

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2239

2001 SENATE HUMAN SERVICES

SB 2239

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2239

Senate Human Services Committee

Conference Committee

Hearing Date January 29, 2001

Tape Number	Side A	Side B	Meter #
1	X		15.2
1		X	17.6
Committee Clerk Signature <i>Robert Galadys, clerk</i>			

Minutes:

The hearing was opened on SB 2239.

REPRESENTATIVE KLINSKI introduced the bill. The past bill has been an insurance mandate which is a \$3,000 cap on metabolic formula and food for children with PKU. Because of a technical error, the cap only applied to the food portion of it, but was unlimited for the formula. The intent was that the cap would cover all areas of metabolic food and formula. The other portion deals with funding of the formula through the Department of Health. There was a section that stated it was based on the family's ability to pay. We found it detrimental to the families and the Health Department should be covering.

SENATOR FLAKOLL sponsor of the bill, spoke in support of the bill. Used pencil demonstration to illustrate how the body can or cannot break down protein.

SENATOR FISCHER, sponsor of the bill spoke in support of bill. Acknowledged the involvement of many people. Amendments were offered. This would provide an appropriate the funds necessary to cover food and formula as families need it.

DR. TODD TWOGOOD, pediatrician at Medcenter One, supports bill with written testimony.

JACK MCDONALD, ARC of ND, supports bill (Written testimony) SENATOR POLOVITZ:

Is this amendment not to have the insurance companies involved with this at all? MR.

MCDONALD: Not quite right. The amendments will mean that the Health Department will fund the formula provision from Health Department funds. It would not seek reimbursement from the children's insurance policy. Therefore the full amount of the insurance would be available to the parents for the low-protein food that the health department does not provide.

The insurance companies would be involved, but through the parents of these children.

ROD ST. AUBYN, BCBS, supports bill and amendments. (Written testimony)

KAREN EHRENS, ND Dietetic Association, supports bill (Written testimony)

BRENDA RAKOCZY, PKU family, supports bill in written testimony.

DARLENE BARTZ, Department of Health, supports bill, (Written testimony)

ANNE CHRISTIANS, PKU adult, supports bill (Written testimony)

AMY JOHNSON, parent of PKU son, supports this bill, written testimony.

DAVID AAKRE, parent of PKU children, supports this bill in written testimony.

DANIELLE AAKRE, PKU patient, gave speech on PKU.

DAVE PESKE, ND Medical Association, was involved in the discussions; supports bill.

NANCY OUDERKIRK, parent of PKU son, supports bill, written testimony.

Written testimony from KIM and BRENDA ANKENBAUER, parents of PKU children.

RENEE CHIRSTIANS, mother of two young PKU afflicted adults. (Written testimony)

Page 3

Senate Human Services Committee

Bill/Resolution Number SB 2239

Hearing Date January 29, 2001

The hearing was closed on SB 2239.

Discussion was resumed on SB 2239, Tape 1, Side B, Meter 17.4.

SENATOR MATHER moved to adopt the amendments offered by Senator Fischer.

SENATOR POLOVITZ seconded the motion. Roll call vote carried 6-0. SENATOR

POLOVITZ moved a DO PASS AS AMENDED and rereferred to appropriations. SENATOR

FISCHER seconded it. Roll call vote carried 6-0. SENATOR MATHERN will carry the bill.

FISCAL NOTE
 Requested by Legislative Council
 04/02/2001

Bill/Resolution No.:

Amendment to: Reengrossed
 SB 2239

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$140,192		\$140,192
Expenditures			\$89,152	\$140,192	\$89,152	\$140,192
Appropriations			\$89,152	\$140,192	\$89,152	\$140,192

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill requires the Department of Human Services to provide medical food or formula and low-protein modified food products to individuals with phenylketonuria (PKU) or maple syrup urine disease (MSUD). It is estimated that 27 individuals will utilize this program during the 2001-2003 biennium. This bill transfers the process of purchasing and distributing formula and low-protein modified food products from the Health Department to the Department of Human Services.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The revenues are anticipated to be derived from the federal Maternal & Child Health Services Block Grant, and from individuals who purchase medical food from the Department at cost.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The expenditures reflected above are based upon purchasing and shipping medical food and low-protein modified food products for an estimated 27 individuals.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect*

on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

The Department of Human Services appropriation would need to be increased by \$229,344, with \$89,152 to purchase the necessary medical foods for program participants, as provided in this bill.

If the Department's appropriation is not increased to cover this additional program, the service contracts for multidisciplinary clinics, care coordination and family support activities would have to be reduced.

Name:	Debra A. McDermott	Agency:	Department of Human Services
Phone Number:	328-3695	Date Prepared:	04/04/2001

FISCAL NOTE
 Requested by Legislative Council
 2/20/2001

Bill/Resolution No.:

Amendment to: Engrossed
 SB 2239

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$80,000		\$80,000
Expenditures				\$80,000		\$80,000
Appropriations						

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Due to increased costs of metabolic food (formula) provided to individuals with phenylketonuria (PKU) and maple syrup urine disease (MSUD) and the increased program participation, it is estimated that an increase of \$80,000 will be incurred. The reengrossed bill allows the Department to seek reimbursement from any government program that provides coverage to that individual. For the 01-03 biennium it is estimated that we may collect approximately \$8,000 from other government programs. **Included in the Health Department's appropriation bill SB 2004 is \$80,000 from the community health trust fund.**

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The \$80,000 in the revenue column is from the community health trust fund and is included in the Health Department's appropriation bill SB 2004

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

It is estimated that the increased costs of medical foods and the increased program participation would cost an additional \$80,000 for the 2001-03 and 2003-05 bienniums. It is included in the Health Department's appropriation bill SB 2004.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	Kathy J. Albin	Agency:	Department of Health
Phone Number:	328-2392	Date Prepared:	03/05/2001

FISCAL NOTE
 Requested by Legislative Council
 02/01/2001

Bill/Resolution No.:

Amendment to: SB 2239

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$80,000		\$80,000	
Appropriations						

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Due to the increased costs of metabolic food (formula) provided to individuals with phenylketonuria (PKU) and maple syrup urine disease (MSUD), and the increased program participation, it is estimated that an increase of \$80,000 of general funds will be incurred.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

It is estimated that increased costs of medical foods and the increased program participation would cost an additional \$80,000 for the 2001-03 and the 2003-05 bienniums.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

If this bill is passed the Department will need \$80,000 of increased general fund appropriation. These costs are not included in our 2001-03 budget request SB 2004.

Name:	Kathy J. Albin	Agency:	Health Department
Phone Number:	328-2392	Date Prepared:	02/01/2001

FISCAL NOTE
 Requested by Legislative Council
 01/17/2001

Bill/Resolution No.: SB 2239

Amendment to:

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$70,000		\$70,000
Expenditures			\$10,000	\$70,000	\$10,000	\$70,000
Appropriations						

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Due to the increased costs of metabolic food (formula) provided to individuals with phenylketonuria (PKU) and maple syrup urine disease (MSUD), and the increased program participation, it is estimated that an increase of \$80,000 will be incurred. It is anticipated that \$70,000 will be collected from insurance companies, nonprofit health service corporations, health maintenance organizations, and government programs. The remaining \$10,000 will be needed from the general fund.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

It is estimated that the Department will collect \$70,000 from insurance companies, nonprofit health service corporations, health maintenance organizations, and government programs.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

It is estimated that increased costs of medical foods and the increased program participation would cost an additional \$80,000 for the 2001-03 biennium. It is anticipated that of the \$80,000 of additional expenses that \$70,000 will be reimbursed by some from of insurance provider or government program and that \$10,000 of general funds will be needed.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

If this bill is passed the Department will need \$80,000 of increased appropriation. These costs are not included in our appropriation SB 2004.

Name:	Kathy J. Albin	Agency:	Health
Phone Number:	328-2392	Date Prepared:	01/23/2001