

LEGISLATIVE COMMITTEE MINUTES

HB1574

Bill as
Introduced

HB 1574-FN - AS INTRODUCED

2014 SESSION

14-2466
10/01

HOUSE BILL ***1574-FN***

AN ACT relative to the cap on total billings to counties for nursing home care costs.

SPONSORS: Rep. Kurk, Hills 2

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill establishes a formula for calculating the cap on the state's total billings to counties of nursing home care costs for each state fiscal year of subsequent bienniums.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT relative to the cap on total billings to counties for nursing home care costs.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 County Liability for Nursing Home Care Costs. RSA 167:18-a, II is repealed and reenacted to
2 read as follows:

3 II.(a) The total billings to all counties made pursuant to this section shall not exceed
4 \$109,000,000 for state fiscal year 2014. For all state fiscal years beginning with fiscal year 2015,
5 total billings to all counties made pursuant to this section shall not exceed the amount determined by
6 the department, as one amount applicable to both years of a biennium, according to the following
7 procedure:

8 (1) Separately calculate the average amount in total funds spent in the state by
9 combining amounts expended by both the state and the counties in each of the 3 prior years for
10 which data is available to provide:

11 (A) Long-term care services, including nursing homes, aid to the permanently
12 and totally disabled, old age assistance, and home and community-based care; and

13 (B) Children's services under the provisions of RSA 169-B, RSA 169-C, and
14 RSA 169-D.

15 (2) Do the same calculations for the next 2 earlier 3-year periods in order to determine
16 the 3-year rolling average for each of the amounts described in subparagraphs (1)(A) and (B).

17 (3) Calculate separately for the amounts described in both subparagraphs (1)(A) and
18 (B) the year-to-year rate of growth based on the rolling averages.

19 (4) Calculate the weighted average of the rolling 3-year growth rates by combining
20 the separate growth rates in subparagraph (3) in proportion to their relation to the total amounts
21 expended for in subparagraphs (1)(A) and (B).

22 (5) Multiply the most recent year for which a total billings cap was calculated by 1
23 plus the weighted average growth rate to determine the total billings cap for each of the 2 fiscal
24 years in the biennium next following.

25 (b) If the county cap on total billings calculated as described in subparagraph (a) for any
26 year in any biennium after fiscal year 2014 is less than the statutory amount for fiscal year 2014,
27 then the statutory amount for fiscal year 2014 shall be the total billings cap for each year of that
28 biennium.

29 2 Effective Date. This act shall take effect July 1, 2014.

HB 1574-FN - FISCAL NOTE

AN ACT relative to the cap on total billings to counties for nursing home care costs.

FISCAL IMPACT:

The Department of Health and Human Services states this bill, **as introduced**, will increase state expenditures and decrease county expenditures by \$1,290,000 in FY 2015. The Department states this bill will have an indeterminable fiscal impact on state and county expenditures in FY 2016 and in each year thereafter. The Association of Counties states this bill will have an indeterminable impact on county expenditures. There will be no fiscal impact on state, county or local revenue, or local expenditures.

METHODOLOGY:

The Department of Health and Human Services states this bill would establish a formula for calculating the cap on county billings. The formula would produce a weighted average growth rate based on three-year rolling averages of the total cost for nursing home services, aid to the permanently and totally disabled, old age assistance, home and community-based care, and children's services. The Department applied the formula to calculate the cap on county billings for FY 2015 to be \$111.21 million. The Department states the current cap for FY 2015 is \$112.50 million. The lower cap would reduce the counties' cost by \$1.29 million and an increase the state cost by \$1.29 million. The Department assumes the calculation would be performed in the spring of each odd numbered year to determine the cap amounts for the following biennium. The Department is not able to perform the calculation for FY 2016 and future years as the necessary expenditure data is not yet available.

The Association of Counties states the bill establishes a calculation for determining the annual cap on the counties' liability for the Medicaid cost of individuals receiving nursing home and home and community based care services. The Association does not have access to the expenditure data for the services for which the counties are not currently liable and cannot estimate the fiscal impact on county expenditures. The Association assumes, because the cap in future years will never be lower than the cap for FY 2014, county expenditures will increase.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

PUBLIC HEARING ON HB 1574-FN

BILL TITLE: relative to the cap on total billings to counties for nursing home care costs.

DATE: January 28, 2014

LOB ROOM: 205 **Time Public Hearing Called to Order:** 1:05 pm

Time Adjourned: 2:00 pm

(please circle if present)

Committee Members: Reps. J. MacKay, Harding, French, B. Rogers, Sherman, Andrews-Ahern, Helmstetter, Ticehurst, M. Heath, M. MacKay, DiMartino, McMahon, B. Nelson, S. Schmidt, Emerson, Meaney, Lebrun, Culbert, Martel and Kotowski.

Bill Sponsors: Rep. Kurk, Hills 2

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

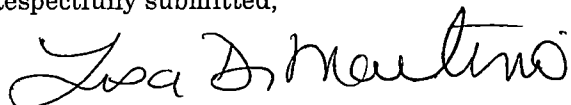
Rep. Kurk – prime sponsor – This bill establishes a formula for calculating the cap on the state's total billings to counties for long-term care services. This bill addresses the rate of growth in long-term care.

Commissioner George Maglaras, President of NH County Commissioners feels this bill will open the door in paying for more services. This bill is a short term solution and will become a long term problem. He does not support HB 1574. State is not paying what they should be paying since 2008 so counties are all in the red.

Ellen-Ann Robinson – Feels this bill will keep the cap stable. She is not sure where she stands with this bill. She would like to see spread sheets on this formula.

Sub Committee – Chair Rep. Harding, Rep. M. MacKay, Rep. LeBrun

Respectfully submitted,



Rep. Lisa DiMartino, Clerk

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

PUBLIC HEARING ON HB 1574-FN

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Bill Sponsors: Rep. Kurk, Hills 2

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep Kurk - prime sponsor -

This bill establishes a formula for calculating the cap on the state's total billings to counties for long-term care services.

* This bill addresses the rate of growth in long term care.

Commissioner George Maglaras
President of NH County Commissioners
feels this bill will open the door
in paying for more services
This bill is a short term solution,
and will become a long term problem.
He does not support HB 1574.

state is not paying what they should.
be paying since 2008 - So Counties
are all in the red.

Ellen - Ann Robertson - ~~supports~~
~~AB 157P~~ Feels this bill will
keep the cap stable. She is not
sure where she stands with this
bill. She would like to see
~~the~~ spreadsheets on this
formula.

Subcomm.

Chair Harding
M. MacKay
Li Brum

Sub-Committee Minutes

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SUBCOMMITTEE WORK SESSION ON HB 1574-FN

BILL TITLE: relative to the cap on total billings to counties for nursing home care costs.

DATE: February 4, 2014

Subcommittee Members: Reps. Laurie Harding, Chair, LeBrun and M. MacKay

Comments and Recommendations:

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Donald Le Brun

Seconded by Rep. Mariellen MacKay

Vote: 3-0

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Laurie Harding, Chair
Subcommittee Chairman/Clerk

GUESTS: Rep.N. Kurk, J.Wallace, S. Rockbun (Dept) Chuck Nickerson (Rockingham Cnty)

SEE NOTES IN FILE.

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SUBCOMMITTEE WORK SESSION ON HB 1574-FN

BILL TITLE: relative to the cap on total billings to counties for nursing home care costs.

DATE: 2/4/14

Subcommittee Members: Reps. Harding (Chair), LeBrun & M. Meekas

Comments and Recommendations:

Amendments:

Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. M. Meekas, D. LeBrun
Seconded by Rep. D. LeBrun, M. Meekas
Vote: 3-0

Motions: OTP, OTP/A, ITL, ~~Interim Study~~ (Please circle one.)

Moved by Rep.
Seconded by Rep.
Vote:

Respectfully submitted,

Rep.
Subcommittee Chairman/Clerk

guests: Rep. N. Kirk, J. Wallace, S. Rockburn (Dept)
* Chuck Nicholson (Rockingham Ct)
Kirk - goal of legislation: fairness & predictability
avoid political battle between county & state
Harding - discussed the work of the HHS oversight
committee & the goal of pairing policy &
financing. Rep. Kirk agreed to IS so long
as legislation was ready by Fall 2014

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SUBCOMMITTEE WORK SESSION ON HB 1574-FN

BILL TITLE: relative to the cap on total billings to counties for nursing home care costs.

DATE: June 19, 2014

Subcommittee Members: Reps. Harding, DiMartino, and LeBrun

Comments and Recommendations: No further legislation recommended.

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Laurie Harding
Subcommittee Chairman Clerk

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SUBCOMMITTEE WORK SESSION ON HB 1574-FN

BILL TITLE: relative to the cap on total billings to counties for nursing home care costs.

DATE: June 19, 2014

Subcommittee Members: Reps. Harding, DiMartino, and LeBrun

Comments and Recommendations:

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

OK with Rep. Kirk
No further legislation recommended.
Respectfully submitted,
Rep. Louie Harding
Subcommittee Chairman/Clerk

Voting Sheets

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on HB 1574-FN

BILL TITLE: relative to the cap on total billings to counties for nursing home care costs.

DATE: February 20, 2014

LOB ROOM: 205

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Laurie Harding

Seconded by Rep. Mariellen MacKay

Vote: 13-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 13-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Lisa DiMartino, Clerk



HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on HB 1574-FN

BILL TITLE: relative to the cap on total billings to counties for nursing home care costs.

DATE: 2/20/14

LOB ROOM: 205

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Harding

Seconded by Rep. MacRay

Vote: (Please attach record of roll call vote.) 13 - 0

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Lisa DiMartino, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/14/2014 1:20:22 PM
Roll Call Committee Registers
Report

2014 SESSION

HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS

Bill #: HB1574-FN

Title:

Relative to the cap on total billings to Counties for nursing home care costs.

PH Date: 01/28/14

Exec Session Date: 2/20/14

Motion: ~~ITF~~ *Interim Study*

Amendment #: _____

MEMBER	YEAS	NAYS
Mackay, James R, Chairman	✓	
Harding, Laurie , V Chairman	✓	
French, Barbara C	✓	
Andrews-Ahearn, E. Elaine	✓	
DiMartino, Lisa , Clerk	✓	
Helmstetter, Barbara S		
Heath, Mary <i>Heath date</i>	✓	
Mackay, Mariellen J	✓	
Rogers, Rose Marie		
Sherman, Thomas M		
Ticehurst, Susan J	✓	
McMahon, Charles E	✓	
Emerson, Susan <i>Emdice Boudard</i>	✓	
Kotowski, Frank R,		
Martel, Andre A		
LeBrun, Donald L	✓	
Culbert, Patrick L		
Meaney, Richard E	✓	
Nelson, Bill G		
Schmidt, Stephen J	✓	
TOTAL VOTE:	13	0

Boudard

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on HB 1574-FN

BILL TITLE: relative to the cap on total billings to counties for nursing home care costs.

DATE: October 15, 2014

LOB ROOM: 205

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep. Harding

Seconded by Rep. M. MacKay

Vote: 17-0 (Please attach record of roll call vote.)

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Lisa DiMartino, Clerk

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on HB 1574-FN

BILL TITLE: relative to the cap on total billings to counties for nursing home care costs.

DATE: October 15, 2014

LOB ROOM: 205

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep. *Harding*

Seconded by Rep. *M. Mackay*

Vote: *17-0* (Please attach record of roll call vote.)

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Lisa DiMartino, Clerk



2014 SESSION

HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS

Bill #: 1574 Title: relating to the cap on total billings to counties for nursing home care
PH Date: 1/1/14 Exec Session Date: 3/27/14
Motion: Not Recommended Amendment #: _____

MEMBER	YEAS	NAYS
Mackay, James R, Chairman	✓	
Harding, Laurie , V Chairman	✓	
French, Barbara C	✓	
Andrews-Ahearn, E. Elaine	✓	
DiMartino, Lisa , Clerk	✓	
Helmstetter, Barbara S	✓	
Heath, Mary	✓	
Mackay, Mariellen J	✓	
Rogers, Rose-Marie		
Sherman, Thomas M	✓	
Ticehurst, Susan J		
Danielson, David J	✓	
McMahon, Charles E	✓	
Emerson, Susan ,	✓	
Kotowski, Frank R,	✓	
Martel, Andre A	✓	
LeBrun, Donald L	✓	
Culbert, Patrick L		
Nelson, Bill G	✓	
Schmidt, Stephen J	✓	
TOTAL VOTE:	17	0

Committee Report

CONSENT CALENDAR

February 20, 2014

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS to which was referred HB1574-FN, AN ACT relative to the cap on total billings to counties for nursing home care costs. Having considered the same, report the same with the recommendation that the bill be REFERRED FOR INTERIM STUDY.

Rep. Laurie Harding

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS
Bill Number:	HB1574-FN
Title:	relative to the cap on total billings to counties for nursing home care costs.
Date:	February 20, 2014
Consent Calendar:	YES
Recommendation:	REFER TO COMMITTEE FOR INTERIM STUDY

STATEMENT OF INTENT

This bill establishes a formula for cultivating the cap on the state's total billings to counties of nursing home care costs for each state fiscal year of subsequent biennium's. The counties objected to the formula, but recognize that long term care financing is a growing problem. The Long Term Care subcommittee of the Health and Human Service Oversight is committed to working on both Long Term care policy for New Hampshire as well as a more predictable funding mechanism.

Vote 13-0.

Rep. Laurie Harding
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS

HB1574-FN, relative to the cap on total billings to counties for nursing home care costs. **REFER TO COMMITTEE FOR INTERIM STUDY.**

Rep. Laurie Harding for HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS. This bill establishes a formula for cultivating the cap on the state's total billings to counties of nursing home care costs for each state fiscal year of subsequent biennium's. The counties objected to the formula, but recognize that long term care financing is a growing problem. The Long Term Care subcommittee of the Health and Human Service Oversight is committed to working on both Long Term care policy for New Hampshire as well as a more predictable funding mechanism. **Vote 13-0.**

HB 1574-FN relative to the cap on total billings to counties for nursing home care costs.

This bill establishes a formula for cultivating the cap on the state's total billings to counties of nursing home care costs for each state fiscal year of subsequent biennium's. The counties objected to the formula, but recognize that long term care financing is a growing problem. The Long Term Care subcommittee of the Health and Human Service Oversight is committed to working on both Long Term care policy for New Hampshire as well as a more predictable funding mechanism.

**Rep. Laurie Harding
For the Committee
13-0 IS CC**

A handwritten signature in cursive script, appearing to read "Laurie Harding", is written over the typed name and title.

COMMITTEE REPORT

COMMITTEE: Health, Human Services and Elderly Affairs

BILL NUMBER: H.B. 1574-FN

TITLE: Relative to the Cap on total billings to Counties for nursing home care costs.

DATE: 2/20/14 CONSENT-CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No. _____

STATEMENT OF INTENT:

This bill establishes a formula for calculating the cap on the state's total billings to counties of nursing home care costs for each state fiscal year of subsequent bienniums. The counties ~~strongly~~ objected to the formula but recognize that long term care financing is a growing problem. ~~Recognizing that~~ the long term care subcommittee of the Health and Human Service Oversight is committed to working on both long term care policy for New Hampshire as well as a ~~feasible~~

COMMITTEE VOTE: 13-0 more predictable funding mechanism

RESPECTFULLY SUBMITTED,

Rep. Louise Harding
For the Committee

- Copy to Committee Bill File
- Use Another Report for Minority Report

INTERIM STUDY COMMITTEE REPORT

COMMITTEE: HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS
BILL NUMBER: HB 1574-FN
TITLE: Relative to the cap on total billings to counties for nursing home care costs.
DATE: October 15, 2014

RECOMMENDED FOR FUTURE LEGISLATION

NOT RECOMMENDED FOR FUTURE LEGISLATION

STATEMENT OF INTENT: (May be handwritten)

This bill establishes a formula for calculating the cap on the state's total billings to counties of nursing home care costs for each state fiscal year of subsequent bienniums. The committee believes that such a formula at this time is unwise considering the unknowns associated with the implementation of step two of managed care which may affect the way in which county homes are reimbursed.

COMMITTEE VOTE: 17-0 (Attach Committee Voting Sheet)

Rep. Laurie Harding

INTERIM STUDY
COMMITTEE REPORT

COMMITTEE: HHS EA
BILL NUMBER: HB 1574
TITLE: relat. to the cap on total billings to counties for nursing home core costs
DATE: Oct. 14, 2014

RECOMMENDED FOR FUTURE LEGISLATION

NOT RECOMMENDED FOR FUTURE LEGISLATION

STATEMENT OF INTENT: (May be handwritten)

This bill establishes a formula for calculating the cap on the state's total billings to counties of nursing home core costs for each state fiscal year of subsequent bienniums. The ~~interim~~ ~~study~~ committee believed that such a formula at this time ^{is} ~~was~~ unwise considering the unknowns associated with the implementation of step 2 of managed care which ~~could~~ ^{may} ~~possibly~~ effect the way in which county homes are reimbursed.

COMMITTEE VOTE: 17-0 (Attach Committee Voting Sheet)

Rep. Louise Harzing
For the Committee