

**IDAHO BOARD OF HEALTH AND WELFARE**  
**MINUTES**  
**May 15, 2014**

The Board of Health and Welfare convened at:  
Pete T. Cenarrusa Building  
450 W. State Street  
Boise, Idaho 83720

**BOARD MEMBERS PRESENT**

Richard Roberge, Chairman  
Richard Armstrong, Secretary  
James Giufffré  
Wendy Jaquet  
Darrell Kerby  
Commissioner Tom Stroschein  
Stephen Weeg  
Senator Lee Heider  
Tammy Perkins

**STAFF PRESENT**

Russ Barron, Deputy Director, Public Health, Welfare, and Family and Community Services  
Denise Chuckovich, Deputy Director, Behavioral Health, Medicaid, and Managed Care Services  
David N. Taylor, Deputy Director, Support Services  
Rob Luce, Division Administrator, Family and Community Services  
Tamara Prisock, Division Administrator, Licensing and Certification  
Elke Shaw-Tulloch, Division Administrator, Public Health  
Tom Shanahan, Manager, Public Information  
Steve Bellomy, Bureau Chief, Audits and Investigations  
Wayne Denny, Bureau Chief, Emergency Medical Services and Preparedness  
Bruce Cheeseman, Program Manager, Emergency Medical Services and Preparedness  
Miren Unsworth, Program Manager, Family and Community Services  
Fernando Castro, Program Supervisor, Criminal History  
Kim Thurston, Administrative Assistant to the Board

**OTHERS PRESENT**

Peg Dougherty, Lead Deputy Attorney General  
Sara Stover, Division of Financial Management

**CALL TO ORDER**

Following proper notice in accordance with Idaho Code Section 67-2343 and pursuant to call by the Chairman, the meeting of the Idaho Board of Health and Welfare was called to order by Richard Roberge, Chairman of the Board, at 9:04 a.m. Thursday, May 15, 2014, at the Pete T. Cenarrusa Bldg., 450 W. State Street, Boise, Idaho.

## ROLL CALL

Director Richard Armstrong, Secretary, called the roll. Roll call showed **nine (9)** members present. With **six (6)** voting members present, Chairman Roberge declared a quorum. Absent and excused were Janet Penfold and Representative Fred Wood.

## EXECUTIVE SESSION

Board members recently received correspondence and telephone calls from members of the public regarding a child in the custody of the Department. In order to respond to such contacts the Board requested a briefing by the Department about the case. Deputy Attorney General Peg Dougherty explained that information contained in records and investigations dealing with the protection of children are protected from disclosure under the Idaho Public Records Act. A briefing on the case would require the Board to go into executive session. She provided an explanation of the Open Meeting Law and the parameters of an executive session.

Motion: Stephen Weeg moved that the Idaho Board of Health and Welfare, pursuant to Idaho Code §67-2345, convene in executive session to:

Consider records that are exempt from public disclosure (Idaho Code §67-2345(1)(d)).

Purpose/Topic summary: To consider child protection records exempt from disclosure under Idaho Code §9-340B(7).

Second: Wendy Jaquet

Roll Call Vote:

Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**

Nays: None

Motion Carried.

During the executive session, the Administrator and Program Manager for Family and Community Services provided information from the case file at issue and answered questions from Board members. At the conclusion of the discussion specific to the child protection file, the Board concluded the executive session.

A short discussion was held in the open meeting and a decision was made to draft one response to the correspondence that would be reviewed by the Deputy Attorney General to ensure that it maintains the protections required by the Public Records and the Child Protective Acts.

## PUBLIC COMMENT PERIOD

Chairman Roberge opened the floor for public comment. There being none, the Board advanced to the next order of business.

**ADOPTION OF MINUTES FROM BOARD MEETING ON FEBRUARY 20, 2014**

Motion: Stephen Weeg moved that the minutes of the February 20, 2014, Board meeting be adopted as prepared.

Second: Wendy Jaquet

Roll Call Vote:

Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**

Nays: None

Motion Carried

**CRIMINAL HISTORY AND BACKGROUND CHECKS**

**DOCKET NO. 16-0506-1401:**

Presenter: Fernando Castro, Program Supervisor, Criminal History Unit

Fernando Castro, Program Supervisor, presented the Criminal History and Background Checks rule docket for the Board's approval.

These rule changes were needed to align this chapter with legislative intent and rules approved by the 2014 Legislature. The changes to these rules added references and amended classes of individuals requiring the Department's criminal history and background checks. A sentence that references a section in these rules that was vacated has been deleted in this docket as requested by the 2014 Legislature.

Motion: Jim Giuffré moved that the Idaho Board of Health and Welfare adopt the "Temporary" rules for the "Criminal History and Background Checks," presented under Docket No. 16-0506-1401, effective July 1, 2014.

Second: Tom Stroschein

Vote: Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**

Nays: None

Motion Carried.

**EMERGENCY MEDICAL SERVICES (EMS) – RULE DEFINITIONS**

**DOCKET NO. 16-0102-1401:**

Presenter: Wayne Denny, Emergency Medical Services and Preparedness (EMSP) Bureau Chief, Division of Public Health

Wayne Denny, EMSP Bureau Chief, presented the Emergency Medical Services rule docket for the Board's approval.

The 2014 Legislature approved rules and adopted Senate Bill 1328 that amended Section 56-1012, Idaho Code, for the definition of "Emergency Medical Services or EMS". This

rulemaking aligned this chapter of rule definitions for all EMS chapters of rules with statute that becomes effective July 1, 2014.

Motion: Stephen Weeg moved that the Idaho Board of Health and Welfare adopt the "Temporary" rules for the "Emergency Medical Services (EMS) - Rule Definitions," presented under Docket No. 16-0102-1401, effective July 1, 2014.

Second: Jim Giuffré

Vote: Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**  
Nays: None

Motion Carried.

### **TIME SENSITIVE EMERGENCY UPDATE**

Wayne Denny, EMSP Bureau Chief, presented legislation that was passed relating to Time Sensitive Emergency System of Care. This legislation describes the creation of an Idaho Time Sensitive Emergency System of Care Council. Council members shall be appointed by the Governor with the approval of the Board of Health and Welfare. This legislation and a list of nominations for the Governor's approval were distributed to the Board members.

Motion: Stephen Weeg moved that the Idaho Board of Health and Welfare concur Idaho Time Sensitive Emergency System of Care Council members upon approval from Governor Otter.

Second: Wendy Jaquet

Vote: Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**  
Nays: None

Motion Carried.

### **HEARING AND PETITIONS FOR REVIEW**

Peg Dougherty, Lead Deputy Attorney General, discussed roles and responsibilities of the Board of Health and Welfare when an appeal has been filed that falls under the Board's jurisdiction. She informed the Board members that contested case hearings pertaining to public health and licensure and certification standards can be heard by the Board, or pursuant to Idaho Code §56-1005(6) the Board may designate hearing officers to conduct the hearing in the name of the Board. The Department had recently received a Petition for Board Review on a case involving an EMT license. The parties are in the midst of briefing and a full record will be provided to Board members for review prior to the August Board meeting. The Board can determine, based on the briefing, whether they will require oral argument as well.

## **COMMENTS FROM BOARD MEMBERS**

Board members thanked Peg Dougherty for her guidance and instruction on Board roles and responsibilities.

## **CONCURRENCE OF APPOINTMENT FOR LORI WOLFF AS WELFARE DIVISION ADMINISTRATOR**

Director Armstrong introduced Lori Wolff to the Board members and enumerated many of her accomplishments while working for the Department of Health and Welfare. Director Armstrong described Ms. Wolff as a national expert on eligibility processes and procedures. She was instrumental in taking the Supplemental Nutrition Assistance Program (SNAP) from last place to number one (1) in the nation.

Motion: Stephen Weeg moved that the Idaho Board of Health and Welfare concur with the Director's appointment of Lori Wolff as Welfare Division Administrator for the Idaho Department of Health and Welfare.

Second: Tom Stroschein

Roll Call Vote:

Ayes: **Giuffre', Jaquet, Kerby, Penfold, Roberge, Stroschein, Weeg**

Nays: None

Motion Carried.

## **DIVISION OF WELFARE UPDATE**

Deputy Director Russ Barron presented an overview of Idaho's 2015 healthcare open enrollment, healthcare assistance, and shared eligibility services. This illustration showed steps the Department has taken from March 2010 (when it was first looking at Medicaid Readiness) to today, and the role of the Department in the development of the State based exchange. Mr. Barron described how open enrollment will look by November 15, 2014, and what Idahoans will see and do during the enrollment.

## **STATE HEALTH INNOVATION PLAN (SHIP) UPDATE**

Deputy Director Denise Chuckovich discussed the status of the Statewide Healthcare Innovation Plan (SHIP). Governor Otter signed an Executive Order establishing the Idaho Healthcare Coalition (IHC). IHC is charged with facilitating and supporting the transformation of primary care practices to the Primary Care Medical Home model.

Appointment letters have been signed by Governor Otter and distributed to the council members. The IHC will continue to meet monthly.

List of council members will be distributed to the Board members.

## **DIVISION OF SUPPORT SERVICES REPORT**

Deputy Director Dave Taylor updated the Board members regarding a change in location for the Central Revenue Unit. Previously this unit was developed and located throughout the Regions. The decision was made to reorganize the unit and relocate to the Central Office in Boise.

Mr. Taylor distributed copies of a news article that listed highlights the Department received from the 2014 Idaho Legislative session. Highlights are listed below:

- 2 percent raise for State employees
- 17 additional positions
- \$2.1 million in funding to implement Behavioral Health crisis centers
- Funding replacement of 55 high-mileage vehicles in the Department motor pool
- Establishing the Idaho Time Sensitive Emergency (TSE) system of care
- Multiple day issuance of food stamps

The second handout that Mr. Taylor distributed was the Legislative Intent Language 2014 Legislative Session. Legislative intent language included with Department appropriations was discussed.

Explanations of Fiscal Year 2015 change in employee compensation (CEC) handouts were given to Board members. Statute and guidance from the Governor's Office require the CEC to be distributed based on merit. The merit increase is 2 percent. Half of that increase shall be awarded to eligible employees as permanent merit increases, and half shall be awarded to employees as one-time bonuses.

## **DIRECTOR'S REPORT**

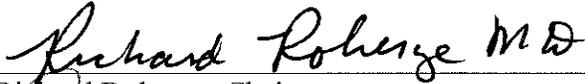
Director Armstrong reported that Governor Otter has asked that the Department of Health and Welfare call the Medicaid Redesign Workgroup together for further research and recommendations on expanding Medicaid to low-income adults. It is estimated that 77,000 people who are 26-100 percent below the poverty line do not have health insurance coverage. The workgroup has re-engaged the Milliman Group to update the financial impact analysis it completed in 2013.

Director Armstrong turned the rest of his time over to Tammy Eide, Pharmacy Services Supervisor. Ms. Eide gave the Board members an update on a new Hepatitis C treatment that Medicaid will pay for. The new medication is Sovaldi and is used in combination with other antiviral medications and may cure some cases of Hepatitis C. The number of Hepatitis C cases has increased as a result of the Centers for Disease Control and Prevention (CDC) recommendations that people who were born between 1945 and 1965 be screened for the primarily asymptomatic infectious disease, Hepatitis C. The cost for this drug is \$1,000.00 a pill. When taken along with Interferon and other anti-viral medications the total cost of therapy for 3 weeks is \$94,000. Criteria are being developed to determine eligibility for treatment.

**ADJOURNMENT**

The next meeting of the Idaho Board of Health and Welfare is scheduled to be held August 21, 2014. There being no further business to come before the Board, Chairman Roberge adjourned the meeting at 12:51 p.m.

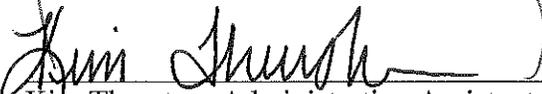
Respectfully signed and submitted by:



Richard Roberge, Chairman



Richard M. Armstrong, Secretary

  
Kim Thurston, Administrative Assistant

