

KENTUCKY HEALTH & HUMAN SERVICES DELIVERY SYSTEM TASK FORCE

Minutes of the 2nd Meeting of the 2023 Interim

July 24, 2023

Call to Order and Roll Call

The 2nd meeting of the Kentucky Health & Human Services Delivery System Task Force was held on Monday, July 24, 2023, at 3:00 PM, in Room 171 of the Capitol Annex. Representative David Meade, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Stephen Meredith, Co-Chair; Representative David Meade, Co-Chair; Senators Julie Raque Adams, Denise Harper Angel, and Amanda Mays Bledsoe; Representatives Samara Heavrin, Kimberly Poore Moser, Amy Neighbors, and Sarah Stalker.

Guests: Eric Friedlander, Secretary; Lesa Dennis, Commissioner, Department for Community Based Services; Melanie Taylor, Director, Division of Protection and Permanency; Lisa Lee, Commissioner, Department for Medicaid Services; Mary Carpenter, Executive Advisor, Department for Community Based Services; Allen Brenzel, Clinical Director, Department for Behavioral Health, Developmental & Intellectual Disabilities; Katie Marks, Commissioner, Department for Behavioral Health, Developmental & Intellectual Disabilities; Wesley Duke, Executive Director, Office of Legal Services, Cabinet for Health & Family Services; Andrea Bruns, State Director/CEO, The KY CASA Network; Melynda Jamison, Executive Director, CASA of Lexington; Rachel Bingham, Director, Office of Statewide Programs, Administrative Office of the Courts; Eddie Slone, Executive Director; and John Holder, Board Chair, KY Board of Emergency Medical Services.

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

Approval of Minutes

A motion to approve the June 5, 2023, minutes was made by Senator Raque Adams, seconded by Representative Heavrin, and approved by a voice vote.

Update on Child Welfare

Eric Friedlander, Secretary, Cabinet for Health and Family Services (CHFS), discussed recent news articles pertaining to children placed with CHFS and the need to

house those children within state offices while placement is being found. He discussed the reasoning behind these decisions and remedies CHFS is pursuing so this does not happen in the future.

In response to questions and comments from Representative Meade, Secretary Friedlander stated that CHFS is looking into increasing reimbursements rates for psychiatric residential treatment facilities (PRTF) to help support providers. Lesa Dennis, Commissioner, Department for Community Based Services, Cabinet for Health and Family Services, stated that most of the youth who stay in a state office, only do so for 1 to 2 days, but there have been a few cases where a child is required to stay longer. She stated that CHFS has partnered with local YMCAs for use of their facilities for showers when a child is staying at a state office awaiting placement. Secretary Friedlander stated that this trend started in rural areas of the state, but has expanded recently into more urban areas. Commissioner Dennis stated that hotels are used when available, but state offices are more secure and safe.

In response to questions and comments from Senator Raque Adams, Commissioner Dennis stated that employees get paid overtime and a shift premium of \$5 an hour. Melanie Taylor, Director, Division of Protection and Permanency, Department for Community Based Services, Cabinet for Health & Family Services, stated that therapeutic foster care facilities are at 50 percent capacity and the cases that are staying in state office buildings are cases that those facilities feel they are not equipped to care for. Secretary Friedlander stated that raising the single case rate has not had the effect CHFS had hoped for and they are looking into other options to open more placement facilities. He stated CHFS has placed every child but one.

In response to questions and comments from Representative Heavrin, Secretary Friedlander stated that CHFS makes referrals to PRTF's and those facilities can reject those referrals based on if the facility is not equipped for the child's needs.

In response to questions and comments from Representative Stalker, Commissioner Dennis stated that most of the cases are children with behavioral or intellectual needs, adoption disruption cases, and juvenile justice records. Representative Stalker asked for demographics of the cases that CHFS is housing in state offices, Allen Brenzel, Clinical Director, Department for Behavioral Health, Developmental & Intellectual Disabilities, Cabinet for Health & Family Services, responded.

In response to questions and comments from Representative Meade, Ms. Taylor stated that she could not speculate on the number of foster homes within the state, but could get the information and send it to the task force. Lisa Lee, Commissioner, Department for Medicaid Services, Cabinet for Health and Family Services, stated that Medicaid behavioral health fee schedule is tied to the KY Medicare fee schedule, when Medicare's schedule changes, the Medicaid rate follows. Secretary Friedlander stated that there was a

reduction for a brief period, but the Medicaid rate was adjusted to reflect the higher rate before the reduction of Medicare.

Melynda Jamison, Executive Director, CASA of Lexington, discussed the role of a CASA volunteer, how CASA works a case with DCBS and guardian ad litem, and trends in child abuse and neglect cases. Andrea Bruns, State Director/CEO, The KY CASA Network, discussed the KY CASA network, recommendations for improvement of the CASA system, and budget requests for fiscal year 2025 - 2026.

In response to questions and comments from Representative Meade, Ms. Bruns stated that once a judge appoints a Court Appointed Special Advocate (CASA) worker in a case, it is required for all parties to work with that CASA worker. She stated not all cases are appointed CASA workers as it depends on the county and the availability of a volunteer. Ms. Jamison stated that Indiana uses CASA volunteers more widely throughout the state because children do not receive a lawyer, which is different from the system Kentucky uses. She stated she would like to work towards getting all 120 counties fully covered by CASA, but that will take time and extra funding.

In response to questions and comments from Senator Mays Bledsoe, Ms. Jamison stated that in the past ten years CASA has grown from one percent coverage to ten percent.

In response to questions and comments from Representative Stalker, Ms. Bruns stated that Indiana has a system setup for some fees to be collected by CASA but that is not across the board. She stated she fears a paid advocacy model is more biased than an unpaid one. Ms. Jamison stated that CASA of Lexington started a program last year to assist with volunteers' gas to help cover the cost of the transportation.

Rachel Bingham, Director, Office of Statewide Programs, Administrative Office of the Courts, discussed the administrative office of the court's role in child welfare and partners they collaborate with.

Implementation of 23 RS HJR 38

John Holder, Board Chair, KY Board of Emergency Medical Services, discussed the implementation of 23 RS HJR 38 and the change in reimbursement for emergency medical services administering treatment in place as well as the benefits of it.

In response to questions and comment from Representative Moser, Mr. Holder stated that treatment in place is done by the medical direction of a physician and there are liability concerns.

In response to questions and comments from Senator Mays Bledsoe, Mr. Holder stated that currently there is 8 to 10 community paramedicine pilot programs throughout the state.

DMS Report on Implementation of 23 RS HJR 38

Lisa Lee, Commissioner, Department for Medicaid Services, Cabinet for Health and Family Services, discussed the implementation of 23 RS HJR 38 including the increase in reimbursement rates for ambulance services, alternate destinations, and the new behavioral health crisis transport provider type.

Adjournment

There being no further business, the meeting was adjourned at 4:55 PM.