate the County contribution differently. This affiliate needs to stay ahead of the curve and have an active workgroup to address this issue and make sure we hold the Governor to his commitment that Counties should not be required to pay bills they do not owe. Staff members from both the House and Senate are expressing concern regarding how AHCA is implementing the bill, but AHCA is working in conjunction with the Governor's office for direction on interpreting and implementing the law in attempt to lessen the impact to Counties.

AHCA released the April Medicaid statistics which showed \$16.2 million billed to Counties, \$10.7 million paid by Counties, and \$4 million to be withheld by the Department of Revenue. The average advanced refund request of the total amount billed was 13%. The report is in FAC's News and Notes. Orange and Liberty County did not do an Advanced Refund Request. Counties agree that the AHCA data quality is getting better. Some addresses that previously did not appear are now available for review. Everyone agreed that the FAC Medicaid website has been very useful for Counties.

All versions of the Medicaid handbooks issued by AHCA have been collected along with memos that clarified issues such as County liability for children under 7 years old, etc. AHCA is supposed to issue receipts to each County so that billed and paid amounts can be reconciled. Discussion took place on how the handbooks and memos issued by AHCA will impact the legal interpretation of the rule. It was helpful that several Legislative delegation members attended the County meetings and are better educated on the Medicaid issue. The issue related to how Counties will account for backlog liability was discussed and how this may impact bond ratings, fund balances, audits, etc.

There was a suggestion that the affiliate discuss Florida Medicaid Managed Care reform and how it may impact what Counties will pay for Medicaid in the future. Managed Care/HMO billings have been discussed with AHCA. Some pilot Counties are already involved in the reform. The reform law dictates that States which require Counties to contribute to the share of cost for Medicaid services cannot pass on a greater amount than what Counties were paying as of December 2009. This mandate will create a separate billing practice for new Medicaid enrollees.

The HCRA presentation made by Karin Boatright during the February FACHSA workshop was discussed. She was going to research the directive Counties received that stated if a hospital certifies certain

information on an application that Counties are not allowed to request additional documentation along with some other eligibility issues. FACHSA members did not recall getting any clarification. Pauline Tracy said she would check to see if anything was received from Ms. Boatright.

County Health Departments have experienced a 40% reduction in State funding and are having to make efficiency related changes to programs and services.

Lexis Nexis representatives Mike Byrd and Chris Mauldin joined the meeting to provide an overview of their services. Lexis Nexis is the owner of largest public record database in World. Thirty billion records are in system and are used to help reduce fraud. The database has been used by some Counties to verify residency primarily related to Medicaid liability. This database can be used to help determine if people on retrospective billing lived in a specific County when Medicaid benefits were provided. The databases such as Accurint and Smartlinks take information from public records in the State of Florida and make associations between identities and commonalities. Lexis Nexis is talking to Pinellas County and will assist with reviewing the Medicaid backlog to develop a simple process which will compare records to see if the person indeed resided in Pinellas County. Concern was expressed if AHCA will accept Lexis Nexis data as proof of residency based on the Statute, which states the FLORIDA system will be the method used by AHCA.

Lexis Nexis is on the Florida Master Service Agreement list which enables County Procurement Offices to piggy-back on that agreement. The State of Florida uses the database for fraud prevention purposes so this may help convince the State that Lexis Nexis should be an acceptable source of information to determine residency. The system cost depends on output required from Lexis Nexis such as cell phone number, addresses, etc. Lexis Nexis hopes to develop a consistent format that can be used by all Counties. Marion County has been talking with them as well and indicated that the product pricing was reasonable. Some applications include Georgia using the system to identify relatives of children in Foster Care. Palm Beach County uses the database to identify relatives of potential indigent burial clients which has reduced their liability. The cost associated with records they access is \$50 per month.

Lisa Hurley is the new FAC employee assigned to Public Safety and provided an update on the issues related to detention billings. The Department of Juvenile Justice (DJJ) is still in process of putting together a rewrite workgroup with Secretary Waters. They plan to conduct a thorough analysis of how they can do things better and provide recommendations for consideration during the upcoming Legislative session. The Secretary's original intent was to have recommendations by August however there are many major issues that need to be addressed, so that deadline will not be met unless meetings take place in the next few weeks. DJJ wants the workgroup to be as inclusive as possible and people can sign up for subcommittees on the DJJ website.

The Legislation that passed two years ago which allowed Counties to opt out of DJJ system is forcing conversation. A big issue is the cost shift to for Counties who do not opt out. They are experiencing increased bills as the DJJ detention expenditures are not reduced proportionately to the amount of lost revenue for detention days. The workgroup will address probation issues and alternatives to secure

detention (such as respite beds). More discretion to use electronic monitoring in lieu of secure detention will most likely be considered as an alternative. Automated calling to remind youth and parents of upcoming court date, etc. to reduce failure to appear and subsequent warrants for arrest is also being discussed. Broward, Duval, Palm Beach, and Hillsborough are pilot Counties. Cook County Chicago is being considered as a model site and the pilot Counties are visiting there with the DJJ Secretary. Cook County has experienced a huge cost savings but it is a County run system.

Business Meeting

Minutes of the February 24, 2012 FACHSA Business meeting and the April 27, 2012 Medicaid Conference call were distributed electronically. Motions were made, seconded, and passed to approve both sets of minutes. Ann Arnall reminded members to sign in and update the FACHSA roster.

The Treasurer's report was distributed and reviewed by Elmira Warren. Motion was made, seconded and passed to approve the Treasurer's report showing a \$14,513.35 balance as of June 20, 2012. Bills need to be submitted for a few items such as the list serve that were not included in this report.

Victoria Carpenter presented the slate of officers prepared by the nominating committee.

Claudia Tuck - Palm Beach County - President

Ann Arnall - Lee County – President- Elect

Cathy Pearson - Citrus County - Treasurer

Lanard Perry - Alachua County -Secretary

Request was made for nominations from the floor with no response. Motion to approve slate of officers was made, seconded and passed.

Claudia presented an update on the State-wide Homeless Policy Council. The 2012 Council on Homelessness Report issued by the State was distributed. The State is trying to align programs with the Federal initiatives to end homelessness. This year the Challenge Grant was not funded. Both the HHAG and Homeless Grant in Aid have not been funded for a few years. State money supporting homeless coalitions was slated to be discontinued during the Legislative session. At the last minute \$2 million was allocated to the Brevard County United Way to be distributed to Homeless Coalitions throughout the State. This amount will provide up to a maximum of \$66,667 for each Coalition, which is a substantial increase over the \$12,000 per year that Coalitions were receiving. It is not clear what restrictions may be placed on this money, however DCF stated that all money will be used to support the homeless coalitions and possibly the Continuum of Care. This initiative was funded with discretionary money and it is unclear if the funds will recur next year.

Concern has been expressed in many communities across the nation regarding how public housing authorities are working with homeless entities. There used to be a HUD mandate for a certain number of units to be set aside for homeless but that was lifted many years ago. Many Counties are trying to reengage public housing agencies to work more closely with homeless service providers. It has been

recommended that the Florida Association representing Public Housing Authorities (PHA) have a seat on the Statewide Homeless Policy Council. Gail Monahan who is the Director of the Alachua County PHA stressed that a strong partnership be established to affect the PHA policies related to homeless and HUD funding. Housing Authorities submit annual plans and homeless groups should become involved in those plans at the local level.

A question was asked how the Federally Qualified Health Center's (FHQC) work with Health Care for the Homeless in communities. Pinellas has mobile health clinic that provides health care for the homeless. Several Palm Beach County Health Department Clinics are FQHC's and they are the Health Care for the Homeless providers. HUD VASH vouchers in St. Lucie County are not being entered in HMIS and concern was raised if this would negatively impact the Homeless Continuum of Care (COC). It needs to be researched to see if this is a HUD COC requirement.

The annual FACHSA County survey was discussed. 31 responses were received to date. The survey is conducted by the President-Elect who wants to ensure that the information is meaningful and useful for members. Survey responses were handed out for each County. An electronic version will be distributed to all members. The survey committee is comprised of Nancy from Sarasota, Candie from Alachua, Ann from Lee County, and Claudia from Palm Beach County. The survey is most often used to look at what services are provided by other Counties and to compare services and expenditures to surrounding Counties or those with similar demographics. Nancy passed out a draft analysis for review and consideration. The analysis looked at ten items and how many responding Counties provide that service, average expenditure, average expenditure per capita, etc. It also noted how many respondents have special taxing districts. A special taxing district for transit exists in St. Lucie County and two other Counties have "other" special taxing districts.

The survey is sent to both Human Service and Budget Departments in each County. A suggestion was made to copy the County Manager as well. The budget service personnel in Citrus County noted that the referenced Statute numbers were very helpful. Attendees from Osceola, Pinellas and Brevard Counties indicated they will complete the survey. The survey will be posted on the website and we can try to develop a method to allow Counties to respond electronically. For next year we need to review descriptions of services again for clarity and make sure we address how to account for non general fund dollars such as special taxing districts. The target mail out should be the end of the calendar year with a response deadline of January 31, 2013.

Upcoming FAC meetings are as follows:

- FAC Policy Conference Sept 19 -21 in Pinellas County
- Legislative Conference November 28-30 in Sarasota County
- FACHSA Mid-Year meeting February 2013 in Orlando

Old Business

Marcie Krumbine previously with Collier County moved to Vermont and is the Assistant Director for Community Development. Susan Myers from Broward County moved to Portland Oregon.

Lanard Perry distributed a copy of the Annual Report of the Alachua County Department of Community Support Service.

Sarasota and other surrounding Counties won a NACO award for a Safe Rx program which provided education to medical providers.

Roundtable Discussion

Citrus is working with the Health Department which is a FQHC to expand services.

Volusia County's main focus has been the Medicaid changes.

Prescription cards were discussed and whether Counties are using the NACO card or other cards. Pasco and some other Counties such as Alachua either issued or are considering a Request for Proposals (RFP) to evaluate prescription discount cards. Coast to Coast offers a dental service discount on the card. There are also lab test and X-ray discounts offered with some cards. Some Counties have experienced delays with Coast to Coast's marketing of the card so penalty clauses may be necessary to make sure the marketing gets done in a specified period of time.

Polk County offers a health services program and they are working with a local hospital to identify creative health care solutions.

Pinellas County completed a strategic planning process countywide. Outcomes include delivering services in target areas and one stop centers, as well as increasing partnerships with local hospitals.

Brevard County is evaluating all programs as part of the budget process including housing programs that utilize CDBG and other Federal funds. They partnered with a local hospital to use available housing from the County as a step down unit for homeless being discharged from the hospital.

Clay County is concerned about the impact of the Medicaid bill and budget.

Manatee County has RFP out for jail medical services. They are also looking at changing support for indigent medical care since the existing fund will run out in 2016. A health care alliance was established in the County and they are working on a wellness initiative.

Charlotte County moved to a new Human Services building. Last year a two year budget was established, so this year they have proposed a flat budget with no cuts. Historically they posted the unpaid Medicaid bills as a contingent liability and set aside funds in an account. Ironically the account was swept and closed in October 2011 before retroactive liability was passed.

Charlotte County is still closing out recovery grants from Hurricane Charley which occurred in 2004. Money was put into developing shelter for displaced hurricane victims. Ongoing operating funds have been problematic. The County is looking to turn the facilities over to a not for profit organization. The Department's focus moved from eligibility to case management to assist people to rise out of poverty. The Department's policies were completely rewritten. This initiative has a big transition for staff who now offer wrap around services. Outreach is conducted to identify families interested in self-sufficiency.

Osceola County is working closely with homeless families and they are opening after hours health clinics to better serve working families.

St. Lucie County is now required to pay for probate related to indigent burials. It is optional for the Clerk of Court to charge the County a probate fee.

Lee County has increased collaboration with the local school district and not for profits to better identify and serve homeless families.

Palm Beach County's Homeless Resource Center will open June 25. They are contracting out operations and provision of services but the County will retain ownership of the facility. They are following the Miami Dade closely. Goodwill Industries will be the lead for the interim housing aspect of the center and will provide 60 beds for single adults up to 90 days. Employment and health services will be offered. They are following the Homeless Prevention and Rapid Rehousing concept. The budget is \$5 million/year.

Alachua County was asked to submit a 10% budget reduction model and is expecting cuts in funding and positions. They may have to cut in excess of the 10% budget model.

Sarasota County expects that the Commission will adopt a flat budget so cuts are not anticipated. They are developing a Ten Year Plan to End Homelessness and working to establish a South County Resource Center with CDBG dollars.

Meeting Adjourned at 3:10 p.m.