

MEMORANDUM

September 11, 2015

TO: County Council

FROM: Robert H. Drummer, Senior Legislative Attorney



SUBJECT: **Introduction:** Expedited Bill 36-15, Health - Montgomery Cares Advisory Board
– Continuation - Amendments

Expedited Bill 36-15, Health - Montgomery Cares Advisory Board – Continuation - Amendments, sponsored by Lead Sponsor, the Health and Human Services Committee, is scheduled to be introduced on September 15, 2015. A public hearing is tentatively scheduled for September 29, 2015 at 1:30 p.m.

Bill 36-15 would extend the life of the Advisory Board for the Montgomery Cares Program. The Bill would also modify its mission and duties as well as modify its membership.

Background

The County law governing the Advisory Board for Montgomery Cares Program (Montgomery Cares Advisory Board or MCAB) sunsets on October 31, 2015. The Health and Human Services Committee held a worksession on June 11, 2015 to discuss the recommendations of the MCAB. The MCAB proposed that it be continued through December 31, 2021 with an expanded mission due to the Affordable Care Act, the expansion of Medicaid, and consumer-centered medical care. See the March 27, 2015 memo from the MCAB at ©7-9. The MCAB proposed the following changes:

1. Definition of Montgomery Cares Program:

Current:

“Program” means the Montgomery Cares Program, a public/private partnership between the Department and a network of nonprofit clinics and hospitals that provides primary medical care and prescription medications to low-income, uninsured adults who reside in the County.

MCAB Proposed:

“Program” means the Department’s health care delivery system that provides primary medical care and other essential health care and related services, through public/private partnerships, to low-income and uninsured residents of Montgomery County.

2. Mission of the Board:

Current:

The Board's mission is to guide the development of the Program to ensure steady and measureable growth in the number of uninsured County residents accessing high quality and efficient health care services, including primary, specialty, dental, and behavioral health care services.

MCAB Proposed:

The Board's mission is to advise and recommend policies that assure access to high quality, efficient health care and related services for low-income and uninsured County residents.

3. Membership:

The MCAB is recommending the addition of one individual from a Managed Care Organization who is familiar with Medicaid and insurance issues affecting low-income populations.

In order to retain an odd number of members (and the current total of 17), the MCAB would reduce from four to three the number of individuals who have knowledge of and experience with issues relating to health care for low-income individuals, such as primary care, specialty care, behavioral health, or fiscal matters relating to any of these types of care.

4. Duties:

The MCAB is recommending changes to two duties and the addition of one more.

Current #9:

Evaluation of the Program, including quality of care assessment;

MCAB Proposed #9:

Evaluation of policies and programs to improve access to health care and related services for low-income and uninsured residents;

Current #10:

Strategic Planning.

MCAB Proposed #10:

Strategic Planning in support of the health care for the uninsured programs administered by DHHS which currently include Montgomery Cares, Care for Kids, Maternity Partnership, DHHS Dental Services, and Health Care for the Homeless.

MCAB Proposed #11 (new):

Provide recommendations on health care services provided to low income and uninsured residents, including primary care, specialty care, dental care, behavioral health, and ancillary services.

5. Reporting:

Current:

The Board must submit a quarterly report to the County Executive, County Council, and Department on its activities, findings, and recommendations.

MCAB Proposed:

The Board must submit an annual Report to the County Executive, County Council and Department on its activities, findings, and recommendations.

The HHS Committee recommended approval of the MCAB proposed changes and the extension of the Board until December 31, 2021. Bill 36-15 would implement these changes to the law.

This packet contains:

Expedited Bill 36-15

Legislative Request Report

MCAB March 27, 2015 Memorandum

Circle #

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Expedited Bill No. 36 -15
Concerning: Health – Montgomery Cares
Advisory Board – Continuation -
Amendments
Revised: August 3, 2015 Draft No. 1
Introduced: September 15, 2015
Expires: March 15, 2017
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: October 31, 2015
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Health and Human Services Committee

AN EXPEDITED ACT to:

- (1) extend the life of the Advisory Board for the Montgomery Cares Program;
- (2) modify its mission and duties;
- (3) modify its membership; and
- (4) generally amend the law creating the Advisory Board for the Montgomery Cares Program.

By amending

Montgomery County Code
Chapter 24, Health and Sanitation
Sections 24-47, 24-49, 24-50, 24-52 and 24-53

| | |
|------------------------------|--|
| Boldface | <i>Heading or defined term.</i> |
| <u>Underlining</u> | <i>Added to existing law by original bill.</i> |
| [Single boldface brackets] | <i>Deleted from existing law by original bill.</i> |
| <u>Double underlining</u> | <i>Added by amendment.</i> |
| [[Double boldface brackets]] | <i>Deleted from existing law or the bill by amendment.</i> |
| * * * | <i>Existing law unaffected by bill.</i> |

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Sections 24-47, 24-49, 24-50, 24-52 and 24-53 are amended as**
 2 **follows:**

3 **24-47. Definitions.**

4 [(a)] In this article the following words have the meanings indicated[.] ;

5 [(b)“]Board[”] means the Advisory Board for the Montgomery Cares
 6 Program.

7 [(c)“]Department[”] means the Department of Health and Human Services.

8 [(d)“]Program[”] means the [Montgomery Cares Program, a public/private
 9 partnership between the Department and a network of nonprofit clinics and
 10 hospitals that provides primary medical care and prescription medications to
 11 low-income, uninsured adults who reside in the County] Department’s health
 12 care delivery system that provides primary medical care and other essential
 13 health care and related services, through public/private partnerships, to low-
 14 income and uninsured residents of the County.

15 **24-49. Mission**

16 The Board’s mission is to [guide the development of the Program to ensure
 17 steady and measurable growth in the number of uninsured County residents accessing
 18 high quality and efficient health care services, including primary, specialty, dental,
 19 and behavioral health care services] advise and recommend policies that ensure
 20 access to high quality, efficient health care and related services for low-income and
 21 uninsured County residents.

22 **24-50. Members; appointments; terms.**

23 (a) Total members. The Board has 17 members.

24 (b) Ex officio members. Subject to confirmation by the County Council,
 25 the County Executive should appoint the following individuals to serve
 26 as ex officio members of the Board:

27 (1) The County Health Officer or Officer’s designee; and

1 (2) The Chief of the Department's Behavioral Health and Crisis
2 Service or the Chief's designee.

3 (c) Other members. Subject to confirmation by the County Council, the
4 County Executive should appoint the following individuals to serve on
5 the Board:

6 (1) 2 representatives of community health care providers that
7 participate in the Program;

8 (2) 1 representative of hospitals that participate in the Program;

9 (3) The chair of the Board of Directors of the entity that contracts
10 with the Department to administer the distribution of funds for
11 the delivery of Program services or the chair's designee;

12 (4) 3 members of the public;

13 (5) [4] 3 individuals who have knowledge of and experience with
14 issues relating to health care for uninsured individuals such as
15 primary care, specialty care, dental care, behavioral health care,
16 or fiscal matters relating to any of these types of care;

17 (6) 1 representative of the Commission on Health; and

18 (7) 1 representative of the County Medical Society; [and]

19 (8) 2 current or former recipients of services under the Program; and

20 (9) 1 representative from a Managed Care Organization who is
21 familiar with Medicaid and insurance issues affecting low-
22 income populations.

23 * * *

24 **24-52. Duties and staff.**

25 (a) *Duties.* The Board may advise the County Executive, County Council,
26 and Department on any matter relating to the goal of ensuring a steady

1 and measurable growth in the number of uninsured County residents
2 accessing high quality health care services, including:

- 3 (1) Eligibility criteria for participating health care providers;
- 4 (2) Eligibility criteria for individuals served by the Program;
- 5 (3) The method for allocating Program funds;
- 6 (4) The method of distributing funds to participating health care
7 providers;
- 8 (5) The Program budget;
- 9 (6) Growth targets and resources needed to meet those targets;
- 10 (7) Assistance to eligible individuals to obtain State and federal
11 health care coverage;
- 12 (8) Policies and practices to maximize the use of County funds for
13 direct services to clients;
- 14 (9) Evaluation of [the Program, including quality of care assessment]
15 policies and programs to improve access to health care and
16 related services for low-income and uninsured County residents;
17 [and]
- 18 (10) Strategic planning in support of the Health Care for the
19 Uninsured programs administered by the Department, including:
 - 20 (A) Montgomery Cares;
 - 21 (B) Care for Kids;
 - 22 (C) Maternity Partnership;
 - 23 (D) the Department Dental Services; and
 - 24 (E) Health Care for the Homeless; and
- 25 (11) Health care services provided to low income and uninsured
26 County residents, including primary care, specialty care, dental
27 care, behavioral health, and ancillary services.

1 (b) *Report.* The Board must submit [a quarterly] an annual report to the
2 County Executive, County Council, and Department on its activities,
3 findings, and recommendations.

4 * * *

5 **24-53. Termination.**

6 (a) *Date.* The Board terminates on [October 31, 2015] December 21, 2021.

7 (b) *Continuance of Board.* By March 31, [2015] 2021, the Board must
8 recommend to the County Executive and County Council whether the
9 County should continue the Board or establish an alternative
10 governance structure for the Program.

11 **Sec. 2. Expedited Effective Date.**

12 The Council declares that this legislation is necessary for the immediate
13 protection of the public interest. This Act takes effect on the date on which it
14 becomes law.

15 *Approved:*

16 _____
George Leventhal, President, County Council Date

17 *Approved:*

18 _____
Isiah Leggett, County Executive Date

19 *This is a correct copy of Council action.*

20 _____
Linda M. Lauer, Clerk of the Council Date

LEGISLATIVE REQUEST REPORT

Expedited Bill 36-15

Montgomery Cares Advisory Board - Extension

DESCRIPTION: The Bill would extend the life of the Montgomery Cares Advisory Board (MCAB) until December 31, 2021. It would also modify the Board's mission and duties due to the changing environment in the health care industry.

PROBLEM: The law creating the MCAB sunsets on October 31, 2015. The MCAB is still necessary.

GOALS AND OBJECTIVES: Extend the MCAB and modify its mission due to the changing environment in the health care industry.

COORDINATION: HHS Department

FISCAL IMPACT: To be determined.

ECONOMIC IMPACT: To be determined.

EVALUATION: To be requested.

EXPERIENCE ELSEWHERE: To be requested.

SOURCE OF INFORMATION: Linda McMillan, Senior Legislative Analyst, and Robert H. Drummer, Senior Legislative Attorney.

APPLICATION WITHIN MUNICIPALITIES: Not applicable.

PENALTIES: None.



MONTGOMERY CARES ADVISORY BOARD

MEMORANDUM

March 27, 2015

TO: George Leventhal, President, Montgomery County Council
Isiah Leggett, Montgomery County Executive

FROM: Steve Gammarino, Chair, Montgomery Cares Advisory Board

SUBJECT: Extension of the Montgomery Cares Advisory Board and related recommendations

The enabling legislation for the Montgomery Cares Advisory Board (Board) specifies that authorization will sunset on October 31, 2015, unless reauthorization is carried out. The Board, as required, is submitting our recommendations about the future of the Board following the end of the authorization. As chair of the board, I am writing to communicate our recommendation that the Board be continued and that its scope be expanded.

This recommendation took into consideration the changing environment in healthcare today. Some of these changes included the implementation of the ACA, expansion of Medicaid and the drive for consumer-centered medical care. The Board's recommendation is also based on feedback and advice from key Montgomery Care stakeholders, which include leadership from the Montgomery Cares Clinics, DHHS, The Primary Care Coalition, and the County Council HHS Committee. The stakeholders uniformly thought that the Board plays a valuable role in providing policy advice to the County and serving as a forum for stakeholder input for the Program. It was also recognized that the Board was well positioned to provide an advisory role on medical care delivery and access for all low income and uninsured Montgomery County residents to include the County's other health care safety-net programs. This expanded role would allow for the development of comprehensive strategies and policies to improve continuity of care for this population.

Based on this evaluation the Board recommends:

1. The Board continue to provide an advisory role for the Montgomery Cares Program.
2. The Board's mission be revised "to advise and recommend policies that assure access to high quality, efficient healthcare and related services for low income and uninsured County residents".
3. The Board expand its oversight to programs under the authority of the Health Care for the Uninsured programs administered by DHHS. This includes Care for Kids, Maternity Partnership, Dental Services, and Health Care for the Homeless.
4. The Board's membership be modified to add an individual from a Managed Care Organization to complement the expertise of the Board in this expanded role.

The Board appreciates the opportunity to provide this recommendation and we are committed to continuing to work in close collaboration with you to achieve the principles of the Triple Aim (improving population health, patient experience and reducing costs) for our community.

We welcome the opportunity to meet with you to address any questions you may have on these recommendations.

Attachment

cc: Uma Ahluwalia, Director, DHHS
Dr. Ulder J. Tillman, Public Health Officer, DHHS

Recommendations to Continue the Montgomery Cares Advisory Board

The Board recommends the following to the Montgomery County Executive and Montgomery County Council:

1. That the Montgomery Cares Advisory Board be reauthorized
2. That the name "Montgomery Cares Advisory Board" be retained
3. That the Montgomery County Council amend Section 24-47 of the Montgomery County Code to change the definition of "Program" to the following, **"means the Department's health care delivery system that provides primary medical care and other essential health care and related services, through public/private partnerships, to low-income and uninsured residents of Montgomery County."**
4. That the Montgomery County Council amend Section 24-49 of the Montgomery County Code to change the mission of the Board to read, **"The Board's mission is to advise and recommend policies that assure access to high quality, efficient health care and related services for low-income and uninsured County residents."**
5. That the Montgomery County Council amend Section 24-52(a) of the Montgomery County Code to reflect the following duties:
 - Change item #9 to read: **Evaluation of policies and programs to improve access to health care and related services for low-income and uninsured residents;**
 - Change item #10 to read: **Strategic Planning in support of the Health Care for the Uninsured programs administered by DHHS which currently include Montgomery Cares, Care for Kids, Maternity Partnership, DHHS Dental Services, and Health Care for the Homeless; and**
 - Add #11 to read: **Provide recommendations on health care services provided to low income and uninsured residents, including primary care, specialty care, dental care, behavioral health, and ancillary services.**
6. That the Montgomery County Council amend Section 24-52(b) of the Montgomery County Code to read, **"The Board must submit an annual Report to the County Executive, County Council and Department on its activities, findings and recommendations.**
7. That the Montgomery County Council amend Section 24-50 of the Montgomery County Code to change the membership of the board as follows:
 - Item #5: Change from 4 to 3 individuals who have knowledge of and experience with issues relating to health care for low-income individuals such as primary care, specialty care, dental care, behavioral health, or fiscal matters relating to any of these types of care
 - Item #10: **Add 1 individual from a Managed Care Organization** who is familiar with Medicaid and insurance issues affecting low-income populations.
8. That the Montgomery County Council amend Section 24-53 of the Montgomery County Code to reauthorize the Board through **December 31, 2021.**