
LEGAL UPDATE

Legal Services Division



Ground Floor, State Capitol Building

Des Moines, Iowa 50319

515.281.3566

MEDICAL ASSISTANCE ADVISORY COUNCIL — EXECUTIVE COMMITTEE — JUNE 11, 2019

Purpose. *Legal updates are prepared by the nonpartisan Legal Services Division of the Legislative Services Agency. A legal update is intended to provide legislators, legislative staff, and other persons interested in legislative matters with summaries of recent court decisions, Attorney General Opinions, regulatory actions, federal actions, and other occurrences of a legal nature that may be pertinent to the General Assembly's consideration of a topic. Although an update may identify issues for consideration by the General Assembly, it should not be interpreted as advocating any particular course of action.*

Date and Location. The Medical Assistance Advisory Council (MAAC) Executive Committee met on June 11, 2019, in the Hoover State Office Building, A-Level, Conference Room 7.

Mandatory Reporter Training Changes. Ms. Janee Harvey, Bureau Chief, Bureau of Community Services and Planning, Department of Human Services (DHS), reviewed the changes in mandatory reporter training required pursuant to HF 731, enacted by the 2019 General Assembly. She noted that the law modifies mandatory reporter child abuse and dependent adult abuse training requirements by eliminating the Department of Public Health's responsibility to review and approve the training curricula; requires DHS to develop and provide the core training curriculum for all mandatory reporters in the state; allows employers to provide supplemental training in addition to the core curriculum provided by DHS; requires all mandatory reporters to complete two hours of training within six months of employment or self-employment unless otherwise provided in federal law, and to complete one hour of additional training every three years; requires separate rather than combined core trainings for child abuse and dependent adult abuse; and recognizes valid mandatory reporter training certificates issued prior to July 1, 2019, for the five-year period following issuance. The core two-hour DHS-developed trainings will be hosted on the DHS website and available beginning July 1, 2019. These trainings will be free, available 24 hours a day, seven days a week, will require a pretesting and posttesting to ensure competencies are attained, and upon completion of the training will make a certificate of completion available to participants. Individual mandatory reporters will be responsible for providing the necessary proof of certification. The link for the trainings is available at dhs.iowa.gov/child-welfare/mandatoryreporter, which also includes frequently asked questions and other relevant information.

MAAC Restructuring. Co-chairperson Gerd Clabaugh reviewed a proposal and draft administrative rules relating to the restructuring of the MAAC based upon HF 766, enacted by the 2019 General Assembly. Pursuant to the changes in the law, the MAAC will consist of a total of ten voting members, five of whom represent business and professional entities selected by the current number of business and professional entities specified in law, and five of whom are public members appointed by the Governor, instead of the current number of voting members; and the executive committee will be eliminated. The full council will continue to meet quarterly. The executive committee members discussed the transition to the restructured MAAC and the draft rules reflecting the restructuring. The executive committee members discussed the process for selecting the five business and professional entity members and the terms of these members. The executive committee members supported the idea of staggering the initial terms so that three members serve three-year terms and two members serve two-year terms initially, and thereafter all five members would serve two-year terms, to provide for continuity. The executive committee agreed that the restructured MAAC should meet beginning with the next scheduled meeting on August 6, 2019, and that prior to that meeting, the business and professional entity members will be asked to vote for five distinct members to determine the initial business and professional entity membership on the MAAC. It was suggested that the decision regarding the length of the terms of the

initial members selected be determined by a coin toss. The proposed rules will be reviewed and the co-chairperson representative of the public members will be selected at the August 6, 2019, meeting.

Medicaid Director's Update. Mr. Michael Randol, Medicaid Director, DHS, provided an update on the Medicaid program. He noted that the exit of United Healthcare (UHC) and the onboarding of Iowa Total Care (ITC) is moving forward, and he is confident ITC will be ready to serve members on July 1, 2019. After July 1, 2019, Medicaid managed care members will be enrolled "passively" rather than initially being enrolled in the Medicaid fee-for-service program. DHS is also updating, on a weekly basis, a roster of all case managers formerly employed by UHC who will continue as case managers under either AmeriGroup or ITC. This roster will be available to a member by contacting DHS member services or the respective managed care organization's member services, so that a member who wishes to select a managed care organization based on continuing with a particular case manager will be able to do so. Director Randol clarified that even though some providers will not be credentialed by the ITC by July 1, 2019, if the provider has executed a contract with ITC by that date, the provider will be reimbursed at 100 percent of reimbursement rather than the out-of-network 80 percent level of reimbursement. Director Randol also noted that significant improvement in network adequacy by ITC continues to take place and he expected that once a specific provider contracts with ITC, ITC will meet network adequacy.

The agenda and meeting materials may be found at:

dhs.iowa.gov/sites/default/files/MAAC_EC_Agenda-June_11_2019.pdf?061420191625
and dhs.iowa.gov/sites/default/files/MAAC_MEETING_MATERIALS_PACKET_EC_6-11-19.pdf?061420191624

LSA Staff Contact: Patricia A. Funaro, Legal Services, (515.281.3040) patty.funaro@legis.iowa.gov

1050201