

# MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

2089

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Operator's Signature

*Y. Herrera d. Lee*

Date

10-16-03

2003 SENATE HUMAN SERVICES

SB 2089

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10-16-03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2089

Senate Human Services Committee

☐ Conference Committee

Hearing Date January 14, 2003

Tape Number	Side A	Side B	Meter #
1		X	4,940
2	X		2,115
Committee Clerk Signature <i>Donna Kramer</i>			

Minutes:

Senator J. Lee opened the hearing on SB2089. All committee members present. Sponsors not present at this time. Closed hearing for now.

Senator J. Lee (Tape 2, side B, meter #2115) - reopened hearing on SB2089. There is a fiscal note attached.

Sheila Peterson, Director of the Fiscal Management Division of OMB. Testified in support of SB2089. This bill removes the sunset provision on previous legislation and allows this program to continue into future. This program provides medical assistance for women found to have breast or cervical cancer.

Written testimony is attached.

Senator J. Lee - Any questions for Ms. Peterson?

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*10-16-03*  
Date

Page 2

Senate Human Services Committee

Bill/Resolution Number SB2089

Hearing Date January 14, 2003

David Zentner, Director of Medical Services for the Department of Human Services - Testified in support of SB2089. The Department supports this bill and recommends a do pass. Written testimony is attached.

Senator J. Lee - What are the chances of federal funds being withdrawn?

Mr. Zentner - There is no indication that funds will be withdrawn. Other states have recently signed on so I see this as a permanent program.

Senator Polovitz - What happens to people that a diagnosed with cancer after age 65?

Mr. Zentner - After age 65 the treatments will be covered by Medicare.

Senator J. Lee - Further testimony that we may have missed earlier? Hearing closed.

Senator Brown motioned for a Do Pass. Second by Senator Polovitz. Rereferred to

Appropriations. Roll call 6 yea, 9 nay. Carrier is Senator Brown.

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10-16-03  
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**FISCAL NOTE**  
Requested by Legislative Council  
01/03/2003

Bill/Resolution No.: SB 2089

**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.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$429,365		\$434,832
Expenditures				\$544,120		\$563,036
Appropriations						

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

2001-2003 Biennium			2003-2005 Biennium			2005-2007 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 removes the sunset clause for the treatment of breast and cervical cancer for women who are eligible for the Women's Way program, and have no insurance to pay for services. Women's Way has funds to pay for cancer screening, but does not provide funds for treatment if problems are found. The current program allows these women to become eligible for the Medicaid Program during the course of the cancer treatment. If the bill is allowed to sunset, these women will no longer have ready access to pay for needed services because they do not have other health care coverage.

**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 additional other revenue is enhanced Federal Medicaid funds.

**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 additional grant expenditures are based on the cost of providing medical assistance to 23 individuals each year during the course of the cancer treatment, plus the costs associated with the cancer treatment.

**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 Executive Budget for the 03-05 biennium includes a total of \$544,120 for breast and cervical cancer treatment with \$114,755 coming from the Community Health Trust Fund.

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Operator's Signature

Date

10-16-03

Name:	Debra A. McDermott	Agency:	Human Services
Phone Number:	328-3695	Date Prepared:	01/13/2003

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Yvonne A. Lee  
Operator's Signature

10-16-03  
Date

Date: 01-14-03  
Roll Call Vote #: 1 Done

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2089

Senate Human Services Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Do Pass Ref to Appropriations

Motion Made By Sen. Brown Seconded By Sen. Polovitz

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee - Chairman	✓				
Senator Richard Brown - V. Chair.	✓				
Senator Robert S. Erbele	✓				
Senator Tom Fischer	✓				
Senator April Fairfield	✓				
Senator Michael Polovitz	✓				

Total (Yes) 6 No 0

Absent

Floor Assignment Sen. Brown

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

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Y. Theresa J. Lee

Date

10-16-03

**REPORT OF STANDING COMMITTEE (410)**  
January 15, 2003 2:15 p.m.

Module No: SR-07-0617  
Carrier: Brown  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
**SB 2089: Human Services Committee (Sen. J. Lee, Chairman) recommends DO PASS**  
**and BE REREFERRED to the Appropriations Committee (6 YEAS, 0 NAYS,**  
**0 ABSENT AND NOT VOTING). SB 2089 was rereferred to the Appropriations**  
**Committee.**

(2) DESK, (3) COMM

Page No. 1

SR-07-0617

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Yuhreca J. Lee  
Operator's Signature

10-16-03  
Date



2003 SENATE APPROPRIATIONS

SB 2089

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Gubereaux, S. J.  
Operator's Signature

10-16-03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2089

Senate Appropriations Committee

☐ Conference Committee

Hearing Date January 20, 2003

Tape Number	Side A	Side B	Meter #
# 2		x	2589-3129
Committee Clerk Signature <i>Jan Hendrick</i>			

Minutes:

Senator Bowman, Vice chair opened the hearing on SB 2089 (#2586).

David Zentner, Director of Medical Services for the Department of Human Services. (written testimony is attached--Exhibit #1). In October 2000, Congress passed legislation that permitted the Medicaid program to cover women who were screened for breast and cervical cancer under the Centers for Disease Control and Prevention Early Detection Program. Women must not have any other credible health insurance coverage and be under 65 years of age. The period of eligibility is limited to the time required to treat the disease. Eligible woman have access to all Medicaid services during their period of eligibility. The federal match is at the same enhanced rate as the Healthy Steps Program, which is currently 77.85%. Since the program began, a total of 37 women have been determined eligible for the program, and 16 remain eligible based on their treatment needs. The appropriation for the current biennium is \$55,120, of which \$114,755 is state funds from the Community Health Care Trust Fund, which is the Tobacco trust fund. The

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*Yuberead J. Lee*  
Operator's Signature

*10-16-03*  
Date

Page 2

Senate Appropriations Committee

Bill/Resolution Number SB 2089

Hearing Date January 20, 2003

anticipated expenditures for the next biennium are estimated to remain unchanged from this biennium. The funds have been included in the Executive Budget. The Legislature passed HB 1472 but placed a sunset clause on the Legislation. This would eliminate the sunset clause and make permanent the payment of treatment services for women who have no other means to pay for the needed services. The Department supports the bill and recommends a do pass.

Questions: (#2813) Senator Kilzer: How many of these cases are breast cancer and how many are cervical? Mr. Zentner responded that he didn't have that information with him but he would get it for the committee. Senator Kilzer continued wanted to know if it had to be a full blown cervical cancer or could it be a pap smear? Mr. Zentner responded that if there was an indication that it might require treatment. Senator Mathern: Wanted to know if there were anybody complaining about this program serving this kind of illness and not others. Mr. Zentner replied that he was not aware of any complaints.

Senator Bowman stated that this bill would be considered with the other Human Services.

With no other testimony, SB 2089 was closed. (#3124).

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Yubereca d. Lee  
Operator's Signature

10-16-03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2089 Vote

Senate Appropriations Committee

☐ Conference Committee

Hearing Date 2-18-03

Tape Number	Side A	Side B	Meter #
1		X	4000-4180
Committee Clerk Signature <i>Sandra Dawson</i>			

Minutes: Chairman Holmberg opening the hearing to vote on SB 2089. Senator Mathern made a motion of a DO PASS and Senator Krauter seconded. Senator Mathern stated there is no impact to the general funds, this is making sure that the program continues. The roll call vote passed 12 yeas, 0 nays , and 2 absent. Senator Mathern to carry the bill. (Meter 4180).

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*Yvonne J. Lee*  
Operator's Signature

*10-16-03*  
Date

Date: 2-18-03  
Roll Call Vote #: /

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2089

Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do PASS

Motion Made By Mathern Seconded By Krauter

Senators	Yes	No	Senators	Yes	No
Senator Holmberg, Chairman	✓				
Senator Bowman, Vice Chair	✓				
Senator Grindberg, Vice Chair					
Senator Andrist	✓				
Senator Christmann					
Senator Kilzer	✓				
Senator Krauter	✓				
Senator Kringstad	✓				
Senator Lindaas	✓				
Senator Mathern	✓				
Senator Robinson	✓				
Senator Schobinger	✓				
Senator Tallackson	✓				
Senator Thane	✓				

Total (Yes) 12 No \_\_\_\_\_

Absent 2

Floor Assignment Mathern

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

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Operator's Signature

10-16-03  
Date

**REPORT OF STANDING COMMITTEE (410)**  
February 18, 2003 4:21 p.m.

**Module No: SR-31-3164**  
**Carrier: Mathern**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**  
**SB 2089: Appropriations Committee (Sen. Holmberg, Chairman) recommends DO PASS**  
**(12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2089 was placed on the**  
**Eleventh order on the calendar.**

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10-16-03  
Date

2003 HOUSE HUMAN SERVICES

SB 2089

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Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2089

House Human Services Committee

☐ Conference Committee

Hearing Date March 10, 2003

Tape Number	Side A	Side B	Meter #
1	x		12.9 - 20.9
Committee Clerk Signature <i>Sharon Rengrow</i>			

Minutes:

Dave Zentner, Director of Medical Services for Dept. of Human Services appeared in support with written testimony.

Rep. Price: Its not under general funds because they never really are taking it out of the tobacco funds until they move to this, is that the reason?

Answer: Funding for this is directly charged to the tobacco fund, there is no general funds involved.

Rep. Price: Do you know what the funds were expended in the current biennium and where we are at right now?

Answer: our projections to be are about \$540,000, we should be very close to the \$500,000 mark.

Rep. Potter: Women over the age of 65, would that be Medicare? Answer: yes

Rep. Price: Any feed back as far as positive?

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*Yvonne J. Lee*  
Operator's Signature

*10-16-03*  
Date



Page 2

House Human Services Committee

Bill/Resolution Number SB 2089

Hearing Date March 10, 2003

Answer: Not heard specifically from providers but from recipients and its good and they are grateful.

Rep. Price: How's the Outreach been going are they fairly knowledgeable on it?

Answer: They seem to be and we haven't seen any problems.

Rep. Devlin made a motion for DO PASS and re-refer to Appropriations, second by Rep. Niemeier.

Tom Tupa, on the behalf of the American Cancer Society at the request of Deb Knuth because she is ill and could not be here. She just wanted to go on record as in support of this bill.

VOTE: 10 - 0 - 3                      Rep. Niemeier to carry the bill.

Rep. Pollert, Weisz and Wieland absent.

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Yuberca d. Lee  
Operator's Signature

10-16-03  
Date

Date: March <sup>10</sup>, 2003  
Roll Call Vote #: |

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2089

House \_\_\_\_\_ HUMAN SERVICES \_\_\_\_\_ Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DP & Refer to Approp's

Motion Made By Rep Devlin Seconded By Rep. Niemeier

Representatives	Yes	No	Representatives	Yes	No
Rep. Clara Sue Price - Chair	✓		Rep. Sally Sandvig	✓	
Rep. Bill Devlin, Vice-Chair	✓		Rep. Bill Amerman	✓	
Rep. Robin Weisz A			Rep. Carol Niemeier	✓	
Rep. Vonnie Pietsch	✓		Rep. Louise Potter	✓	
Rep. Gerald Uglem	✓				
Rep. Chet Pollert A					
Rep. Todd Porter	✓				
Rep. Gary Kreidt	✓				
Rep. Alon Wieland A					

Total (Yes) 10 No 0

Absent 3

Floor Assignment Rep. Niemeier

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

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10-16-03  
Date

REPORT OF STANDING COMMITTEE (410)  
March 10, 2003 11:57 a.m.

Module No: HR-42-4322  
Carrier: Niemeler  
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE  
SB 2089: Human Services Committee (Rep. Price, Chairman) recommends **DO PASS** and  
**BE REREFERRED** to the Appropriations Committee (10 YEAS, 0 NAYS, 3 ABSENT  
AND NOT VOTING). SB 2089 was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-42-4322

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10-16-03  
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2003 HOUSE APPROPRIATIONS

SB 2089

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Yubereca d. Ace  
Operator's Signature

10-16-03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2089

House Appropriations Committee

☐ Conference Committee

Hearing Date 03-25-03

Tape Number	Side A	Side B	Meter #
1	X	X	51.0 - 1.0
Committee Clerk Signature <i>Chris S. Nye</i>			

Minutes:

**Chairman Svedjan** Opened SB 2089 for discussion. A quorum was present.

**Rep. Price** This comes out of tobacco money.

**Rep. Wald** Isn't this discriminating against prostate cancer?

**Rep. Price** Their parties didn't come to us.

**Rep. Delzer** I have no problem passing this. I move a Do Pass. 2nd by Rep. Carlisle.

**Motion Carries 18-0-5. Rep. Niemeler will carry this bill on the floor.**

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*Yuberena d. Lee*  
Operator's Signature

*10-16-03*  
Date

**REPORT OF STANDING COMMITTEE (410)**  
March 26, 2003 7:54 a.m.

**Module No: HR-53-5755**  
**Carrier: Niemeler**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**  
**SB 2089: Appropriations Committee (Rep. Svedjan, Chairman) recommends DO PASS**  
**(18 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING). SB 2089 was placed on the**  
**Fourteenth order on the calendar.**

(2) DESK, (3) COMM

Page No. 1

HR-53-5755

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10-16-03  
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2003 TESTIMONY

SB 2089

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Cherene L. Lee  
Operator's Signature

11-16-03  
Date

Testimony of SB 2089  
Senate Human Services Committee  
January 14, 2003

Good morning Madam Chair and members of the Senate Human Services Committee.

I'm Sheila Peterson, Director of the Fiscal Management Division of OMB.

The 2001 Legislature passed a bill allowing the Dept. of Human Services to provide medical assistance for women found to have breast or cervical cancer. There was, however, a sunset clause on that legislation.

SB2089 removes the sunset and allows the program to continue into the future.

In the Governor's budget recommendations, the cost of the program is approximately \$550,000. Of that amount, \$430,000 is funded through enhanced federal Medicaid funds. The remaining \$115,000 is funded from the Community Health Trust Fund.

Madam Chairman, I'd be happy to answer any questions.

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10-16-03  
Date



**TESTIMONY BEFORE THE SENATE HUMAN SERVICES COMMITTEE**

**REGARDING SENATE BILL 2089**

**JANUARY 14, 2003**

Chairman Lee, members of the committee, I am David Zontner, Director of Medical Services for the Department of Human Services. I appear before you today to provide information and support this bill.

In October 2000, Congress passed legislation that permitted the Medicaid Program to cover women who were screened for breast and cervical cancer under the Centers for Disease Control and Prevention Early Detection Program. During the 2001 Legislative Session the legislature passed enabling legislation that allowed the Department to enroll women in Medicaid who had gone through the screening process and required treatment.

Women must not have any other credible health insurance coverage and be under 65 years of age. The period of eligibility is limited to the time required to treat the disease. Eligible women have access to all Medicaid services during their period of eligibility. The federal match is at the same enhanced rate as the Healthy Steps Program, which is currently 77.85%.

Since the inception of the program, a total of 37 women have been determined eligible for the program. At the present time 16 remain eligible based on their treatment needs.

The appropriation for the current biennium is \$544,120, of which \$114,755 is state funds from the Community Health Care Trust Fund. The anticipated expenditures for the next biennium are estimated to remain unchanged from this biennium. The funds have been included in the Executive Budget.

The Legislature passed HB 1472 but placed a sunset clause on the Legislation. This bill would eliminate the sunset clause and make permanent the payment of treatment services for women who have no other means to pay for the needed services.

While the number of women served is relatively small, the ability to obtain needed treatment and other related medical services is vital to these individuals. The Department supports this bill and recommends a do pass.

I would be happy to respond to any questions you may have.