

AFA Questions Submitted to the Governor 9-12-16

Department of Health and Human Services

- Please provide the committee with year-end and current balances and expenditures in TANF, SNAP and the Maine CDC – including plans for transfers and expenditures not explicitly provided for in legislation.

Lead exposure

- Part LLLL of the biennial budget (2015 Public Law 267) lowered the definition of lead poisoning to the federal level (5 ug/dl). We understand the Department intends to implement the new standard this fall. What is the status of implementation? Specifically, what is the status of:
 - The final adoption of a Rule to implement the new level;
 - The hiring of staff necessary to handle the additional lead poisoning cases which will be identified at the new level; and
 - Contracts with agencies to conduct the home inspections that are necessary when a child tests in excess of the new standard.
- The biennial budget included funding for the lead program for both FY 16 and 17, including 8 staff positions and home inspections. It provided a bit over \$1 million in each year of the biennium. The Department did no implementation in FY 16 and has not added the full 8 staffers anticipated in the budget. How much of those funds are expected to be expended on the program?

TANF/SNAP

- Recent food insecurity data indicate Maine is now the 9th (up from 12th) most food insecure state in the nation. What is the state doing to address food hunger?

Prescription drugs

- We have all heard how about the price inflation of EpiPens. What is the state paying for EpiPens? Are there other unexplainable spikes in prices for common drugs for which the state has made payments?

Maine Children's Trust (MTC)/Maine Families

- Maine Children's Trust received an emergency sole source contract. Documents show that this option was explored several months earlier. Please reconcile these facts and explain how the decision to use a sole source contract was reached.
- Board members of the MCT deny being informed of the decision. What is the Department's understanding of the board's involvement in executing the contract?
- Informed Board members expressed concern about Maine Children's Trust taking on the dual role of advocating for children in public policy and being the arm of that policy. As one member, Hon. Peter Mills asked, "How can we receive \$23 million from the state, including \$3 million for

administration, and still call the state to account when we see that the state's strategy for children is failing?"

- What recourse does the state have if a local provider's budget for these services is wrong for whatever reason given that the contract has been outsourced?
- How do we, as the public, access documents and information from MCT?
- A criticism of the process followed is the short window of response time and limited pool of applicants. Does the administration plan to address these shortcomings?
- Why has the Attorney General's office been removed from consultation on contracts worth over \$3M?

Youth in transition mental health grant

- Please explain in detail the administration's decision to end participation, 3 years early, in a 100% federal grant to provide mental health and transition services to youth aging out of foster care, among others including those with disabilities or mental illness. Previously the department described the \$1M/year five-year grant as key to achieving its goals to "Improve all children's ability to transition successfully to adulthood."

Riverview Psychiatric Center

- What is the status of hiring at Riverview Psychiatric Center (RPC) , the provision of increased wages to employees at RPC, what are the details of the current patient census, What is the status of recertification by CMS, were CMS to decide to recoup all of the IMD-DSH funds used for RPC since decertification what is the State's current exposure?
- How is the Department paying for the new forensic unit? What does the Department predict the operating expenses will be? Who will operate it? If it is going to be operated by an outside vendor, will there be an RFP issued? When?
- How will the facility be licensed and regulated? Who will be responsible for inspections, monitoring standards and patient safety? What oversight will there be from the Court Master and advocates for people with mental illness? Is there a plan for civil patients who no longer need to be in the hospital but can't leave Riverview because there are not enough beds for them to transition into?

Public Health Nursing

- There is ongoing concern about the decimation of Public Health Nurses and other parts of the public health infrastructure. Please explain how the CDC plans to offer the same or better public health responses with the disruptions in leadership and far fewer staff
- The Governor frequently expresses concern for drug affected infants, public health nurses provide services to this population. What treatment options are being put in place to service this population in the face of far fewer public health nurses?
- If the plan is to replace public health nurses with home visiting staff from Maine Families, can you address the gap in the qualifications between the nurses and the visitors?

Healthy Maine Partnerships

- What is the status of the Healthy Maine Partnerships RFP?

Section 21

- Last year a number of citizens petitioned the Department to stop Section 21 rule-making because they were very concerned that the new rules would result in a reduction of service. What analysis has the Department done to ensure that there will not be a reduction in the availability of service if the new rules have been implemented? What financial analysis has the Department done on the overall budgetary impact of these rules on providers? If the implementation of these rules results in less reimbursement won't that have an overall impact on the ability of providers to provide service? Won't it impact the effort to reduce the wait lists, if providers are negatively impacted financially?
- One of the criticisms of the effort to implement new rules last year was that the Department had not adequately engaged with the providers. Has the Department shared drafts of the new rules with providers prior to issuing them?
- What is the status of the waitlists for Sections 29 and 21. What is the number of placements by month over the last 6 months for Section 29 and Section 21. I have heard that a parent was told that her adult child would have to wait a year for services under Section 29. Is that happening and if so, why is this necessary?
- Please explain the process for the elderly and disabled obtaining nonemergency transportation services. Have you heard complaints, as some have, that it has become too burdensome and bureaucratic to arrange transportation, such that some are just giving up on going where they needed to go?
- Please share the new Section 21 language with amendments. How have the current rates and allowable hours changed compared with previous rates and allowable hours?
- Why is it necessary for DHHS to promulgate the proposed Section 21 rules as emergency rules? What is the immediate threat to public health, safety or general welfare that will be mitigated by emergency adoption?

Wait lists

- What is the current status of all of the wait lists, not just Section 21 and 29 but all of the waivers and the state funded programs that impact the elderly?

Drug Crisis and Law Enforcement

- What is the status of efforts and funds provided for the Law Enforcement Assisted Diversion Program (LEAD)?
- What is the status of payments to county jails?

The Department of Administrative and Financial Services

- The executive branch has initiated a hiring freeze and new steps including the personal review by the Governor of any approved hires. To what degree, in days, does this new burden delay the hire of necessary personnel?
- What is the current balance of salary savings in the General Fund salary plan?
- How much was transferred from the Salary Plan program, General Fund account to programs within the Department of Corrections per Part DDDD of the Biennial Budget? What is the anticipated transfer per Resolve chapter 80 (the Law Enforcement Wage Parity bill)?

Office of Information Technology (OIT)

- Since the State of Maine has already invested considerable resources to the infrastructure of Servers, Storage Arrays, Data Centers as well as trained IT Professionals what is prompting this decision to move to a Cloud Solution?
- How will OIT guarantee that we will not be impacted by unacceptable response times when our applications and data are somewhere in the Cloud and not in the State of Maine's local Data Centers?
- In some cases moving into the Cloud can be somewhat easy to transition into, but once in it will be extremely difficult to move out again due to architectural and proprietary changes that need to be made to those systems. How will you guaranty we can move out of the Cloud due to unacceptable performance, access issues, data breaches or from changes to Maine Laws if needed?
- Where exactly will our Cloud Data live? How many sites will host our data? Are any in the State of Maine? In The United States? If a Data breach occurs who will have jurisdiction to prosecute?
- No matter what was promised by the cloud provider, outages occur and have occurred with Cloud solutions. What types of backup systems will be in place if the Cloud connection is down for a considerable length of time so that the State can continue to do business as normal?
- Occasionally the State of Maine loses Internet connection, since access to the Cloud is dependent on this, what redundancy's do you have in place to ensure we can still conduct business "Offline" should the Internet access be disrupted?