

**1999 SENATE HUMAN SERVICES
SB 2113**

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2113

Senate Human Services Committee

Conference Committee

Hearing Date JANUARY 11, 1999

Tape Number	Side A	Side B	Meter #
1	X		4,693
1		X	
1/19/99 1		X	4,666
Committee Clerk Signature <i>Baral Klodey Chuk</i>			

Minutes:

The hearing was opened on SB2113.

MURIEL PETERSON, Program Administrator in the Aging Services Division, Department of Human Services, supports the bill with written testimony.

SENATOR DEMERS asked isn't the \$50,000 limit to stay consistent with the Federal limit.

Ms. Peterson replied that spousal impoverishment was at \$50,000; now spousal impoverishment under Medicaid is at \$80,000. That was the base for it. The rationale does not hold today. They also have spousal impoverishment at \$80,000 and you also have the community spouse can have up to \$2100 income. It is not based on assets; it is deemed on money to live on. SENATOR DEMERS asked if \$25000 in assets isn't low because many people need specialized van or equipment to get around and a house and a van would be at or above the limit. Ms. Peterson said that when the law does not specifically address something we follow Medicaid

interpretation. We do not look at personal property because Medicaid doesn't and Medicaid is the most restrictive program and we use it as our guidance. The vehicle would be personal property; exemption of personal property and primary property (house). A van would not be considered to be of use to the individual of home based care. SENATOR FISCHER asked how you would classify a coin collection. It is personal property. SENATOR DEMERS asked if we could add vehicle/van after home in bill. No problem with that wording.

There was no opposition; the hearing was closed on SB2113.

Discussion was resumed on SB2113 on 1/19/99.

SENATOR LEE had done some research and it was thought \$50,000 was a little high, but \$25,000 was low. SENATOR FISCHER did not think that \$50,000 was average middle income.

SENATOR KILZER asked what services aren't the people receiving that they should be receiving? SENATOR LEE moved a DO NOT PASS. It as seconded by SENATOR DEMERS .

Discussion was that we needed an amendment just in case it passes the Senate. SENATOR DEMERS moved on line 27, page 2 insert after home “, the primary vehicle,” and after in insert “other” assets. SENATOR FISCHER seconded the amendment. Roll call vote carried 6-0.

SENATOR LEE moved a DO NOT PASS on the amended bill. SENATOR FISCHER seconded it. Roll call vote carried 6-0. SENATOR DEMERS will carry the bill.

FISCAL NOTE

(Return original and 14 copies)

Bill / Resolution No.: _____

Amendment to: SB 2113

Requested by Legislative Council

Date of Request: December 31, 1998

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts.

Narrative It is estimated, if this bill is enacted, that 10% of the current SPED Program recipients would lose eligibility over the first three months of the 1999-2001 biennium. The associated share of the appropriation (\$1,116,263) would be re-directed to enhance services available under the SPED Program.

2. State fiscal effect in dollar amounts:

	1997-1999		1999-2001		2001-2003	
	Biennium		Biennium		Biennium	
	General Fund	Special Funds	General Fund	Special Funds	General Fund	Special Funds
Revenues:						
Expenditures:		-0-		(1,116,263)		

3. What, if any, is the effect of this measure on the appropriation for your agency or department:

- a. For rest of 1997-99 biennium: -0-
- b. For the 1999-01 biennium: (1,116,263)
- c. For the 2001-03 biennium: _____

4. County, City, and School District fiscal effect in dollar amounts:

	1997-1999			1999-2001			2001-2003		
	Biennium			Biennium			Biennium		
	Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
									-0-

If additional space is needed, attach a supplemental sheet.

Signed

Brenda M. Weisz

Typed Name

Brenda M. Weisz

Date Prepared: January 21, 1999

Department

Human Services

Phone No.

328-2397

FISCAL NOTE

Return original and 13 copies)

Bill / Resolution No.: SB 2113

Amendment to: _____

Requested by Legislative Council

Date of Request: December 31, 1998

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts.

Narrative:

The significant impact of the bill would reduce the asset limit for persons eligible for special payments for the elderly and disabled (SPED). It is estimated, if this bill is enacted, that 10% of the current SPED Program recipients would lose eligibility over the first three months of the 1999-2001 biennium. The associated share of the appropriation (\$1,116,263) would be re-directed to enhance services available under the SPED Program.

2. State fiscal effect in dollar amounts:

1997-1999		1999-2001		2001-2003	
Biennium		Biennium		Biennium	
General	Special	General	Special	General	Special
Fund	Funds	Fund	Funds	Fund	Funds
Revenues:					
Expenditures: -0-					
		(1,116,263)			

3. What, if any, is the effect of this measure on the appropriation for your agency or department:

- a. For rest of 1997-99 biennium: _____ -0-
- b. For the 1999-01 biennium: _____ (1,116,263)
- c. For the 2001-03 biennium: _____

4. County, City, and School District fiscal effect in dollar amounts:

1997-1999			1999-2001			2001-2003		
Biennium			Biennium			Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
-0-								

If additional space is needed, attach a supplemental sheet.

Signed

Brenda M. Weisz

Typed Name

Brenda M. Weisz

Date Prepared: January 8, 1999

Department

Human Services

Phone No.

328-2397

PROPOSED AMENDMENTS TO SENATE BILL NO. 2113

Page 2, line 27 after "home" insert "the primary vehicle," and after "in" insert "other"

Renumber accordingly

Date: 4/19/99
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 213

Senate HUMAN SERVICES COMMITTEE Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number 98210.0101

Action Taken Amendment

Motion Made By Sen Demers Seconded By Sen Fischer

Senators	Yes	No	Senators	Yes	No
Senator Thane	✓				
Senator Kilzer	✓				
Senator Fischer	✓				
Senator Lee	✓				
Senator DeMers	✓				
Senator Mutzenberger	✓				

Total 6 (yes) 0 (no)

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

includes primary vehicle - other

Date: 4/19/99
Roll Call Vote #: 2

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2113

Senate HUMAN SERVICES COMMITTEE Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number 98 210.0101

Action Taken Do not Pass with Amendment

Motion Made By Sen Lee Seconded By Sen Fischer

Senators	Yes	No	Senators	Yes	No
Senator Thane	✓				
Senator Kilzer	✓				
Senator Fischer	✓				
Senator Lee	✓				
Senator DeMers	✓				
Senator Mutzenberger	✓				

Total 6 (yes) 0 (no)

Absent 0

Floor Assignment Sen DeMers

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 20, 1999 2:00 p.m.

Module No: SR-12-0916
Carrier: DeMers
Insert LC: 98210.0101 Title: .0200

REPORT OF STANDING COMMITTEE

SB 2113: Human Services Committee (Sen. Thane, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2113 was placed on the Sixth order on the calendar.

Page 2, line 27, after "home" insert ", the primary vehicle," and after "in" insert "other"

Renumber accordingly

1999 TESTIMONY

SB 2113

**SENATE HUMAN SERVICES COMMITTEE
SENATE BILL 2113
JANUARY 11, 1999**

Senator Thane and members of the Senate Human Services Committee, I am Muriel Peterson, Program Administrator in the Aging Services Division, Department of Human Services. I appear before you in support of Senate Bill 2113.

The Department of Human Services proposes the asset level for the SPED (Service Payments for Elderly & Disabled) Program be reduced to \$25,000 from the current \$50,000. The proposed statutory change is on page 2, line 27 (the last line). (The rest of the bill converts the statute to the format now in use.) An estimated 10% of current recipients (151) have assets in excess of \$25,000.

Appropriations for the SPED Program have increased every biennium. The Governor's budget includes an additional \$4 million just for the SPED Program; a 48% increase. This is the amount needed to maintain current operations and have a modest growth in number of recipients during the 1999-2001 biennium. The 1999-2001 budget does not allow for enhancement of service options -- that is, continue development of different in-home and community-based services (HCBS). The monies made available by reducing the asset limit, estimated at \$1,116,263, would be redirected to new service options. For example the \$1,116,263 could fund at least 60 recipients of adult residential service.

Lowering the asset level will also help balance access to HCBS funding sources. Eligibility for the Medicaid Waivers and Expanded SPED Program require the person be a recipient of, or eligible for, Medicaid. Eligibility is subject to disqualifying transfers and estate recovery applies. To meet financial eligibility under the SPED Program, limited assets are considered and the recipient participates in the cost based on a sliding-fee-scale. A reduction in the SPED Program's asset level will enable appropriations to be targeted to the population most in need of tax supported services.

Senate Human Services Committee
Senate Bill 2113
January 11, 1999

In summary, with the increasing need for funds, it behooves the Department to look at ways to reduce costs within the existing program as a way to expand service options. The Department of Human Services urges favorable consideration by the Committee.

This concludes my testimony. I will be available for questions from the Committee.

MP:t:2113.199