

Florida Association of Counties Human Service Administrators
FACHSA Mid-Year Workshop
February 24, 2012

Attendees:

Alachua: Yul Anderson, Candie Nixon Lanard Perry, Elmira Warren
Brevard: Stephanie Bryant, Cherronda Juitt
Charlotte: Victoria Carpenter, Deedra Dowling, Emily Lewis
Citrus: Amy Engelken, Cathy Pearson, Cathy Taylor
Clay: Marion Hinson, Joe Butler
Duval: Johnnetta Moore
Hernando: Veda Ramirez
Indian River: Brad Bernauer
Lake: Allison Thall
Lee: Ann Arnall
Manatee: Mary Pendleton-Brown, Brenda Rogers
Marion: Cheryl Amey, Vicki Hunter, Maria Vega
Orange: John Goodrich, Randy Lewis, Claudia Yabridy
Osceola: Celestia McCloud, Angela Sterling
Palm Beach: Dessie Caraccio, Claudia Tuck
Polk: Wilma Daniels
Sarasota: Anna Day, Pauline Tracy, Suniee Wood
St. Lucie: Stefanie Myers, Renee Scott
Volusia: Pat James, Diana Phillips

Welcome and Introductions

President Pauline Tracy called the meeting to order at 10:05 a.m. and welcomed attendees. Introductions of those in attendance were made. Pauline announced the annual FAC conference will be held the week of June 19-22, 2012 at the Orlando Marriott. Room reservations begin March 1, 2012. FACHSA will conduct meetings and workshops during the annual conference. More information can be found at http://www.fl-counties.com/Pages/Member_Services/Conferences/Annual_Conference.aspx

Legislative Update – Heather Wildermuth - Florida Association of Counties

Medicaid Share of Cost Senate conforming bill SB1988

County Medicaid contributions were discussed during the revenue estimating conference which subsequently resulted in the filing of Senate Bill 1988. The two components still in the bill that will have a major impact on Counties are the backlog amount which addresses disputed unclaimed bills back to 2001 and the method of payment which will no longer allow Counties to verify the validity of charges prior to authorizing payment. The numbers are broken down by the amounts “owed” for the past four years and the disputed amounts greater than 4 years. The proposed bill would require each County to

pay 85% of the backlog within 36 months of implementation. The State would deduct the "owed" amount from sales and cigarette tax revenues. No more than 50% of taxes due to the County will be taken each month which could result in backlog being paid over 5 years for some Counties. The actual amounts due to the State will be greater than what is currently projected as the figures only go through December 2011.

Future amounts due will be deducted from each County's sales tax revenue. The State will then send a detailed invoice which Counties can review after the fact and apply to the State for a refund. The bill does not give a timeframe for the State to address refunds but the Department of Revenue states it will be timely.

FAC is proposing to eliminate the billing process in favor of a formula methodology to assess each County a certain annual amount. This recommendation is based on the State's inability to fix the billing process which is flawed and requires a lot of resources at both the State and County level to administer. The Governor was receptive to this idea but wanted to establish criteria on formulas, growth, etc. It has been suggested that the past five year's payments from Counties be used as a basis to determine what percentage of the total cost is contributed by Counties. The growth factor could be linked to the amount of general revenue the State contributes to Medicaid.

John Wayne Smith has been talking about the Department of Juvenile Justice (DJJ) billing process which is another flawed system in how funds are assessed to each County. John Wayne is asking that over the next few years DJJ billings be phased out and Medicaid billing process would be changed and go to a formula assessment method that would be taken from sales tax revenue versus a direct billing method. There is not agreement from the House and Senate to put DJJ on the table at this time. There is much concern about the validity of the projected \$325 million of the backlog amount that the State is quoting. For 2008 alone, the State cannot breakout what Counties paid for Nursing Home or HMO related services. The State contends that Counties have not been paying the Medicaid bills because of the recession. FAC is arguing that this was more so due to the change in billing system and EDS.

FAC tried to make a run at changing the bill while on the floor yesterday in the Senate. A mandate bill requires 2/3 majority vote to pass. Senator Negrón assured everyone this would be a conference issue since the House has no similar proposal on the floor. A lot of the members who indicated they would vote no changed their position. An amendment was offered to change the proposed Senate Bill language and asked for a third party mediator to address disputed charges. The amendment was withdrawn. At this point SB 1988 remains intact as proposed, however a lot of attention has been brought to this issue. All Senators were given County by County information with the fiscal impact of this change. FAC remains committed to attack this in multiple ways and is aggressively working on this issue.

Members discussed the need for the \$325 million to be validated as most Counties feel the number is inflated based on duplicate bills. The spreadsheet showing estimated impact to Counties is less than what would the real impact would be since many Counties budget based on the amount paid versus

amount billed. Earlier this year, Senate staff called many Counties and asked how much was budgeted for Medicaid and then used this as an argument to state Counties were not paying bills. Just like with Health Care Responsibility Act (HCRA) many Counties do not budget the total liability but budget based on prior year expenditures with a factored in growth rate.

Discussion ensued as to ways to educate people on how Counties are required to contribute to Medicaid. The use of social media was suggested by Lanard Perry. Heather voiced concern that due to the rapidly changing nature of this issue it would be hard to have an impact at this point in time. Leonard talked about the unfairness issue of the State trying to require Counties to pay for expenses that are not their responsibility. Heather stated time is of the essence and it will be resolved in the next week. Budget conferencing will be over next weekend. Heather expressed that FACHSA members can help by have personal contact with members of the delegation to describe the impact to their County. Alachua County's situation is a good example that illustrates the issues related to the billing system. Some Commissions wrote letters or did Resolutions opposing this Senate Bill. Some small Counties have paid more than 100% of assessed charges in certain years but still supposedly have a backlog. Manatee County has cut several positions and has software to process bills, but the re-bill system has created additional cost to the County. The burden of proof will shift to the County and the State will have no motivation to process refunds. The proposed Senate bill does nothing to address the fundamental issues with the process it just shifts power to the State.

Health Department Reorganization HB 1263 and SB 1824

Representative Hudson's bill was in appropriations and an amendment was passed to take out the decentralization to assign Health Department's to Counties due to concerns about the impact this would have related to liability and additional costs Counties would incur. Many questions exist regarding Federal funds that are currently allocated to the State for programs such as Women Infants and Children (WIC) which are administered by County Health Departments. It is doubtful that the Federal government will want to establish funding relationships with 67 Counties for these programs. Representative Hudson understood these concerns and publicly committed to work on the issue this summer to better understand the ramifications. Senator Garcia's bill was supposed to be heard at the Government Oversight and Accountability committee but it was not. This companion bill did not include the decentralization. However, this bill does limit the Health Department's ability to deal only with communicable diseases. FAC is neither supporting nor opposing the bill.

Disposition of Human Remains HB 0625 and SB 0956

If the House Bill is not heard Monday in the Health and Human Service Committee it will be dead. The intent of the proposed changes is to clarify and update the current Statute.

Mental Health and Substance Abuse Funding

Senate reductions to mental health and substance abuse funding are large and this will be a conference issue. The House has not made any cuts to adult services and the only cuts proposed to children's services would impact unused beds. FAC has list of programs state-wide that will lose funding based on the Senate scoring methodology as the proposal intended to cut "under performing" providers. The

mechanism to assign scores to the providers was developed by Department of Children and Families (DCF) who admits the methodology was flawed.

Homeless Funding HB0531 and Senate Bill 1130

Allows people to voluntarily pay \$1 when renewing a driver's license. This passed the House and is waiting to be heard in the Senate. Neither the House nor the Senate proposed cuts to homeless programs. Funding for Homeless Coalition and Challenge grants was proposed for cuts in one chamber and was intact in the other.

Survey Update – Claudia Tuck

Claudia explained the process to complete the FACHSA survey and how the results are compiled and utilized. Any input or suggestions on how the survey can be more useful are welcome. Results were distributed to Counties who completed the survey. Often Counties use the survey to determine what services are commonly provided by other Counties. This year an attempt will be made to analyze the survey results. Surveys are sent to all Counties to respond whether they are members or not. Results are sent to responding Counties as well as posted to the FACHSA website.

Homeless Policy Council – Claudia Tuck

Claudia shared the 2011 Council on Homelessness Report

<http://www.dcf.state.fl.us/programs/homelessness/docs/2011CouncilReport.pdf>

The policy council is a DCF organized group that FACHSA has a seat on. The Council was Legislatively created in 2001 to develop policy and recommendations on how to reduce homelessness in Florida. This is a 17 member council of which 9 members represent State agencies, 4 members are gubernatorial appointments, and 4 represent state-wide agencies. The Council meets quarterly to review policy, gather data, and obtain public comment. They are currently conducting a survey which was sent to lead agencies by Tom Pierce to ask about the Continuum of Care process and focus the Council is taking. The State of Florida received an Emergency Solutions Grant (ESG) that will be distributed to non-entitlement communities which can be used for homeless prevention and rapid re-housing. The Council is in the process of updating the action plan and discussing whether the State of Florida should develop a Ten Year Plan to End Homelessness. Cheryl Amey from Marion County announced that the Florida Community Development Association's Annual Conference will take place the second week of July in Ocala. The Association is working with HUD to have sessions that focus on homeless issues related to the changes to ESG, definitions, etc.

Medicaid Reform- Vikki Carpenter

Deedra Dowling from Charlotte County provided an update on Medicaid Reform. The Government Program summaries were distributed which provide links to additional information related to Medicaid.

<http://www.oppaga.state.fl.us/profiles/5009/>

The 2012 Legislative session update was discussed outlining the differences between the House and the Senate which includes additional Kid Care slots that both chambers are supporting.

Essential Core Services- Elmira Warren

On February 16 Elmira Warren requested that Counties submit a list of the top five essential core services for County Health and Human Service Departments through the list serve. Twelve Counties responded and others were asked for input at today's meeting. This is a first step for us to develop a common list of core services which could in turn be used to develop a strategic plan. One thing learned was it is important for us to separate mandated from non mandated services. Elmira requested that we develop a core service subcommittee to work on this issue. Information gathered could be used to help Counties develop health and human service budgets.

Concerns about discrepancies from County to County were discussed in light of priorities, resources, and other funding sources available. Contracted services were discussed and how some Counties work collaboratively with the United Way such as Charlotte and Manatee County to fund not for profit organizations through shared funding or consolidated funding applications.

This topic should be approached by considering what safety nets are in place from the State and other funders and what gaps exist that Counties address. Additionally the list should be developed by considering if major cuts had to be made in each County what would be the most important business for each County to be in. Navigation of the system was seen as a critical component as things shift and citizens rely on County staff to supply information on services. The initial results in order of highest importance first are as follows: Health Care, Self Sufficiency, Homeless Services, Rent Assistance, and Housing. Sub-committee volunteers include: Candie Nixon - Alachua, Wilma Daniels - Polk, Cathy Pearson and Amy Engelken – Citrus, and Angela Sterling – Osceola.

Health Care Responsibility Act (HCRA)

An overview of HCRA was provided by Karin Boatwright Agency for Health Care Administration (AHCA) and the presentation distributed in the form of handouts. The handout includes the purpose of the program, covered services, roles of each respective entity, timeframes for processing applications, eligibility requirements, and reporting requirements. Eligibility is based on residency, income, and assets. AHCA has advised Counties that if they receive a complete application from a hospital or third party billing agent, that the County could not ask for additional verification. Karin advised that Counties can interview the applicant but that if they already have proof of residency that they could not ask for additional residency documents.

By Statute, Counties are responsible for determining eligibility based on information submitted by the hospital which can be verified by County staff. The email that directed Counties to not ask for additional information will be shared with Karin and she agreed to address some of the concerns about documentation and eligibility and provide clarification. If the application is submitted with complete documentation you can request an interview, however, a County cannot deny the person for not showing up for the appointment. If the County has discrepant information, they can request clarification from the applicant. An applicant's failure to provide the additional information can result in a denial. Emergency versus scheduled services were discussed. The universal billing code indicates whether treatment was for an emergency.

Long Term Care

Deedra Dowling presented in lieu of Bill Aycrigg. A presentation was handed out that details a study to review Florida's Medicaid proposal to Centers for Medicare/Medicaid Services that as of yesterday was denied. hpi.georgetown.edu/floridamedicaid/ppt/Forum%20slides.pptx

http://ahca.myflorida.com/Medicaid/statewide_mc/pdf/June_2011_Outreach_Presentation.pdf

The B Waiver was approved but the C Waiver is still under negotiation. Concerns were discussed about the presumed cost savings, choice of services, denial of benefits from general revenue if someone fails to enroll in a network, billing issues, managing the claim versus managing the care. Another report should be issued by OPPAGA soon. Florida is moving toward a system that has been implemented in many other States.

Roundtable Discussion

Attendees were given the opportunity to share information during the roundtable.

Budget issues were discussed and a common theme is that many Counties are approaching this as a revenue issue rather than an expense issue.

Hernando County is researching other avenues for DJJ Pre-disposition. Manatee County discussed the DJJ respite bed issue. Children in Need of Services (CINS)/Families in Need of Services (FINS) beds may be cut at the State level and the Counties may be asked to pick that up. This issue is being discussed by the Justice Appropriations committee.

Prescription discount cards were discussed and what means Counties are using and the results.

Indian River, St. Lucie and Martin County formed a HOME consortium.

St. Lucie County is using balance carry forward money to fund not for profits.

Osceola County privatized their library system.

Stimulus funding was used to build intermodal transit facility that they are trying to sell the naming rights to in order to generate revenue.

Increase in request for indigent burials was discussed.

SOAR trained case managers in Palm Beach County are getting people approved for social security within 90 days and getting reimbursed through the Interim Assistance Agreements.

Palm Beach County is working on a common eligibility system that can be used by several agencies for LIHEAP, Medicaid, Food Stamps, etc. It has been a tri-County initiative with Broward, Palm Beach, and Dade. The software is One E Ap and can be used by DCF partner agencies. Documentation will be

scanned in and partners will be able to access the information. One agency will need to be the host of the database and records. Palm Beach County's LIHEAP records are all electronic. Palm Beach County will provide an update at the June conference.

Sarasota County has ordinance related to prescription drug issue and is heavily invested in Behavioral Health issues.

Lee County discussed the success of the Neighborhood Stabilization Program, the LEE Education and Employment Program and the Bob Janes Triage Center.

Alachua County has a Suicide Crisis Center that the County sponsors for intervention and prevention.

Meeting adjourned at 2:55 p.m.

Respectfully submitted,

Ann M. Arnall, FACHSA Secretary
Pauline Tracey, FACHSA President