



**TO:** Georgia Association of Community Service Boards  
**FROM:** Brock Clay GPA  
**DATE:** February 5, 2012  
**SUBJECT:** Weekly Legislative Report

## CALENDAR

The General Assembly was in session this week, January 30 – February 3, for legislative days 10-14.

The General Assembly will be in session this upcoming week for four days from February 6-9, for legislative days 15-18.

Wednesday, February 8 is Mental Health Day at the Capitol.

### *Legislative Meetings*

#### **House Health Appropriations Subcommittee**

Tuesday, February 7, 2:00pm-5:00pm, Room 515 CLOB

#### **Review of Department of Community Health's Budget**

#### **House Health Appropriations Subcommittee**

Wednesday, February 8, 2:00pm-5:00pm, Room 506 CLOB

#### **Review of Department of Public Health's Budget**

#### **Senate HHS Subcommittee**

Monday, February 6, 3:00p.m., Room 122 CAP

**[SB 292](#) requiring TANF and Medicaid recipients to submit to drug testing**

## BUDGET HEARINGS

On Friday, the House passed the FY 12 Amended Budget.

The House version of the FY 12 Amended Budget reduces \$500,000 from the Adult Mental Health program based and reallocates the funding as follows: (1) \$250,000 Open Doors to Recovery Project in southeast Georgia; and (2) \$250,000 in state funds to provide total additional funding to the Marcus Autism Center in the amount of \$500,000.

In the FY 12 Amended Budget, the House reduced the Low Income Medicaid program by \$15 million.

Some have said the reduction is a difference of opinion between the House and the executive branch as to projections with the program. Others have stated the reduction is duplication from last year's budget and that this funding has actually already been reduced by the department (therefore making this reduction unnecessary).

Brock Clay will work to provide further clarification on this reduction in the program.

You can view all of the changes to the budget by going to the following link:

[http://www1.legis.ga.gov/legis/2011\\_12/house/budget/reports/AFY12\\_HOUSE\\_FINALTrackingSheet.pdf](http://www1.legis.ga.gov/legis/2011_12/house/budget/reports/AFY12_HOUSE_FINALTrackingSheet.pdf)

## **DD WAIVER RATES**

### **I. Meeting with Commissioner Shelp**

On Wednesday Chuck Clay and Josh Mackey attended a meeting hosted by Senator Renee Unterman (R-Buford) and DBHDD Commissioner Frank Shelp with the lobbying representatives of interested stakeholders on the DD waiver rate issue, along with staff of DBHDD and a representative of Burns & Associates.

At the meeting, Commissioner Shelp expressed frustrations with the process over the last month and specifically asked for hard data from providers on how the rates would affect individuals. The Commissioner also seemed to be frustrated by the legislative involvement in the issue.

However, the Commissioner did state (again) that he had previously discussed with DCH Commissioner Cook to delay the rate approval coming back to the DCH Board until April.

Lobbyists for other stakeholders then mentioned the House Appropriations Subcommittee from the previous week where the Commissioner had indicated to Rep. Setzler that he would not move forward with the rate increase until SIS reassessments were completed. There was discussion as to whether the reassessments of individuals will or should be done before the rates are approved (versus being done after the rates are approved, but before they are put into effect), with further clarification on that point needed in the upcoming month.

Commissioner Shelp responded that he has scheduled a follow up meeting with Commissioner Cook regarding the public comment on the rate change, and that a discussion of the timeline for this issue would be a part of that discussion.

### **II. Meeting with Jerry Dubberly, Division Chief for Medicaid**

On Thursday, representatives from GACSB and Brock Clay met with Dr. Dubberly, Patricia Rivers of DBHDD, and a representative of Burns & Associates.

Dr. Dubberly provided feedback on the public comment hearing for the waiver rates and noted the comment of two members of the DBHDD Board at the hearing.

The overall discussion centered on the rates, their effect on providers, and questions with the representative from Burns & Associates on the actual study.

Dr. Dubberly confirmed that this would not come before the DCH Board at their February meeting, and that Commissioner Cook, Commissioner Shelp, and he would be meeting the next day.

### **III. Meeting with Rep. Ed Setzler**

Chuck Clay and Josh Mackey spoke with Rep. Ed Setzler (R-Acworth) and Rep. Setzler stated he will be writing a letter to Commissioner Shelp expressing his thanks for answering questions before the House Appropriations Subcommittee on the DD waiver rates issue and that he would state his expectation, as result of the hearing, that the reassessments of individuals will be done before the rates are approved.

## **MENTAL HEALTH TRANSPORT LEGISLATION**

**HB 231**, legislation to address issues with the transporting of mental health patients, has undergone a series of reviews by a working group.

The latest version of the legislation removes any mention of or requirement of medical transport and requires the Department of Behavioral Health and Developmental Disabilities be responsible for subsequent transports (which the department has agreed to), and law enforcement will be responsible for initial transports.

Dr. Gay served on the small working group reviewing this legislation, and it is almost ready to be sent to additional stakeholders before it receives a committee hearing.

## **OTHER LEGISLATION**

[\*\*HB 683\*\*](#) relates to garnishment proceedings and states that the execution and filing of a garnishee's answer does not constitute the practice of law and does not require an attorney.

The Senate passed this legislation on Thursday by a unanimous 52-0 vote and it awaits the governor's signature.

[\*\*HB 23\*\*](#) brings Georgia into conformity with the Health Care Oversight and Coordination Plan mandates of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008, and requires the Department of Human Services to establish regulations to monitor any psychotropic medications prescribed for child in the custody of the department (including local DFACS).

The House Health & Human Services Committee held a hearing on the bill on Wednesday, but did not take any action on the legislation.