

# INTERIM JOINT COMMITTEE ON FAMILIES AND CHILDREN

## Minutes of the 4<sup>th</sup> Meeting of the 2023 Interim

September 27, 2023

### Call to Order and Roll Call

The 4<sup>th</sup> meeting of the Interim Joint Committee on Families and Children was held on September 27, 2023, at 1:00 PM in Room 149 of the Capitol Annex. Senator Danny Carroll, Chair, called the meeting to order, and the secretary called the roll.

### Present were:

Members: Representative Samara Heavrin Co-Chair; Senator Danny Carroll Co-Chair; Senators Greg Elkins, Denise Harper Angel, Amanda Mays Bledsoe, Stephen Meredith, Lindsey Tichenor, Robin L. Webb, and Max Wise; Representatives Shane Baker, Mike Clines, Jennifer Decker, Stephanie Dietz, Daniel Elliott, Jim Gooch Jr., Marianne Proctor, Steve Riley, Rachel Roarx, Lisa Willner, and Nick Wilson.

Guests: Brad Turner, Commissioner, Tennessee Department of Intellectual and Developmental Disabilities; Jordan Allen, Deputy Commissioner of Program Operations, Tennessee Department of Intellectual and Developmental Disabilities; Bart Baldwin, President, Bart Baldwin Consulting; Molly Dubuque, Vice President of Clinical Standards, LittleStar ABA Therapy; Jeremy Teague, parent of a child with autism; Heather Gray, Founder & Executive Director, The Joy Closet; Tressy Wells, Assistant Director, The Joy Closet; Melinda Szymanski, Programs Director, The Joy Closet; Laura Begin, Staff Assistant, Department for Community Based Services, Cabinet for Health & Family Services; and Misty Sammons, Director, Division of Financial & Administrative Management, Department for Community Based Services, Cabinet for Health & Family Services.

LRC Staff: Ben Payne, Logan Bush, Samir Nasir, and DJ Burns.

### Approval of Minutes

A motion to approve the August 24, 2023, minutes was made by Senator Meredith, seconded by Representative Heavrin, and approved by a voice vote.

### Medicaid Waiver Waitlist Discussion

Jordan Allen, Deputy Commissioner of Program Operations, Tennessee Department of Intellectual and Developmental Disabilities, discussed Home and Community-Based Services (HCBS) Medicaid Waiver programs. Tennessee's efforts to reduce the wait list for waiver slots include appropriations and maximizing resources and expanding options for Medicaid participants. Brad Turner, Commissioner, Tennessee Department of Intellectual and Developmental Disabilities, discussed maximizing resources and expanding options for Medicaid participants.

In response to questions and comments from Senator Carroll, Mr. Allen stated that the TN Department of Intellectual and Developmental Disabilities (DIDD) has a memorandum of

understanding with Vocational Rehabilitation to ensure seamless entry and exits between funding sources. Mr. Turned stated that the TN DIDD is a stand-alone department that only reports to the Governor.

In response to questions and comments from Representative Willner, Mr. Turner stated that DIDD looked at participants on HCBS waiver waitlists and determined who on the lists qualified for the services and if they didn't, moved that participant off the waitlist. Mr. Allen stated that all the screening and eligibility qualifications are done once a participant signs up for the waitlist. Mr. Turner stated that the DIDD has focused on how to reach citizens who will need government assistance and making sure TN meets their level of need.

In response to questions and comments from Senator Carroll, Mr. Allen stated that the current program is under a 1115a demonstration waiver and is administered by three managed care organizations.

In response to questions and comments from Representative Decker, Mr. Allen stated that the DIDD has general funds for single case agreements.

In response to questions and comments from Representative Roarx, Mr. Allen stated that the provider network is strong and meeting the needs of participants, but it has been difficult for providers to determine how to staff for intermittent support needs. Mr. Turner stated that ensuring that the provider network is strong and can service the needs of participants is the foundation of supporting providers. Mr. Allen stated that as of 2016, 1915c waivers enrollment was closed. Mr. Turner stated that the DIDD has 500 employees across the state that ensure providers are meeting outcome expectations and quality control.

In response to questions and comments from Senator Carroll, Mr. Allen stated that it is a state fund and federal dollar match, that funds the Katie Beckett Waiver. Mr. Turner stated that TN has focused on how to invest state dollars quicker.

### **Discussion of Healthcare Services Payment Rates**

Bart Baldwin, President, Bart Baldwin Consulting, discussed background on applied behavior analysis (ABA) providers including 10 RS HB 159, which created a licensing board for ABA and required commercial insurance to pay for autism ABA services. He discussed a request of a 25 percent increase in Medicaid Behavioral Health Service Organizations rates.

Molly Dubuque, Vice President of Clinical Standards, LittleStar ABA Therapy, discussed the workforce shortage and the negative effects an autistic child undergoes while on a waiting list and not receiving ABA services.

Jeremy Teague, parent of a child with autism, discussed his perspective of ABA services for his child and how it has helped.

In response to questions and comments from Senator Mays Bledsoe, Mr. Baldwin stated that he was here to talk about payment rates but agreed that it takes a combination of ABA with other therapies to be successful.

### **Foster Care Support Services Discussion**

Heather Gray, Founder & Executive Director, The Joy Closet, discussed background information on The Joy Closet including services they offer to foster and fictive kin families. Tressy Wells, Assistant Director, The Joy Closet, discussed the need for a satellite closet in every community. Melinda Szymanski, Programs Director, The Joy Closet, discussed improvements for foster care families since The Joy Closet was opened and connecting teen foster care kids with mentors and career opportunities.

In response to questions and comments from Representative Decker, Ms. Gray stated that there are no limits on the number of times a foster family can come.

In response to questions and comments from Representative Roarx, Ms. Gray stated that The Joy Closet is a non-profit organization funded by 95 percent community funds and 5 percent grants.

### **DCBS Half-Year Block Grant Status Reports**

- Social Services
- Community Services
- Child Care and Development Fund
- Low Income Home Energy Assistance Program
- Temporary Assistance for Needy Families

The DCBS half-year block grant status reports, above, have been reviewed by the committee.

### **Consideration of Referred Administrative Regulations**

921 KAR 001:400 Proposed

922 KAR 002:180 Proposed

In response to questions and comments from Senator Carroll, Ms. Begin stated that 922 KAR 002:180 was changed to comply with federal regulations.

The administrative regulations, above, have been reviewed by the committee.

### **Adjournment**

There being no further business, the meeting was adjourned at 3:10 PM.