

UTAH HEALTH POLICY PROJECT

# HEALTH MATTERS

*on the Hill...*



Utah *Health Matters* E-Newsletter  
5)

February 22, 2011 (pre-Week

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## 1. Medicaid <sup>^</sup> Matters on the Hill

### 'Medicaid Matters to Utah' Press Conference TODAY

Join with Medicaid community stakeholders (providers, advocates, consumers, and more) to ask the Legislature to 'backfill' and avoid Medicaid cuts.

When: Tuesday February 22<sup>nd</sup> 10:30 am

Where: The Olmstead Room (115) in the Senate Building 320 N State St. SLC, UT

Legislator's original request to cut deeply into provider rates and life-saving Medicaid services ran counter to Gov. Herbert budget proposal, which left Medicaid unharmed *and* funded necessary CHIP and Medicaid caseload growth. The quarterly revenue projections, to be released TODAY, should make it possible to keep Medicaid whole and invest in building blocks (like CHIP) that will further the goals of state health reform.

Speakers/Topics will include...

- **Medicaid Interpreting**: "cut now, pay later." A physician and a refugee interpreter will speak to the effects such a cut will have on quality of care and the cost-shift to more costly care in the long-term.

- **CHIP**, the success story for state health reform. Two parents will present CHIP success stories and how it was there when they and their kids needed it most.
- **Breast and Cervical Cancer Treatment.** A physician will speak to the importance of early screening for breast and cervical cancer. A woman currently on the Breast and Cervical Cancer Treatment Program will talk about how the program provides treatment—and hope.
- **Medicaid Transplants:** A transplant recipient will talk about how her new kidney made all the difference in her life and now she gets to watch her grandkids grow up.
- **Medicaid Payment Reform** as answer to long-term cost challenges (Judi Hilman of UHPP).
- **Proactive cost-containment options for Medicaid:** Dr. Raymond Ward- a pediatrician and Chair of the Pharmacy and Therapeutics Committee will discuss a proposal to carefully include mental health drugs on the state’s preferred drug list.

### Social Services Recommended Backfill for Medicaid Programs

Last Tuesday the Social Services Appropriations (SSA) committee voted to backfill some of the most critical and lifesaving Medicaid programs, including breast and cervical cancer treatment, transplants, hospice, and physical and occupational therapy. UHPP is encouraged by Committee members’ commitment to the role these programs play in the lives of Utahns. On Thursday, Rep. Clark and Sen. Christensen presented the Social Services budget proposal at the Executive Appropriations (EA) hearing. Good news! The cuts that were taken off the table by SSA are **off** the list provided to the EA. Rep. Clark proposed that the committee use \$35 million in one-time ARRA (American Recovery + Reinvestment Act) funding to address caseload growth in the current fiscal year.

Moving forward we will need to keep watch on critical Medicaid areas of funding, listed above. Even though they are recommended for backfill now, all bets are off until the final Executive Appropriation meetings. **Now is the time for concerned Utahns to talk 1-on-1 with legislative leaders** (for talking points, see our [brief](#)).

During the day...

- **Call Senators at (801) 538-1035. Toll free: (800) 613-0677.**
- **Call Representatives at (801) 538-1029 Toll Free: (800) 908-4261**

### Legislative Leaders (Executive Appropriations Committee)

Prefix	First	Last	Party	Dist	City	Home Phone	Public Cell	EMAIL
Senator	Lyle	Hillyard	R	25	Logan	(435) 753-0043		<a href="mailto:lhillyard@utahsenate.org">lhillyard@utahsenate.org</a>
Senator	Scott	Jenkins	R	20	Plain City	(801) 731-5120		<a href="mailto:sjenkins@utahsenate.org">sjenkins@utahsenate.org</a>
Senator	Patricia	Jones	D	4	Holladay	(801) 322-5722		<a href="mailto:pjones@utahsenate.org">pjones@utahsenate.org</a>
Senator	Peter	Knudson	R	17	Brigham City	(435) 723-2035	435-730-4569	<a href="mailto:pknudson@utahsenate.org">pknudson@utahsenate.org</a>
Senator	Ben	McAdams	D	2	Salt Lake City	(801) 618-1946	801-618-1946	<a href="mailto:bmcadams@utahsenate.org">bmcadams@utahsenate.org</a>
Senator	Karen	Morgan	D	8	Salt Lake City	(801) 943-0067		<a href="mailto:kmorgan@utahsenate.org">kmorgan@utahsenate.org</a>
Senator	Wayne	Niederhauser	R	9	Sandy	(801) 742-1606		<a href="mailto:wniederhauser@utahsenate.org">wniederhauser@utahsenate.org</a>

Senator	Ross	Romero	D	7	Salt Lake City	(801) 364-2451	801-652-4687	<a href="mailto:rromero@utahsenate.org">rromero@utahsenate.org</a>
Senator	Dennis	Stowell	R	28	Parowan	(435) 477-8143	(435) 559-8143	<a href="mailto:dstowell@utahsenate.org">dstowell@utahsenate.org</a>
President	Michael	Waddoups	R	6	West Jordan	(801) 967-0225		<a href="mailto:waddoups@utahsenate.org">waddoups@utahsenate.org</a>
Rep	Melvin	Brown	R	53	Coalville	(435) 336-3309	(435) 901-1729	<a href="mailto:melbrown@utah.gov">melbrown@utah.gov</a>
Rep	Brad	Dee	R	11	Ogden	(801) 479-5495		<a href="mailto:bdee@utah.gov">bdee@utah.gov</a>
Rep	John	Dougall	R	27	American Fork	(801) 492-1365		<a href="mailto:jdougall@utah.gov">jdougall@utah.gov</a>
Rep	Greg	Hughes	R	51	Draper	(801) 572-5305		<a href="mailto:greghughes@utah.gov">greghughes@utah.gov</a>
Rep	Brian	King	D	28	Salt Lake City	(801) 583-5464	(81) 560-0769	<a href="mailto:briansking@utah.gov">briansking@utah.gov</a>
Rep	David	Litvack	D	26	Salt Lake City	(801) 596-0187	(801) 792-7172	<a href="mailto:dlitvack@utah.gov">dlitvack@utah.gov</a>
Speaker	Becky	Lockhart	R	64	Provo		(1801) 369-6784	<a href="mailto:blockhart@utah.gov">blockhart@utah.gov</a>
Rep	Ronda	Menlove	R	1	Garland	(435) 458-9115	(435) 760-2618	<a href="mailto:rmenlove@utah.gov">rmenlove@utah.gov</a>
Rep	Jen	Seelig	D	23	Salt Lake City	(801) 519-2544		<a href="mailto:jseelig@utah.gov">jseelig@utah.gov</a>
Rep	Christine	Watkins	D	69	Price	(435) 650-1969	(435) 650-1969	<a href="mailto:cwatkins@utah.gov">cwatkins@utah.gov</a>

Download the latest Excel list (perfect for mail merge!) [here](#).

Point out that **Medical Interpreting is still on the chopping block!** This needs to be maintained, or providers that will be left holding the bag when patients realize their title 6 rights and sue them because they did not understand instructions for home care. For more information on this critical program please review our most recent [brief](#).

What can we (and YOU) do to protect Medicaid interpreting and other critical programs?

- Sign on to the Utah Medicaid Partnership/U-SHARE coalitions' *Principles for Guiding Medicaid Budget Decisions*. See the latest principles [here](#).
- **Come up to the Hill**, especially the [Executive Appropriations meetings](#) being held in room 210 of the Senate Building. The EAC will be voting on the Social Services budget within the next few days. Contact UHPP if you are interested in coming up to the Hill to speak with EAC members about the proposed cuts and backfilling the most crucial of these programs. We have appointments set up through the week.

### Medicaid Eligibility Privatization....IT'S BACK!

A few weeks ago UHPP expressed concern over Sen. Liljenquist's proposal to privatize Medicaid eligibility. Sen. Liljenquist dropped it but, unfortunately, this disastrous proposal is back in the form of [HB174](#), sponsored by Rep. Harper. Recommended out of the House Health and Human Services Committee last week, HB174 would direct the Department of Health to develop a proposal to privatize public program eligibility services. UHPP shared concerns with privatizing Medicaid eligibility services, namely, that that every state that has tried it so far has paid more for less. Utah's Department of Workforce Services is doing a good job with Medicaid eligibility—why fix it if it ain't broke? See our

[brief](#). We will be watching this bill and the DOH's proposal very closely.

## 2. State Health Reform Front

### Utah's Exchange on the Upswing!

Exchange staff have been diligently working out core technology issues on the Utah Health Exchange, and with good results: 57 new employer groups have joined the original 11 enrolled in the Exchange and 88 are in the process of applying for insurance through the Exchange!

The next step for Utah's Health Exchange is to create a consumer friendly website, where people can base their health care choices on quality information, filtered according to their health care priorities. Only Massachusetts and Utah have working Exchanges and you can go to their websites and see how they compare:

- Massachusetts' Connector [www.mahealthconnector.org/portal/site/connector/](http://www.mahealthconnector.org/portal/site/connector/)
- Utah Health Exchange [www.exchange.utah.gov](http://www.exchange.utah.gov).

You can also visit Wisconsin's Exchange prototype at <https://exchange.wisconsin.gov/>

It is important to bring a consumer voice to this process. Thanks to those who voiced their concern to Rep. Dunnigan this past week—HB128 (Health Reform Amendments) again includes a seat on the Exchange Advisory board for small businesses. Please take a minute to thank Rep. Dunnigan for his responsiveness to advocates' concerns and diligent efforts on this year's main bill for state health reform:

**Email:** [jdunnigan@utah.gov](mailto:jdunnigan@utah.gov)

**Home Phone:** 801-968-8594

HB128 requires the Health Data Committee to publish a yearly report that compares Utah's health facilities on measures of quality, cost, and safety. Basically, the committee will now be required to publish data that Utah has been collecting for two years in the All Payer Database. The bill was recommended out of committee on Friday, despite what Rep. Dunnigan called a "food fight" between insurers and the Utah Hospital Association and Utah Medical Association about who has what data and who will share it.

### The Future of the Utah Health Exchange

As the Exchange moves forward, it's time to think about just what the Exchange will do to increase insurance coverage to Utahns. While Utah's Exchange is growing, it has not yet made a dent in getting uninsured adults—of which over two thirds have jobs—covered (read more about health insurance and Utah's small business [here](#)).

Utah's Exchange has yet to...

- allow small businesses to pool their risk
- deliver lower prices for Utah's small businesses
- create affordability standards with triggers to premium assistance programs.

Yet, Joel Ario, the HHS official who oversees the implementation of health exchanges, claims that the Utah Health Exchange is a “valid model” for Exchanges. [Read more.](#)

UHPP is arranging a video conference call with Mr. Ario soon after the Session to clarify his appraisal of Utah’s Exchange—stay tuned.

### 3. **Federal Health Reform Updates**

#### **President Obama starts drive for medical malpractice reforms**

In his State of the Union address the President emphasized he is not willing to revisit fights of the past—like health care—and is ready to entertain ideas for improving health care reform. This week he allocated \$250 million towards Justice Department grants to help states experiment with malpractice reforms. His proposal creates ‘health courts’ where specifically trained judges hear and rule on cases instead of citizen juries. Overhauling medical malpractice laws and cutting down on ‘defensive medicine’ is critical to bringing down overall health care costs and wasteful tests from doctors who fear lawsuits. Medical malpractice reform has been a long-standing Republican priority. It also comes with a large group of detractors including trial lawyers and some consumer advocate groups.

#### **1099 Revision in the ACA**

This week the House of Representatives is working on legislation to repeal the unpopular 1099 provision in the ACA that requires small businesses to file with the IRS any transaction with a vendor of \$600.00 or more. This provision has been touted as a mistake by members of both parties as well as President Obama. The US Senate has already passed a 1099 repeal.

**States Awarded Early Innovator Grants for Exchange Planning:** Seven states were awarded federal grants to design the infrastructure and technology needed to operate their state health insurance exchanges. States who received these grants include Kansas, Maryland, New York, Oregon, Oklahoma, Wisconsin, and a consortium led by Massachusetts—not Utah, curiously enough (read Gov. Herbert’s letter of explanation [here](#)). The grantee states are expected to serve as models for other states and share information with as implementation moves forward. It was a surprise when Utah did not apply for these grants as the state has wanted to serve as a model for conservative approaches to exchanges.

**ACA Provides Expanded Coverage in 2011!** Jacob Hacker, professor of political science at Yale University points out some of the impacts the Affordable Care Act will have in 2011. It is estimated that 31,000 to 72,000 uninsured children will be covered in 2011 due to the ban on exclusions for children with pre-existing conditions and over 1 million young adults will obtain coverage through the provision allowing youths to stay on their parents insurance plans until age 26. All 50 states now offer high-risk pools (or pre-existing conditions insurance) for people who have not been able to obtain coverage in the private market due to pre-existing conditions. Americans covered in Medicaid and Medicare will receive an annual checkup and important preventative services with no co-pay. There are also immediate drug benefits for Medicare recipients including a 50% discount on name brand drugs and a 7% discount on generics when they fall into the ‘donut hole.’ Rules now prohibit insurance companies from imposing a lifetime limit on care and will begin to eliminate annual coverage limits.

### 4. **Health Bill Tracker for Week 5**

Be sure to check out this week's Health Bill Tracker [here](#).

## 5. **Caucus Clips (New Section!)**

*During the lunch break every Tuesday and Thursday through the session, legislators gather into their 4 caucuses (by house and party) to informally discuss issues and priorities. Thanks to our wonderful interns (a shout out to Fraser Nelson's MPA nonprofit advocacy class and intern Stephen Fetzer Lyon!) UHPP proudly presents these clips from the caucus meetings...*

### Feb. 17 to Senate Republican Caucus (Regence Blue Cross Blue Shield Presentation)

Regence responded to questions regarding implementation of the Affordable Care Act. Senator Buttar asked if Regence was implementing the ACA in light of the ruling in Florida. Regence responded that they are moving ahead with implementation in the states where they are doing business.

To Senator Waddoups' question about the costs of implementation in general and to Regence in particular, Regence indicated they are seeing millions in unforeseen costs, for example in upgrades to their systems.

### House Democrats

Rep. Litvack said that the proposed cuts aren't actually necessary, as shown in the Governor's budget. House Democratic colleagues agreed that most of the cuts will shift costs, not save them.

Rep. Litvack referred to the public education budget as "the most dysfunctional budget." There isn't any funding for school nurses in the current budget, but they hope to use the flexible spending account to address this critical area.

Senator Jones would like to use 40% of Tobacco's money allocated for the trust fund to backfill the health budget. The top health budget concerns include: reduction of primary care grants; eligibility for breast and cervical cancer treatment and prevention; the DORA Program (which they believe will disappear entirely if the budget is cut); and adoption assistance for kids with special needs. **They did not think that medical interpreter services will be eliminated because the money is matched by the federal government.**

## 6. **Tools for Advocates 2011**

Health Action Calendar: Keep track of health-related events happening during the session. UHPP's [Health Action Calendar](#) has dates, time, and information. Please join us for weekly meetings of Utah Medicaid Partnership and U-SHARE (Health Reform Coalition): **every Wednesday 1:15-2:00 PM, Olmstead Room of East Capitol Bldg**. A wonderful chance to compare notes and coordinate strategy on the many Medicaid, CHIP, and health reform issues for the Session.

Legislator Contact List!

Check out our updated 2011 spreadsheet of legislators and their contact information. Use it to track your conversations with legislators, find out who sits on the committees that oversee health issues, count votes on bills, or mail merge to contact legislators individually! To download in Excel, click [here](#).

**Getting to the Utah State Capitol**

Public Transportation: If you are downtown, the UTA bus is a great option to get up to the Hill. Route 500 will take you right to the East Building's front door! The Capitol is in the Downtown Free Zone and buses run every 15 minutes. [The bus schedule is posted here, along with the route map here](#). UTA has a great [trip planner tool](#), as well.

Driving from outside of Salt Lake: take I-15 (either north or south) to the 600 South exit and head east on 600 South. Turn left on State Street and head up the hill to the State Capitol.