

Legislative Newsletter

Feb. 16, 2018



First Funnel Week Over

This week was the first legislative funnel week. Bills must be out of a subcommittee and full committee from the chamber of origin before the deadline to still be considered for the legislative session; the exceptions are Ways and Means and Appropriations bills. There is typically a lot of activity as committee race to pass – or kill – bills.

Mental health/complex needs bills from both chambers were introduced and passed out of their respective Human Resources committees this week. House File 2327 and Senate File 2252 propose many similar things: the regions must provide for 22 ACT teams, six access centers to serve sub-acute patients who do not require hospitalization, and intensive residential service homes (IRSH) that will serve up to 120 people statewide; regions would have to submit quarterly reports to DHS as opposed to annual reports concerning the services being provided and where deficiencies may lie. SF 2252 requires the spend down for each region will be kept at 30 percent starting on July 1, so long as the regions are providing the required services. In contrast, the cash flow reduction amount is deleted in the House version. The House bill provides that core services will be provided so long as federal matching funds are made available. HF 2327 includes provisions regarding the disclosure of a person's mental health to law enforcement and circumstances when a person who is being detained for an involuntary commitment must be released. HF 2327 unanimously passed the House Human Resources Committee; SF 2252 passed out of Senate Human Resources, also unanimous.

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Another bill, Senate Study Bill 3196, provides regions and counties to bill back to counties and regions where patients actually reside. This bill also passed unanimously out of committee to survive the funnel.

A variety of county redistricting bills also bounced around committees this week. House File 2123 died in the funnel. House Study Bill 625, which we have been against, passed the House Local Government Committee on party lines. Though Division I of the bill, which would prohibit large counties from using special elections to change districting, was struck, the bill is still problematic because the Legislative Services Agency would be the entity to redraw the districts, and the bill is silent on who is responsible for paying LSA for that service. The House bill's companion, Senate Study Bill 3172, allows for districting to change by special election, but requires counties under "plan three" (larger population counties) to remain under the districting plan for at least six years. This bill also passed the Senate Local Government Committee on party lines.

A slightly amended version of a Department of Human Services administrative procedures bill also made it past the funnel deadline. House Study Bill 631 deals with which entity bills and pays state hospitals for the care of an individual living with mental illness. The bill amends current law so these care expenses are billed to the regional manager of the patient's county of residence. The bill also removes the definition of auditor and defines region. Finally, HSB 631 provides that the county auditors maintain lists of persons receiving substance abuse services for determination of ability to pay the hospitalization expenses. The bill does not create a financial impact, it should just make the billing procedure move more efficiently.

Finally, the bill that was the result of the 2017 interim study committee on opioid abuse was brought out of the House Human Resources Committee unanimously. The highlights of House File 2299 are:

- Requires pharmacists and other dispensers to report to the prescription monitoring program (PMP) of dispensing a controlled substance to a patient within 24 hours;

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- Establishes the use of electronic prescriptions between a provider and a pharmacy by July 2020 (with exemptions);
- Establishes a one-time immunity to people who seek assistance for someone who is suffering a drug-related overdose with specific requirements

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