

**NOTICE OF PUBLIC MEETING
OF THE
CRIME VICTIMS COMMITTEE
OF THE
ARIZONA CRIMINAL JUSTICE COMMISSION
AND
AGENDA**

Pursuant to A.R.S § 38-431.02, notice is hereby given to the members of the **Crime Victims Committee** of the Arizona Criminal Justice Commission and to the general public that the **Crime Victims Committee** will hold a meeting open to the public on **Wednesday, November 1, 2017** beginning at **10:00 a.m.** at the **Arizona Criminal Justice Commission Office, 1110 W. Washington, Suite 250, Phoenix, Arizona 85007.**

Pursuant to the Americans with Disabilities Act (ADA), the Arizona Criminal Justice Commission endeavors to ensure the accessibility of its meetings to all persons with disabilities. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Commission Office at (602) 364-1146. Requests should be made as early as possible to allow time to arrange the accommodation.

Agenda for the meeting is as follows:

- I. Call to Order and Roll Call** **Chairperson Charles Ryan**
Crime Victims Committee Members:
Charles Ryan, Chairperson
Mark Brnovich
Dave Cole
Barbara LaWall
Bill Montgomery
Paul Penzone
C.T. Wright
- II. Minutes of the September 12, 2017 Meeting**
- Approval of Minutes **P-F-T**
- III. FY 2019 Victim Assistance Grant Program** **Larry Grubbs**
- Review, discussion, consideration and possible action on funding for the FY 2019 grant period **P-F-T**

IV. Medical Billing Review Pilot Project

Larry Grubbs

- Update on the medical billing review pilot project for the compensation program

Info

V. Call to the Public

Those wishing to address the Committee need not request permission in advance. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.

VI. Date, Time, and Location of Next Meeting

- The next Crime Victims Committee meeting will be held at the call of the Chairperson.

VII. Adjournment

A copy of the agenda background material provided to Committee members is available for public inspection at the Arizona Criminal Justice Commission Office, 1110 West Washington, Suite 230, Phoenix, Arizona 85007, (602) 364-1146. This document is available in alternative formats by contacting the Commission Office.



**CRIME VICTIMS COMMITTEE
OF THE
ARIZONA CRIMINAL JUSTICE COMMISSION**

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
November 1, 2017	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Minutes of the Sept 12, 2017 Meeting

TO: Chairperson and Committee Members

FROM: Larry Grubbs, Program Manager
Crime Victim Services

RECOMMENDATION:

The Committee approve the minutes of the Crime Victims Committee Meeting held on September 12, 2017.

DISCUSSION:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

Not Approve - Modify - Table

**Crime Victims Committee
Minutes
September 12, 2017**

A public meeting of the Crime Victims Committee of the Arizona Criminal Justice Commission was convened on September 12, 2017, at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, AZ 85007.

Members Present:

Charles Ryan, Chairperson, Director, Department of Corrections
Mark Brnovich, Arizona Attorney General, Kirsten Flores representing
Dave Cole, Retired Judge by phone
Barbara LaWall, Pima County Attorney, Rosanna Cortez representing
Bill Montgomery, Maricopa County Attorney, Shawn Cox representing
Paul Penzone, Maricopa County Sheriff

Members Absent:

C.T. Wright, Chairperson of the Board of Executive Clemency

Staff Participating:

Andrew LeFevre, Executive Director
Larry Grubbs, Program Manager
Dorinda Johns, Program Coordinator

I. Call to Order and Roll Call

The meeting was called to order by Chairperson Charles Ryan at 2:30 pm. The roll was taken, and a quorum was declared present.

II. Minutes of the July 11, 2017 Meeting

Chairperson Ryan called for approval of the minutes. Shawn Cox entered a motion to approve the minutes. The motion was seconded by Kirsten Flores and was unanimously approved by the Committee.

III. Crime Victim Services Program Rules Revision

Mr. Grubbs presented a brief description of the rules making process to this point and reviewed the current proposal.

Mr. LeFevre thanked those who have participated in the process and reminded the committee that the full list of proposed rule changes will be presented to the commission for consideration and will include the committee's recommendation for each change.

Mr. Grubbs proposed that the committee review the Victim Assistance rule changes (item III. B) as a consent agenda item and if there are no concerns or discussion on any of the items listed in those rule changes to vote on them as one block and to vote on those items first. Mr. Grubbs also recommended a similar process for the Victim Compensation rule change items. Chairperson Ryan accepted this recommendation.

Mr. Grubbs reviewed the proposed changes to the Victim Assistance rules. The committee discussed the proposed changes, no issues were identified. Ms. Flores moved to recommend the proposed Victim Assistance rule changes as outlined in TABLE VS2 of the *Recommendation Summary and Draft Rule Language*. Ms. Cox seconded, the motion carried.

Mr. Grubbs directed the committee to item IIIA on the agenda to discuss the proposed changes to the Victim Compensation program rules. Shawn Cox presented a prepared statement regarding changes to the Victim Compensation program rules (see attachment A for contents of the statement.) Ms. Cox also provided a document indicating all of the rules the Maricopa County Attorney's office felt were at issue (see attachment B for a copy of this document.)

The committee discussed the process for reviewing the changes to the Victim Compensation program rules. Items in question and needing further discussion were identified. A motion was made by Ms. Flores to recommend all items in TABLE VS1 of the Recommendation Summary and Draft Rule Language other than items 2, 4, 7, 8, 17, 18, 19, 21, 23, 25, 28, 30, 31, 32, 35, 37, 38, and 42. The motion was seconded by Sheriff Penzone and the motion carried.

The committee reviewed the items remaining to be discussed and a recommendation was made by Mr. Grubbs that they review those items related to derivative victims as one unit, explaining that all of the proposed changes in those items are linked together. The committee proceeded to discuss the items. The following decisions were made:

A motion was made by Ms. Flores to not recommend expansion of the Derivative Victims benefits as detailed items numbered 21, 23, 25, 30, and 32 in TABLE VS1. The motion was seconded by Judge Cole and the motion carried.

A motion was made by Ms. Cox to not recommend item #2 in TABLE VS1. The motion was seconded by Judge Cole. The motion failed. The committee recommends this item.

A motion was made by Ms. Cox to not recommend item #4 in TABLE VS1. There was no second. The motion failed. The committee recommends this item.

At this time Director Ryan, chairperson of the committee left the meeting and Sheriff Penzone stepped in as acting chair. A quorum was still present.

A motion was made by Ms. Cox to not recommend item #7 in TABLE VS1. The motion was seconded by Ms. Flores. The motion passed.

A motion was made by Ms. Cox to not recommend item #8 in TABLE VS1. The motion was seconded by Judge Cole. The motion passed.

A motion was made by Ms. Cox to not recommend item #17 in TABLE VS1. The motion was seconded by Judge Cole. The motion passed.

A motion was made by Ms. Cox to not recommend item #18 in TABLE VS1. The motion was seconded by Ms. Flores. The motion passed.

A motion was made by Ms. Cox to not recommend item #19 in TABLE VS1. The motion was seconded by Ms. Flores. The motion failed. The committee recommends this item.

A motion was made by Ms. Cortez to recommend item #28 in TABLE VS1. The motion was seconded by Sheriff Penzone. The motion passed. The committee recommends this item.

A motion was made by Ms. Cortez to recommend item #31 in TABLE VS1. The motion was seconded by Ms. Flores. The motion passed. The committee recommends this item.

A motion was made by Ms. Cox to not recommend item #35 in TABLE VS1. The motion was seconded by Judge Cole. The motion passed.

A motion was made by Ms. Cox to not recommend #37. There was no second. The motion failed. The committee recommends this item.

A motion was made by Ms. Cortez to not recommend #38 in TABLE VS1. There was no second. The motion failed. The committee recommends this item.

A motion was made by Ms. Cox to not recommend #42 in TABLE VS1. The motion was seconded by Judge Cole. The motion passed.

IV. Call to the Public

No members of the public were present.

V. Date, Time, and Location of Next Meeting

The next Crime Victims Committee meeting is to be determined at a later date. Information with the date of the next meeting will be posted.

VI. Adjournment

The meeting was adjourned at 4:55 p.m.

Respectfully submitted,



Andrew T. LeFevre
Executive Director

Audio recording available upon request.



**CRIME VICTIMS COMMITTEE
OF THE
ARIZONA CRIMINAL JUSTICE COMMISSION**

Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
November 1, 2017	<input checked="" type="checkbox"/> Formal Action/Motion <input type="checkbox"/> Information Only <input type="checkbox"/> Other	FY 2019 Crime Victim Assistance Grant Program

TO: Chairperson and Committee Members

FROM: Larry Grubbs, Program Manager
Crime Victim Services

RECOMMENDATION:

Staff seeks additional guidance from the committee regarding possible funding plans for the FY 2019 Crime Victim Assistance Grant Program. Direction provided by the committee will help to determine grant program size and funding priority areas, in preparation for a recommendation to the Commission at the meeting in January 2018.

DISCUSSION:

Since the FY 2016 grant period, the ACJC Crime Victim Assistance Grant program has undergone significant changes. Many of these changes have been focused on identifying and funding victim service activities that are not funded by any other state victim service grant funding source. Additional changes to the availability of victim service funding in Arizona has prompted the need to discuss, and provide direction on, ACJC victim assistance grant funding into FY 2019 and beyond.

FISCAL IMPACT:

Significant – Total program size and recommended priorities could significantly impact the availability of victim assistance grant funds for FY 2019.

ALTERNATIVES:

Not Approve - Modify – Table

ACJC Victim Assistance Grant Funding Considerations

- Availability of DPS-VOCA assistance funds
- Funding needs of victim compensation program
- Victim compensation and assistance fund balance; restitution / subrogation funding
- Changes to victim assistance program rules

Possible Funding Recommendations to Explore Before January

- Continue funding VOCA assistance ineligible activities only (No change, or expand)
- Expand program size and resume funding all eligible activities (Change back)
- Shift all funding resources to victim compensation
- Suspend victim assistance funding for FY 2019
- Explore providing additional statewide victim services directly

CRIME VICTIMS COMMITTEE
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Request for Committee Action

Action Requested:	Type of Action Requested:	Subject:
November 1, 2017	<input type="checkbox"/> Formal Action/Motion <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Other	Victim Compensation Medical Billing Review Pilot Project

TO: Chairperson and Committee Members

FROM: Larry Grubbs, Program Manager
Crime Victim Services

RECOMMENDATION:

Information Only

DISCUSSION:

ACJC Crime Victim Service has an opportunity to explore utilization of existing medical billing rate schedules for medical billing review, and payment rate reduction for victim compensation program medical expenses.

FISCAL IMPACT:

Significant – Medical expense and administrative cost savings could be significant for the victim compensation program statewide

ALTERNATIVES:

N/A

Needs Assessment

Medical expenses are the highest benefit payout category for the victim compensation program. Medical benefit payouts have averaged 38.4% of total benefit expenses, or \$1,269,253 annually, during the last three state fiscal years. Because victim compensation benefits are most often paid for medical expenses after services are provided to the victim, the program is subject to whatever amount the provider charges the victim for those services. These billed amounts often greatly exceed established payment rates (AHCCCS, Medicare, Private Insurance, and Workers' Compensation) charged for the same services.

In an effort to reduce medical benefit expenses and maximize compensation benefits to victims, county compensation program staff undertake considerable effort to negotiate reductions on medical expenses submitted to the program for payment. These efforts produce significant savings. However, those results require county level administrative work to achieve, and the savings are inconsistent depending on the county program and the provider's willingness to negotiate.

Project Justification

By consistently utilizing existing medical billing rate schedules or a standard percentage reduction, the crime victim compensation program may benefit by continuing to lower medical costs while reducing administrative effort at the county level to do so.

Project Scope

Payment Rates Tested

ACJC staff will utilize easily accessible rate schedules for the Arizona Healthcare Cost Containment System (AHCCCS), The Arizona Physicians' and Pharmaceutical Fee Schedule (APPFS) established by the Industrial Commission of Arizona and used primarily for the payment of claims under Workers' Compensation, and/or an across the board 50% reduction on all submitted medical bills.

Services Provided

Under the pilot project, participating operational units will submit medical bills to ACJC for review. ACJC staff will review each bill and adjust the billed amount to reflect application of the identified medical rate schedules. The operational unit will receive a summary of the review, including the identified payment amount under each fee schedule and related justification within five days of submission to ACJC for review. The operational unit will verify with the medical provider what amount is acceptable for payment, and this amount will then go before the county compensation board for a payment decision.

The pilot project will proceed as follows:

Completed	Estimate potential medical expense and administrative cost impact the victim compensation program might experience under existing medical billing rate schedules
Nov 2017	Identify victim compensation operational units to participate as pilots
Dec 2017	Establish medical billing review workflow between ACJC and participating victim compensation program operational units

Jan 2018	Utilize ACJC medical billing review for up to 3 months; tracking medical expense and administrative cost impact for pilot programs
April 2018	Present results of pilot project to Committee and determine next steps

Sample Rate Application Results

Medical Procedure	Billed	AHCCCS	APPFS	50%
ER Visit, Critical Care	\$779	\$176.95	\$458.00	\$389.50
Surgical Repair Wound	\$489	\$64.16	\$327.00	\$244.50
TOTAL	\$1,268	\$241.11	\$785.00	\$634.00

The above sample was a simple bill from a physician that included only two line items. The county program has established a 50% payment rate, so staff time to apply the rate was nominal. The board approved the 50% amount.

Medical Procedure	Billed	AHCCCS	APPFS	50%
Continuing Care Tests	\$1,434.10	\$136.72	\$373.36	\$717.05

This bill from a different county program included 15 different line items. The county program has an agreement with the medical provider to accept the AHCCCS rate applied to the bill by county compensation program staff. Code lookup and application of the AHCCCS rate took 5 – 7 minutes for this invoice. The board approved the AHCCCS amount.