

FISCAL COMMITTEE OF THE GENERAL COURT
MINUTES

December 13, 2007

The Fiscal Committee of the General Court met on Thursday, December 13, 2007 at 9:00 a.m. in Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Marjorie Smith, Chairman
Representative Neal Kurk
Representative Daniel Eaton, Alternate
Representative Frederick King
Representative Peter Franklin
Representative Kenneth Weyler, Alternate
Senator Lou D'Allesandro
Senate President Sylvia Larsen
Senator Kathleen Sgambati
Senator Theodore Gatsas
Senator John Gallus

Chairman Smith opened the meeting at 9:25 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Eaton, seconded by Representative King, that the minutes of the November 14, 2007 be accepted as written. MOTION ADOPTED.

RESULTS OF TELEPHONE POLL HELD DECEMBER 4, 2007:

FIS 07-391 Department of Labor - On a motion by Representative King, seconded by Senator Larsen, that the Committee ratify the poll results taken by telephone December 4, 2007 unanimously approving the request from the Department of Labor to retroactively accept and expend \$659,992 in federal funds from November 19, 2007 to June 30, 2009 on behalf of the Workforce Opportunity Council, Inc., Concord, N.H. MOTION ADOPTED.

George Copadis, Commissioner, Department of Labor and Cindy Naiditch, Executive Director of the Workforce Opportunity Council, Inc. thanked the Committee for their quick response on this item.

OLD BUSINESS:

FIS 07-111 Department of Health and Human Services, Office of Medicaid Business and Policy – for authorization to clarify physician services reimbursements to comply with recent instructions from the federal Centers for Medicare and Medicaid Services (CMS). **Tabled 4/19/07 and 5/15/07.** No action taken.

FIS 07-238 Department of Health and Human Services – authorization to complete the bid process for the GraniteCare Selective Contracting Program. **Tabled 7/24/07**. No action taken.

FIS 07-342 Department of Administrative Services – request for various departments to retain state owned passenger automobiles with FY 2007 reported mileage less than 12,000 miles. **Tabled 11/14/07**. No action taken.

FIS 07-360 Department of Health and Human Services – requests approval of one of four options for a new rate structure for pediatric specialty care **Tabled 11/14/07**. On a motion by Representative Kurk, seconded by Representative King, that this request be removed from the table. MOTION ADOPTED.

Nicholas Toumpas, Commissioner, Kathleen Dunn, Acting Director of the Office of Medicaid Business and Policy, and Thomas Grannemann, Senior Health Policy Analyst, Bureau of Economic Analysis and Rate Setting Policy, Department of Health and Human Services presented the request and responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Kurk, that the Committee table the request of the Department of Health and Human Services for approval of one of five options for a new rate structure for pediatric specialty care. MOTION ADOPTED.

FIS 07-371 Department of Transportation – accept and expend \$900,000 **Tabled 11/14/07**. Jeffry Pattison, Deputy Legislative Budget Assistant, informed the Committee that the Department of Transportation requested that the item be withdrawn.

On a motion by Representative King, seconded by Senator Larsen, that the Committee accept the request of the Department of Transportation to withdraw the item. MOTION ADOPTED.

RSA 9:16-a, TRANSFERS AUTHORIZED:

CONSENT CALENDAR

On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 07-386 Pari-Mutuel Commission – transfer \$57,000 and FIS 07-387 Department of Safety – transfer \$437,458.90]

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$50,000 FROM ANY NON-STATE SOURCE:

CONSENT CALENDAR

On a motion by Representative Eaton, seconded by Representative King, that the Committee approve the requests on the agenda under this section as submitted. MOTION ADOPTED. [FIS 07-378 Office of The Adjutant General – accept and expend \$107,269.05, FIS 07-379 Department of Environmental Services – accept and expend \$168,134, FIS 07-380 Department of Environmental Services - retroactively amend the grant award termination date from September 1, 2007 to March 31, 2008, with no increase in funding (approved FIS 06-190 June 7, 2006, subsequently amended FIS 07-017 February 17, 2007 and FIS 07-248 August 29, 2007), FIS 07-388 Department of Environmental Services – accept and expend \$511,917, FIS 07-392 Department of Safety – retroactively amend the grant award termination date from September 30, 2007 to September 30, 2008, with no increase in funding (approved FIS 05-260 December 22, 2005, subsequently amended FIS 06-373 January 17, 2007 and FIS 07-267 August 29, 2007) and FIS 07-398 Department of Safety – accept and expend \$79,114]

RSA 14:30-a, VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$50,000 FROM ANY NON-STATE SOURCE AND RSA 124:15 POSITIONS RESTRICTED:

FIS 07-401 Department of Safety – On a motion by Representative Eaton, seconded by Senator Larsen, that the Committee approve the request of the Department of Safety to accept and expend \$64,430 in federal pass-through funds from the N.H. Department of Justice and further authorization to establish consultant positions through September 30, 2008. MOTION ADOPTED.

RSA 186-C:20, II, SPECIAL EDUCATION PROGRAM OF THE YOUTH SERVICES CENTER AND CHAPTER 263:18, II, LAWS OF 2007, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

FIS 07-381 Department of Health and Human Services, Tobey School – On a motion by Senator D'Allesandro, seconded by Representative Franklin, that the Committee approve the request of the Department of Health and Human Services, Tobey School, to accept and expend agency income in the amount of \$279,604 for renovations of space at the Thayer Building through June 30, 2008. MOTION ADOPTED.

RSA 215-A:23, IX, REGISTRATION FEES:

FIS 07-376 Department of Resources and Economic Development – On a motion by Representative Eaton, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Resources and Economic Development to budget and expend \$81,582 in unbudgeted revenues due to excess registrations in FY 2007. MOTION ADOPTED.

CHAPTER 263:28, II AND III, LAWS OF 2007, DEPARTMENT OF HEALTH AND HUMAN SERVICES; PROGRAM ELIGIBILITY; ADDITIONAL REVENUES; TRANSFER AMONG ACCOUNTS:

FIS 07-382 Department of Health and Human Services – Nicholas Toumpas, Commissioner, Kathryn Frey, Administrator II, Public Health Services, and Mary Holliday, Administrator II, Division of Public Health Laboratories, Department of Health and Human Services responded to questions of the Committee. Also present was Richard Bailey, Chief Information Officer, Office of Information Technology who responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Representative Eaton, that the Committee approve the request of the Department of Health and Human Services to accept additional laboratory fees in the amount of \$500,000 as unrestricted revenue and further authorization to transfer and allocate \$500,000 of additional unrestricted revenue. MOTION WITHDRAWN.

Commissioner Toumpas requested to withdraw the request. On a motion by Senator Larsen, seconded by Representative Eaton, that the Committee accept the request of the Department of Health and Human Services to withdraw the item. MOTION ADOPTED.

FIS 07-389 Department of Health and Human Services – On a motion by Representative King, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$64,268 in other funds from the N.H. Department of Safety and further authorization to allocate these funds among Department of Health and Human Services accounts. MOTION ADOPTED.

CHAPTER 263:91, LAWS OF 2007, COMMERCIAL DRIVER LICENSE:

FIS 07-393 Department of Safety – Wesley Colby, Director, Division of Administration, Department of Safety, responded to questions of the Committee.

On a motion by Representative Eaton, seconded by Representative Franklin, that Committee approve the request of the Department of Safety to eliminate open position #10364 and establish three (3) Secretary II LG 9 positions in the Bureau of Hearings through June 30, 2009. MOTION ADOPTED.

MISCELLANEOUS:

Michael Buckley, Legislative Budget Assistant, requested authority to release publicly the 2007 State Comprehensive Annual Financial Report and the 2007 Unique College Investing Plan Annual Report as soon as they are available.

On a motion by Representative Kurk, seconded by Senator Larsen, that the Committee grant authority to the Legislative Budget Assistant to distribute the 2007 State Comprehensive Annual Financial Report and the 2007 Unique College Investing Plan Annual Report upon their receipt by the Office of Legislative Budget Assistant. MOTION ADOPTED.

INFORMATIONAL MATERIALS:

FIS 07-384 Department of Health and Human Services – update to the Department’s plan to implement Chapter 129, Laws of 2007, relative to supplemental payments to nursing homes before October 1, 2007 and FIS 07-400 Department of Health and Human Services – Chapter 262:1, Laws of 2007 – update on the status of the new Medicaid Management Information System (MMIS) under development.

Nicholas Toumpas, Commissioner, and James Fredyma, Controller, Department of Health and Human Services responded to questions of the Committee.

FIS 07-402 Department of Administrative Services – Chapter 259:16, II, Laws of 2005 – 60 Day Report on the progress and implementation of the Enterprise Resource Planning (ERP) Project for the period of November 1, 2007 through December 31, 2007.

Nichols Toumpas, Commissioner, Department of Health and Human Services responded by questions of the Committee.

The informational items were accepted and placed on file.

AUDITS:

State of New Hampshire, Adjutant General’s Department, Revenues Collected and Expenditures Paid, Financial and Compliance Audit Report, For the Nine Months Ended March 31, 2007 – Richard Mahoney, Director, and James LaRiviere, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant presented the reports and responded to questions of the Committee. Major General Kenneth Clark, The Adjutant General, and Stephanie Millender, Administrator, Adjutant Generals Department, were also present to respond to questions of the Committee.

During the presentation of the audit on the Adjutant Generals Department, the meeting was recessed due to a fire alarm and reconvened at 11:50 a.m. The Chairman postponed the audits to the next meeting.

ADJOURNMENT:

The next regular meeting of the Fiscal Committee was set for Tuesday, January 15, 2008 at 9:00 a.m. (Whereupon the meeting adjourned at 11:55 a.m.)

Representative Neal Kurk, Clerk