

**Commonwealth of Virginia**



**General Assembly**

**2021 Organizational Meeting:  
Joint Subcommittee for Health and  
Human Resources Oversight**

**May 17, 2021**



# Agenda

---

- Election of Chair and Vice-Chair
- Meeting Overview
- Review of HHR Studies
- 2021 Joint Subcommittee Work Plan
- Future Meeting Dates



# Overview – Enabling Language

---

- Item I, paragraph S of the Appropriation Act establishes the Joint Subcommittee for Health and Human Resources Oversight of the House Appropriations and Senate Finance and Appropriations Committees
  - **2020 Session extended membership from four to five members to be appointed from each committee**
- A chairman and vice chairman to be elected annually
- The purpose is to monitor, evaluate and respond to federal legislation that repeals, amends or replaces the Affordable Care Act, Medicaid, the Children’s Health Insurance Program or any proposals to block grant or change the method by which these programs are funded
- Other purposes are to examine opportunities to:
  - **Improve Virginia’s Medicaid and other health insurance programs**
    - Including Medicaid managed care, Medicaid waivers, the Medicaid Enterprise System, eligibility processes in Medicaid and CHIP, the organizational structure and realignment of the Department of Medical Assistance Services
  - **Improving cost effective delivery of services through the Comprehensive Services Act**
  - **Assessing the costs and benefits of transferring the Office for Aging Services in the Department for Aging and Rehabilitative Services to the Department of Social Services or establishing it as a stand alone agency**
  - **Other HHR initiatives or programmatic changes**



# Brief Review of HHR Reports

2021 Studies and Workgroups



# Secretary of Health & Human Resources

---

- **2020 Reports**

- **Report of the Virginia Facilitated Enrollment Work Group**
  - 2021 Legislative Action: Ch. 552 provides funding in DMAS & DSS to implement
- **Report of the Virginia Market Stability and Reinsurance Work Group**
  - 2021 Legislative Action: Ch. 552 provides \$350,000 GF to develop State Innovation Waiver
- **Report of the Virginia Sexual Assault and Forensic Exam (SAFE) Program Work Group**
  - 2021 Legislative Action: Ch. 552 provides \$775,000 GF in FY 2022 to increase the reimbursement rate for forensic exams

- **2021 Studies**

- **Continuation of Electronic Health Records Workgroup**
- **HB 2332 Workgroup to Develop Other Initiatives to Include in the Commonwealth's State Innovation Waiver for the Virginia Health Reinsurance Program**
  - Workgroup will look at including a state based subsidy program to increase affordability of health plans to individuals and increase enrollment in the VA Health Benefit Exchange
- **Workgroup on Alternative Organizational Structure for Aging Services within State Government (December 2021)**
- **Workgroup on Health Care Coverage Options for Undocumented Children**



# Dept. of Medical Assistance Services: Select Reports

---

- **2020 Reports**
  - **Feasibility of Sick Leave for Personal Care Workers**
    - 2021 Legislative action: Chapter 552 provides \$3.4 million GF and \$3.4 million NGF to provide paid sick leave for personal care workers
  - **Merger of the Managed Care Programs**
    - 2021 Legislative action: Chapter 552 provides \$1.0 million GF and \$1.5 million NGF for DMAS to merge the Medicaid managed care programs and analyze the impact of merging the separate FAMIS population into a single Children's Health Insurance Program under Medicaid
  - **Reimbursement for School Health Services**
    - 2021 Legislative action: Chapter 552 reduces \$104,168 GF and increases nongeneral funds by \$2.3 million in FY 2022 to extend the current cost-based methodology to reimburse for school health services outside a student's IEP
  - **Medicaid Coverage and Reimbursement of FDA Fast Track Drugs and Emerging Breakthrough Technologies**
    - Recommendation to return to an individual reinsurance methodology which had been implemented between 2013 and 2018



# Dept. of Medical Assistance Services: Select Reports

---

- **2021 Studies / Workgroups**
  - **Review of Operational Savings from Merging Medicaid Managed Care Programs (October 1, 2021)**
  - **Analysis of Merging FAMIS into a Single Children's Health Insurance Program under Medicaid (November 1, 2021)**
  - **Workgroup on a Medicaid home-visiting benefit (December 1, 2021)**
  - **Continue Workgroup on Emergency Dept. Utilization (November 1, 2021)**
  - **Workgroup to Plan Pilot Program for Medicaid Support for Mobile Vision Clinics for Children (October 15, 2021)**
  - **Utilization of Certain Non Emergency Medicaid Transportation (NEMT) providers (October 1, 2021)**
  - **Implications of Eliminating Restrictive Eligibility Requirements for SSI Recipients (October 1, 2021)**
  - **Analysis of Medicaid/FAMIS Coverage on Maternal and Child Health Outcomes**



# Dept. of Behavioral Health & Developmental Services: Select Reports

---

- **2020 Reports**

- **Program and Community Options to Reduce SVP**
  - Legislative Action: Ch. 552 provides \$471,420 GF and 5 positions in DOC to increase sex offender treatment
- **Children's Inpatient Workgroup Report**
  - Legislative Action: Ch. 552 provides flexibility in use of acute inpatient care funding to provide alternative settings
- **Acute Psychiatric Bed Registry Workgroup**
  - DBHDS is planning to restructure the registry
- **Plan for Disposition of Vacant and Surplus Properties**
  - Workgroup formed and vacant and surplus properties and buildings were inventoried, as well as those that are underutilized and have potential for replacement
  - A plan was developed for the potential disposition of these properties
- **Program of Assertive Community Treatment – Program Funding, Cost Effectiveness, and Impact**
  - Provides information on cost effectiveness of services
- **Report on Alternative Transportation for Adults and Children Under a Temporary Detention Order**
  - Finalized pilot for children; statewide implementation began in March 2021
- **Report on MOU with CHKD for Use of Mental Health Beds**
  - Components of an agreement should one be developed between DBHDS and CHKD





# Dept. of Behavioral Health & Developmental Services: Select Reports

---

- **2021 Studies / Workgroups**

- Continuation of the Temporary Detention Order Workgroup (Dec. 1, 2021)
- Sharing of Patient Information Between Hospitals and CSB's Workgroup (Dec. 1, 2021)
- Report on Strategies with the Virginia Treatment Center for Children to Assist with Census Pressures (November 1, 2021)
- Report on Early Psychosis Intervention and Coordinated Specialty Care (Nov. 15, 2021)
- Developmental Disability Waiver Wait List Reduction and Providers Rates Workgroup (November 1, 2021)
- Evidence-Based Workgroup on Dementia (November 1, 2021)
  - HHR Secretary, DBHDS, DMAS and DARS
- Report on MOU with Chesapeake Regional Healthcare for Use of Mental Health Beds (November 1, 2021)



# Virginia Department of Health: Select Reports

---

- **2020 Reports**
  - **Emergency Department Care Coordination (EDCC) Program**
    - Use of program has increased; enhanced system for opioid admissions
  - **Clinical Workforce for Nursing Homes**
    - Multiple recommendations to improve workforce, many long term
    - Legislative Action: JCHC study
  - **Virginia's Long Acting Reversible Contraception (LARC) Initiative**
    - Includes data from July 1, 2018 to March 31, 2020, and operational summary information
- **2021 Studies / Workgroups**
  - **Report by Middle Peninsula Planning District Commission on Elevating Parts of Septic Systems (December 1 each year)**
  - **Annual Funding Request for Local Health Department Rent Increases**
  - **Task Force to Develop a Certification Process for Doulas**
  - **HB 2111 (Herring) Task Force on Maternal Health Data and Quality Measures (Dec. 1 each year)**



# Department of Social Services

---

- **2020 Reports**
  - **Annual Report on Foster Care Spending, Error Rates and Compliance with State and Federal Reviews**
  - **Annual Report on Adoption of Special Needs Children from Foster Care**
  - **Certification of Case Review of Children in Congregate Care**
  - **Report on the Implementation of Child Care Health and Safety Legislation**
  - **Report on Public Assistance Benefit Cliff**
  - **Report on the implementation of the community employment and training programs (Due June 2021)**



# Department of Social Services

---

- **2021 Studies / Workgroups**
  - **Interagency Workgroup on Criminal Justice Diversion Programs (Sept. 30, 2021)**
  - **HB 2065 (McQuinn) Workgroup to Develop a Plan for a 3-year Pilot Produce Rx Program (October 1, 2021)**
    - DSS to cooperate with DMAS on plan development
  - **Develop Digital Equity Pilot Program (November 1, 2021)**



# JLARC 2020 Report on CSA and Special Education Private Day School Services

---

- Use CSA funds to transition students from private special education day schools back to public school
- Workgroup to review use of CSA funds to prevent private day placement and transfer administration to VDOE
  - Preliminary findings in November 2021 and final recommendations in November 2022
- New requirements for private special education day schools
  - Reporting on tuition and performance
  - Reporting on use of restraint and seclusion
- Strengthen authority of the Office of Children's Services (OCS)
  - HB 2212 (Plum)
  - HB 2177 (VanValkenburg) / SB 1313 (Mason)
  - Chapter 552 provides \$121,443 GF and one position to support OCS new statutory responsibilities



# JLARC Health & Human Resources Section Reports

---

- **2020 Reports**
  - Review of Mental Health Parity
  - Medicaid Expansion – Spending and Enrollment
- **2021 Studies**
  - Health insurance mandate reviews
    - Prosthetic devices
    - Donated human breast milk
  - Review of guardianship / adult protective services



# Joint Commission on Healthcare

---

- **2020 Report**

- **The Dispensing of Drugs and Devices Pursuant to Pharmacy Collaborative Practice Agreements, Standing Orders, and Statewide Protocols**
- **Language Development Milestones and Parent Resources for Young Deaf/Hard of Hearing Children**
- **Naloxone Public Access and Storage**

- **2021 Studies**

- **Impact of Long-Term Care Workforce Needs on Nursing Facility Care**
- **Health Insurance Affordability in the Individual Market**
- **Strategies to Support Aging Virginians in Their Communities**



# Commission on Youth

---

- **2020/21 Reports**
  - **Virginia's Foster Care System**
    - Workforce recruitment and retention
    - Foster Care family recruitment and retention
    - Fostering Futures
    - Kinship Care
      - 2021 Legislative Action: SB 1328 (Mason) creates state-funded Kinship Guardian Assistance Program (KinGAP)
  - **Study on Legal Guardianship of a Minor by Court Petition**
  - **Education in Local Detention Centers**
- **2021 Studies**
  - **Collection of Evidence-based Practices for Children and Adolescents with Mental Health Treatment Needs**
  - **Crossover Youth Information Sharing**
  - **Workforce Development for Foster Care Youth**





# 2021 Draft Workplan

---

- Review of DMAS oversight of Medicaid managed care organizations
  - **HB 2301 (Bell)** bill referred from House HWI Committee related to Medicaid managed care organization authorization of school-based therapeutic day treatment services for children
  - **HJR 577 (Price)** referred from House Rules Committee related to oversight of Medicaid managed care organizations and provider networks in the Commonwealth
- Federal ARP provisions & CMS guidance for increased FMAP for Medicaid home and community-based services
- Medicaid state spending target (see Appendix for language)
  - To be established by the Joint Subcommittee by Sept. 15 for the following two fiscal years
- Recommendations from the HB 2332 workgroup on the 1332 State Innovation Waiver for the State Reinsurance Program and other considerations
- Reduction in rate of medication abandonment and increasing medication adherence
  - **HB 1959 (Fowler)** referred from House Rules Committee



# Future Meeting Dates

---

- Minimum of Three Meetings
- June, August, and September or October
- Dates to coincide with regular meetings of the money committees
  - June 15<sup>th</sup> or June 21<sup>st</sup> (afternoon)
  - August 18<sup>th</sup> (afternoon of Joint Meeting of HAC and SFAC)
  - September 14<sup>th</sup> or 20<sup>th</sup> / October 18<sup>th</sup> or 19<sup>th</sup> (afternoon)



# Appendix: Budget Language in Item 317, Chapter 552

---

V.1. Effective with the development of the 2020-2022 biennium, it is the intent of the General Assembly that there is hereby established **an annual Medicaid state spending target for each fiscal year**. The Joint Subcommittee for Health and Human Resources Oversight shall establish the annual target by September 15 of each year for the following two fiscal years. The target shall take into account the following: a 10-year rolling average of Medicaid expenditures by eligibility category and utilization of services, a 20-year rolling average of general fund revenue growth, and for policy decisions adopted by General Assembly during the previous Session which impact Medicaid spending.

2. In the event of an economic recession, the Joint Subcommittee may take into consideration enrollment and spending trends experienced during previous recessions in establishing the targets.

3. It is the intent of the General Assembly that the **Governor abide by the spending target for Medicaid state spending**, as established by the Joint Subcommittee, in developing the introduced budget each year and shall notify the Chairmen of the House Appropriations and Senate Finance Committees in the event the target cannot be met, along with the reason it cannot be met.

