

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2330

2001 SENATE HUMAN SERVICES

SB 2330

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2330-2331

Senate Human Services Committee

Conference Committee

Hearing Date February 5, 2001

Tape Number		Side A	Side B	Meter #
	1	X	X	
	2	X		
February 7, 2001	2	X		35.3
February 7, 2001	2		X	
Committee Clerk Signature <i>Carol Holodziejchuk</i>				

Minutes:

The committee was called to order by SENATOR LEE with all Senators present.

The hearing was opened on SB 2330 and 2331. The bills were heard together.

SENATOR MATHERN, sponsor of SB2330, introduced the bill with written testimony.

SENATOR MATHERN, sponsor of SB2331, introduced the bill with written testimony and presented proposed amendments.

DEB ISSACSON, speech pathologist, supports the bill. SENATOR LEE: What is the difference of evaluating the devices as medical or school. The physician recommends and prescribes. It is a team setting. Devices are used in schools and in community. Most school districts are good about allowing the device home at night or on the weekend. I can only speak for the school districts I am familiar with. If the device is covered by insurance it will be the child's. It goes with the child at all times.

SADY PAULSON, student using voice device, spoke through the device to the committee.

(Written testimony).

KATHY SCHULTE presented a letter from DR. KERSTIN SOBUS, Altru Health Services, Grand Forks, supports bill.

CONNIE LILLIARD presented testimony from parents in Wembleton, who have a daughter using a device. They support the bill. DAVE and BARB BURSTEAD. (Written testimony)

SENATOR MATHERN: When someone has a device only at certain times, how does this affect the child? MS. LILLIARD: In school devices are used; they are not available at home and they must change communication patterns. It is potentially harmful.

ANNE ALBRIGHT, Anne Carlson Center, Jamestown, supports bill. The earlier you can get the child a device, the better. If only in school, the social, more motivating situations are outside of school and they don't have the communicating ability. What the children get is what they have on their shelves already and it is not the proper device for that child. The device should fit the child rather than the device fits the child's needs. Therapists do not know exactly what is out there and further assessment is needed. SENATOR ERBELE: What cost is there involved.

How many people need this in ND. MS. ALBRIGHT: The cost ranges from \$400-600 for low tech devices. We are trying to get a device funded just for our evaluation and that device is about \$9400. I'm not sure what the numbers are.

Opposition:

MICHELLE RAGAN, occupational therapist, urges amendments to include occupational therapists. (Written testimony)

This ended testimony specifically on 2330.

The chairperson called for testimony in favor of SB 2331.

SENATOR KILZER took the Chair position.

ERICA PELISHEK supports the bill (Written testimony)

JODI PELISHEK, mother, supports bill, (Written testimony)

ANNETTE KAIP, parent of a son with Cerebral Palsy, supports bill. (Written testimony)

Presented pictures to the committee.

HEATHER PHILLIPS, licensed physical therapist, supports bill. (Written testimony)

SENATOR KILZER: How long have you been practicing? MS. PHILLIPS: 2 years.

DEB HOUDEK, PA-C, Medcenter One, supports both bills. Written testimony on 2330 and 2331.

DR. KEVIN MURPHY supports bill in written testimony.

KEVIN VAN ECK, parent, supports bill. His family was denied several physical helps. My son needs to be strapped in chairs, walkers, standers.

MJ AJLOUNY, RN, BSN, supports bill, (Written testimony)

DR. MYRA QUANRUD, MD FAAP, supports bill (Written testimony).

LEON KELLER, Director of Rehabilitation Services at Medcenter One, supports bill. (Written testimony)

KAREN HIPSAK, supports bill in written testimony.

KATHY SCHMIDT read testimony from DONENE FEIST. (Written testimony)

COLLEEN STOCKERT, parent and employe of Dept. Of Human Services, supports bill. (Written testimony)

DARLENE WEIGEL supports bill in written testimony.

KEVIN OLSON, parent, supports bill in written testimony.

RICK PELISHEK, Executive Director of the ND Disabilities Advocacy Consortium (NDDAC), supports bill. (Written testimony)

GRANT WILZ, Jordan's father, supports bill. Gave example of son's progress without therapy.

JON RICE, BCBS medical doctor, supports both bills with written testimony.

SENATOR LEE: How many children are covered in ND? DR. RICE: About 40% or 1.2

million per year. SENATOR KILZER: How long has language been in policy? DR. RICE: It

is an excision; the procedure is not denied. SENATOR MATHERN: Please explain. DR.

RICE: We will not cover because of it being an exclusion which means it is not medically

necessary. SENATOR KILZER: Does the Board at BCBS have any activity on the issue?

DR. RICE: No, I am not aware of any. SENATOR MATHERN: Is BCBS willing to cover part

of costs if the school board will cover part or what is meshing? DR. RICE: We are open to

considering that; there is some legal obligation to the school system to provide these devices. If

there is an opportunity to share these, what happens to the child who is uninsured, or the child

covered by Medicaid, who covers these devices better than we do at BCBS. SENATOR

MATHERN: Have you considered the possibility that schools might contract with you and the

families to provide this by each of you putting in part of it. DR. RICE: It may be considered. It

has not been a discussed item in the past.

Opposition:

DR. RICE, BCBS, opposes bill. (Written testimony on 2331). SENATOR MATHERN: Do you

make similar decisions about coverage as in the care of the heart? DR. RICE: Yes, we make

decisions. Adult medicine is different from kids. There are instances that are unallowable.

SENATOR MATHERN: Are these experimental? DR. RICE: There are not good studies and

that is one of the difficulties we have. How much therapy does a child need or how many

changes will take place. A lot of these things revolve around how often, how frequent, how long should we continue the therapy. What is maintenance and what is progress. Children change all the time. How much is due to the therapy or the growing and developing. SENATOR MATHERN: You talked about working together with groups. If you are able to offer more payment for more therapy; how would that impact your place in the market. Would it be useful in the Century Code so all insurance companies are treated the same. DR. RICE: You make a good point. Will it get financially out of hand? Employers would not be able to handle it. ARISA would not be affected. It is out of state, high risk.

ROD ST. AUBYN. BCBS, continues discussion. BCBS is providing for children. We need to go back. 92 cents goes for claims, 8 cents for administration. Expanded services are not objectionable. Subscribers are saying we can't afford it. We have to keep in mind 2331 would be millions of dollars. SENATOR LEE: What time frame do we need for working on problems. MR. ST. AUBYN: You have established a 4 month time frame for a task force to work on this. DPI indicated they may do something about the speech devices to be with the child at home. BRENDA BLAZER, Health Insurance Association of America, opposes 2330 and 2331 in written testimony.

The hearing was closed on SB 2330 and SB 2331.

February 7, 2001, Tape 2, Side A, Meter 35.4

The Human Services committee was called back to order. SENATOR MATHERN presented amendments to SB 2331. He explained these amendments are to correct the problem as to how these issues are dealt with by the Insurance Commissioners Office, and to eliminate the 70% issue of providers and narrow down the physical and speech therapy. Discussion followed. It was decided that the amendments would not make this a good bill.

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Senate Human Services Committee

Bill/Resolution Number SB 2330-2331

Hearing Date ~~February 5, 2004~~

2-7-01

SENATOR MATHERN moved the accept the amendments. SENATOR POLOVITZ seconded the motion. Roll call vote carried 6-0. SENATOR FISCHER moved a DO NOT PASS. SENATOR KILZER seconded the motion. Roll call vote carried 6-0. SENATOR LEE will carry the bill.

Discussion continued on SB 2330. SENATOR FISCHER present some amendments.

MR. GRONBERG, Dept of Education, explained the departments involvement with assistive technology devices or service. These serve communication as well as physical. The conjunction of school board and insurance would certainly contribute help to the parent needing the device for the child. A task force of the Department, insurance payer, insurance company, and not-for-profit organizations could come together to finance these devices. SENATOR FISCHER moved the amendments. SENATOR MATHERN seconded the motion. Roll call vote carried 6-0. SENATOR FISCHER moved a DO PASS AS AMENDED. SENATOR MATHERN seconded it. Roll call vote carried 6-0. SENATOR FISCHER will carry the bill.

Roll Call Vote #: / Date: 2/7/01

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2330

Senate HUMAN SERVICES Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Amendments

Motion Made By Sen Fischer Seconded By Sen Mathern

Senators	Yes	No	Senators	Yes	No
Senator Lee, Chairperson	✓		Senator Polovitz	✓	
Senator Kilzer, Vice-Chairperson	✓		Senator Mathern	✓	
Senator Erbele	✓				
Senator Fischer	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

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

Sen Fischer

Roll Call Vote #: 2 Date: 2/7/01

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2330

Senate HUMAN SERVICES Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do pass as Amended

Motion Made By Sen Fischer Seconded By Sen Mathern

Senators	Yes	No	Senators	Yes	No
Senator Lee, Chairperson	✓		Senator Polovitz	✓	
Senator Kilzer, Vice-Chairperson	✓		Senator Mathern	✓	
Senator Erbele	✓				
Senator Fischer	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen Fischer

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

REPORT OF STANDING COMMITTEE

SB 2330: Human Services Committee (Sen. Lee, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2330 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "create and enact a new section to chapter 26.1-36 and a new section to" with "provide for a legislative council study"

Page 1, line 2, remove "chapter 54-52.1 of the North Dakota Century Code."

Page 1, line 5, replace "A new section to chapter 26.1-36 of the North Dakota Century Code is" with "**LEGISLATIVE COUNCIL STUDY.** The legislative council shall consider studying, during the 2001-2002 interim, the coordination of benefits for children with special needs under the age of twenty-one among the department of public instruction, the department of human services, and private insurance companies, with the purpose of optimizing and coordinating resources and expanding services including augmentative communication devices and therapy services. The study, if conducted, must include reports from any private insurance company's task force concerning the coordination of these services. If the study is conducted, the legislative council shall report its findings and recommendations, together with any legislation required to implement its recommendations, to the fifty-eighth legislative assembly."

Page 1, remove lines 6 through 23

Page 2, remove lines 1 and 2

Renumber accordingly

2001 HOUSE HUMAN SERVICES

SB 2330

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2330

House Human Services Committee

Conference Committee

Hearing Date March 12, 2001

Tape Number	Side A	Side B	Meter #
2	x		2404 to 3732
3	x		3620 to 3835
Committee Clerk Signature <i>Cornie Easton</i>			

Minutes:

Vice Chair Devlin: We will open the hearing on SB 2330.

Sen. Tim Mathern - District 11: SB 2330 is not a study resolution. It was introduced as a bill regarding mandated insurance coverage. In our state there is some confusion about the obligation of an insurance company and the obligation of a school district to pay for certain kinds of medative communication devices and therapy services. SB 2330 was introduced to clarify the responsibility of payment for those services. One of these medative devices might be a board with an alphabet on it or it might be a computer. There is a wide range of what would be covered under this matter, basically the Senate committee decided to amend this bill. Basically the bill as you have it before you in the house, is a study bill asking that the Legislative Council study the coordination of benefits for children of special needs under the age 21. Among the Department of Public Instruction, the Department of Human Services and the Insurance Companies. The goal of this study is to determine who is responsible for payment for these devices and therapies for

