

ALERTS

North Carolina Legislative Report - April 25, 2014

April 25, 2014

The General Assembly's short session will begin on Wednesday, May 14, 2014. The MVA Public Affairs Legislative Report on North Carolina will be distributed bi-weekly to keep you up to date on the latest legislative issues facing the state during the interim.

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IN THE NEWS

NCGA SCHEDULE

Committee Reports

Educator Effectiveness and Compensation Task Force

The Task Force held its fourth and final meeting on Monday, April 14. The purpose of the meeting was to review and vote on the Committee's final report that included its findings, recommendations and draft legislation. The legislation put forward would require the State Board of Education to study compensation models that rely on student performance on standardized tests as well as staffing classrooms with more professionals who would work under the supervision of master teachers.

Committee on Market Based Solutions and Elimination of Anti-Competitive Practices in Health Care

The Committee met on Tuesday, April 15. The purpose of the meeting was to discuss the Committee's draft report to be submitted to the Legislative Research Commission for inclusion in that Commission's recommendations for the 2014 Regular Session. The draft report recommended legislation based on H 177

that would a) eliminate need determinations and policies from the State Medical Facilities Plan that limit the number of single specialty ambulatory surgical operating rooms that may be approved for a certificate of need (CON), b) require persons seeking a CON for single specialty ambulatory surgical operating rooms to make a written commitment to provide charity care and services to Medicare/Medicaid patients, and c) eliminate CON requirements for diagnostic centers. After a significant amount of Committee discussion, the Committee adjourned without taking any action on a motion to approve the report.

Joint Legislative Oversight Committee on Health and Human Services

The Committee met on Thursday, April 17. The Committee began with a budget update on the Medicaid program by Rod Davis, Chief Financial Officer of the Department of Health and Human Services (DHHS). Mr. Davis reported that the anticipated budget overrun in the program for the 2013-14 State fiscal year is currently between \$120 million and \$140 million. Mr. Davis then described actions taken by DHHS along with a consultant hired by the agency to better predict Medicaid costs in the future. Next, Joe Cooper, Chief Information Officer of DHHS, provided an update on Medicaid data analytics (the types of data maintained on the Medicaid program and how that data is stored and used to generate reports and forecasts on utilization and cost trends) and updates on continuing efforts related to the implementation of the NCTracks and NCFast information technology systems. Following this presentation, Marjorie Donaldson, Division of Budget and Analysis at DHHS, provided a report to the Committee (mandated by the 2013 Appropriations Act) with respect to options for potential State savings resulting from the purchase of private insurance for individuals currently served by several public assistance programs. Deborah Landry with the Fiscal Research Division of the General Assembly gave an update on State activities with respect to Child Protective Services and described how workers generally had significantly higher than recommended caseloads. Officials from DHHS stated that they did not have enough capacity to provide needed support to local departments of social services throughout the State on an ongoing basis. Staff from the General Assembly and DHHS provided updates on the structure of local departments of social services and divisions of public health. These local agencies are organized in a variety of ways. In some counties these agencies remain separate agencies while in other counties they have been consolidated into a single department for health and human services. Governance of the entities may fall to a separate appointed board or to the board of county commissioners. The presentations described various options that different counties had chosen. Finally, legislative staff presented the draft report of the Committee. The Committee adopted the recommendations of the subcommittees on Midwives (one recommendation), public guardianship (eight recommendations), and mental health (21 recommendations). In addition, the Committee adopted three recommendations of its own: 1) Enactment of legislation to specify additional procedures related to notice and submission of Medicaid State Plan Amendments and waivers; 2) Identification of funding to provide adequate resources for local county departments of social services to provide Child Protective Services to protect abused, neglected and dependent children and youth; and 3) Completion of a comprehensive independent statewide evaluation of Child Protective Services performance, caseload sizes, administrative structure, funding, worker turnover, and monitoring and oversight.

Environmental Review Commission

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The Commission convened for the last time during the interim on Tuesday, April 22, to hear reports from DENR, Duke Energy and the North Carolina Utilities Commission regarding issues related to coal ash. Tom Reeder, Director of the Division of Water Resources at DENR, reported on the actions to date for the remediation of contaminants released into the Dan River from the Duke Energy coal power station in February 2014 as well as a plan for long term coal ash management in the State. Paul Newton, North Carolina State President of Duke Energy, followed with a report also outlining Duke's actions to date in regards to remediation of the Dan River contamination clean up. Newton took questions from members regarding Duke's current coal ash policies, active and retired coal plants, cost of moving coal ash to lined fills away from waterways, and existing ash storage basins. Finally, Edward Finley and Chris Ayers, President and Executive Director of the Utilities Commission, respectively, gave a brief report on power providers' abilities to request rate increases, specifically, Duke's ability to pursue raising electric rates to offset the cost of coal ash relocation, storage and clean up.

Joint Study Committee on the Affordable Care Act

The Committee met on Tuesday, April 22, in Greensboro. U.S. Senator Richard Burr was first to speak and expressed his concerns about the program. Pam Silberman, CEO of the NC Institute of Medicine, gave a 2014 update on implementing the Affordable Care Act. Finally, Mark Waugh, NC Association of Health Underwriters President, Guy Pierce, owner/operator of Assisted Living Homes, and Gregg Thompson, NFIB State Director, discussed their experiences with the Affordable Care Act.

Committee on Common Core State Standards

The Committee held its final meeting of the interim on Thursday, April 24. The purpose of the meeting was to review and vote on the committee's final report. The committee approved the report, which included draft legislation that would halt further implementation of Common Core standards as of July 1. The legislation would create a 17-member Academic Standards Review Commission that would review standards for English and math and make recommendations for changes or modifications by the end of 2015.

In the News

News & Observer: NC committee recommends replacing Common Core with state education standards

Observer: Thom Tillis reaches 3-1 fundraising edge over GOP rivals in N.C. Senate race

FreeEnterprise Foundation: Legislative Primary Races to Watch - NC Senate

Observer: N.C. Senate District 40: Only Democrats seek to replace Malcolm Graham

News & Observer: Second GOP Senate debate does little to shift race

News-Record: Audio Interview Exclusive: Governor talks coal ash with N&R's Taft Wireback

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WRAL: AT&T expands gigabit Internet plan to more Triangle, NC markets

NC Insider: Rouzer-White mix it up in GOP primary

Observer: Removing coal ash from all 14 Duke Energy sites could cost \$10 billion

Observer: Union County recall plan has '50-50 chance'

Calendar

Wed, April 30, 2014

9:00 AM

Agriculture and Forestry Awareness Study Commission

643 LOB

1:00 PM

Joint Legislative Program Evaluation Oversight Committee

544 LOB

Mon, May 05, 2014

9:00 AM

Committee on Public Enterprise Systems and Use of Funds (LRC)(2013) -- CORRECTED

544 LOB

1:00 PM

Committee on Property Owner Protection and Rights (LRC)(2013)

544 LOB

Wed, May 07, 2014

2:00 PM

Joint Legislative Education Oversight Committee

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643 LOB

Thu, May 08, 2014

9:00 AM

Joint Legislative Oversight Committee on Information Technology

643 LOB

1:00 PM

Joint Legislative Workforce Development System Reform Oversight Committee

544 LOB

1:00 PM

Joint Legislative Commission on Energy Policy

643 LOB

Fri, May 09, 2014

10:00 AM

Joint Legislative Oversight Committee on Unemployment Insurance

544 LOB

Mon, May 12, 2014

10:00 AM

Rep. Insko - Press Conference

Press Room LB

Tue, May 13, 2014

9:30 AM

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Revenue Laws Study Committee

544 LOB

1:00 PM

Joint Legislative Administrative Procedure Oversight Committee -- CORRECTED

544 LOB

Wed, May 14, 2014

12:00 PM

Session Convenes (House)

House

12:00 PM

Session Convenes (Senate)

Senate

Thu, May 22, 2014

8:00 AM

Skin Cancer Screening

1124/1224 LB

10:00 AM

Senator Tucker Press Conference

Press Room LB