

MINUTES  
MEDICAL SERVICES FUND ADVISORY COUNCIL MEETING  
August 26, 2016

**Members and Alternates Present**

Cindy Beane, Acting Commissioner, BMS  
Sarah Young, Acting Deputy Commissioner, BMS Alternate

**Members and Alternates attending via phone**

Pat Kelly, Nursing Home Representative  
Carol Haugen, WV Hospital Association Alternate  
Louise Reese, Primary Care Association Representative  
Thom Stevens, WV Academy of Family Physicians Alternate  
Dr. Matthew Christiansen, WV Academy Family Physicians Representative  
Mark Drennan, WV Behavioral Health Association Representative  
Dr. Tracy Hendershot, WV Academy Family Physicians Representative

**Bureau for Medical Services Employees Present**

Ryan Sims, General Counsel  
Tony Atkins, Deputy Commissioner, Finance, BMS  
Penney Hall, Director, Special Projects, BMS

**Interested Parties Present**

Benita Whitman, Legal Aid  
Tom Susman

**Welcome and Opening Remarks**

Acting Bureau for Medical Services Commissioner Cindy Beane welcomed everyone to the special meeting. She said there were several state plan amendments (SPAs) which needed to be completed by the end of this quarter.

**State Plan Amendments**

Ryan Sims presented the Asset Verifications System SPA, which is required by the Centers for Medicare and Medicaid Services (CMS). This SPA informs CMS how the state plans to establish the asset verification system. The system probably will not be ready until 2018 and will be part of the new eligibility system which the state is currently in the process of procuring. Carol Haugen moved to approve the SPA; Dr. Tracy Hendershot seconded; motion passed.

Mr. Sims presented the Disproportionate Share Hospitals SPA. This SPA clarifies that disproportionate share funds are redistributed based upon the year ending finding audit. Louise Reese moved to approve the SPA; Mark Drennan seconded; motion passed.

Mr. Sims presented the Access Payments to Private Prospective Payment System (PPS) Hospitals SPA. This is an annual SPA which updates the upper payment limits (UPL) which are paid to certain Medicaid provider hospitals. The updates adjust applicable years

to which the UPL applies and the percentage of provider tax rate which funds UPL. Dr. Hendershot moved to approve the SPA; Ms. Haugen seconded; motion passed.

The final SPA also applies to payments to PPS Hospitals. This SPA changes the source of data from which estimated interim payments to certain hospitals of enhanced funds are calculated. The updated language ensures the most recent data available will be used. It provides for a better distribution of funds. Ms. Reese moved to approve the SPA; Ms. Haugen seconded; motion passed.

**Other Business**

Mr. Drennan asked if, in light of the recent Supreme Court stay, on the unbundling of Child Residential Facilities, the Bureau had withdrawn the SPA from CMS. Mr. Sims said since this issue is still in litigation he was not able to respond to the question. Mr. Sims said the Supreme Court is expediting this matter.

**Public Comment**

None

**Meeting adjourned**

Ms. Haugen moved to adjourn; Dr. Hendershot seconded. The motion was passed.

Minutes submitted by:

Penney Hall  
BMS, Special Projects Director