

IN THE SENATE

SENATE BILL NO. 1164

BY FINANCE COMMITTEE

AN ACT

1 APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DI-
2 VISIONS OF CHILD WELFARE, SERVICES FOR THE DEVELOPMENTALLY DISABLED
3 AND SERVICE INTEGRATION FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF
4 AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND
5 TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR
6 TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM
7 INTEGRITY; CLARIFYING RESPONSIBILITY FOR EDUCATION OF CERTAIN CHIL-
8 DREN IN STATE CARE; REQUIRING A REPORT ON FOSTER CARE SUPPORT STAFF;
9 DIRECTING EXPENDITURES FOR HEAD START APPROPRIATIONS FROM TEMPORARY
10 ASSISTANCE FOR NEEDY FAMILIES; APPROPRIATING ADDITIONAL MONEYS TO THE
11 DEPARTMENT OF HEALTH AND WELFARE FOR THE CHILD WELFARE PROGRAM FOR FIS-
12 CAL YEAR 2017; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF
13 HEALTH AND WELFARE FOR THE FOSTER AND ASSISTANCE PAYMENTS PROGRAM FOR
14 FISCAL YEAR 2017; AND DECLARING AN EMERGENCY.
15

16 Be It Enacted by the Legislature of the State of Idaho:

17 SECTION 1. There is hereby appropriated to the Department of Health and
18 Welfare, the following amounts to be expended according to the designated
19 divisions, programs and expense classes, from the listed funds for the pe-
20 riod July 1, 2017, through June 30, 2018:

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
25 I. CHILD WELFARE:					
26 A. CHILD WELFARE:					
27 FROM:					
28 Cooperative Welfare (General)					
29 Fund	\$9,704,100	\$2,383,300	\$700		\$12,088,100
30 Cooperative Welfare (Dedicated)					
31 Fund	71,500	20,000			91,500
32 Cooperative Welfare (Federal)					
33 Fund	<u>20,691,100</u>	<u>6,541,400</u>	<u>1,300</u>		<u>27,233,800</u>
34 TOTAL	\$30,466,700	\$8,944,700	\$2,000		\$39,413,400

	FOR	FOR	FOR	FOR		
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND		
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL	
				PAYMENTS		
1						
2						
3						
4						
5	B. FOSTER & ASSISTANCE PAYMENTS:					
6	FROM:					
7	Cooperative Welfare (General)					
8	Fund			\$11,320,000	\$11,320,000	
9	Cooperative Welfare (Dedicated)					
10	Fund			705,600	705,600	
11	Cooperative Welfare (Federal)					
12	Fund			<u>18,065,900</u>	<u>18,065,900</u>	
13	TOTAL			\$30,091,500	\$30,091,500	
14	DIVISION TOTAL	\$30,466,700	\$8,944,700	\$2,000	\$30,091,500	\$69,504,900
15	II. SERVICES FOR THE DEVELOPMENTALLY DISABLED:					
16	A. COMMUNITY DEVELOPMENTAL DISABILITY SERVICES:					
17	FROM:					
18	Cooperative Welfare (General)					
19	Fund	\$7,365,100	\$1,114,200	\$2,094,000	\$10,573,300	
20	Cooperative Welfare (Dedicated)					
21	Fund	103,700	46,300	1,909,800	2,059,800	
22	Cooperative Welfare (Federal)					
23	Fund	<u>5,811,500</u>	<u>1,049,300</u>	<u>998,400</u>	<u>7,859,200</u>	
24	TOTAL	\$13,280,300	\$2,209,800	\$5,002,200	\$20,492,300	
25	B. SOUTHWEST IDAHO TREATMENT CENTER:					
26	FROM:					
27	Cooperative Welfare (General)					
28	Fund	\$2,004,500	\$501,700	\$74,700	\$77,600	\$2,658,500
29	Cooperative Welfare (Dedicated)					
30	Fund	288,300	137,800	10,600	436,700	
31	Cooperative Welfare (Federal)					
32	Fund	<u>5,868,300</u>	<u>1,947,500</u>	<u>0</u>	<u>142,900</u>	<u>7,958,700</u>
33	TOTAL	\$8,161,100	\$2,587,000	\$74,700	\$231,100	\$11,053,900
34	DIVISION TOTAL	\$21,441,400	\$4,796,800	\$74,700	\$5,233,300	\$31,546,200

	FOR	FOR	FOR	FOR		
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND		
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL	
				PAYMENTS		
5	III. SERVICE INTEGRATION:					
6	FROM:					
7	Cooperative Welfare (General)					
8	Fund	\$231,200	\$54,700	\$450,000	\$735,900	
9	Cooperative Welfare (Dedicated)					
10	Fund		19,500	50,000	69,500	
11	Cooperative Welfare (Federal)					
12	Fund	<u>2,090,300</u>	<u>266,400</u>	<u>2,900,000</u>	<u>5,256,700</u>	
13	TOTAL	\$2,321,500	\$340,600	\$3,400,000	\$6,062,100	
14	GRAND TOTAL	\$54,229,600	\$14,082,100	\$76,700	\$38,724,800	\$107,113,200

15 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,
 16 Idaho Code, each of the programs in the Department of Health and Welfare
 17 listed below is authorized no more than the number of full-time equivalent
 18 positions at any point during the period July 1, 2017, through June 30, 2018,
 19 unless specifically authorized by the Governor. The Joint Finance-Appropriations
 20 Committee will be notified promptly of any increased positions
 21 so authorized. Further, notwithstanding any other provisions of law, it is
 22 the intent of the Legislature that the Department of Health and Welfare has
 23 the authority to transfer authorized full-time equivalent positions between
 24 budgeted programs.

25	Child Welfare	396.75
26	Community Developmental Disability Services	176.96
27	Southwest Idaho Treatment Center	130.75
28	Service Integration	35.00

29 SECTION 3. GENERAL FUND TRANSFERS. As appropriated, the State Con-
 30 troller shall make transfers from the General Fund to the Cooperative
 31 Welfare Fund, periodically, as requested by the director of the Department
 32 of Health and Welfare and approved by the Board of Examiners.

33 SECTION 4. TRUSTEE AND BENEFIT PAYMENTS. Notwithstanding the provi-
 34 sions of Section 67-3511, Idaho Code, funds budgeted in the trustee and
 35 benefit payments expenditure class shall not be transferred to any other
 36 expense class during fiscal year 2018.

37 SECTION 5. PROGRAM INTEGRITY. Notwithstanding any other provisions of
 38 law, it is hereby declared to be the intent of the Legislature that the De-
 39 partment of Health and Welfare shall be required to provide those services
 40 authorized or mandated by law in each program, only to the extent of funding
 41 and available resources appropriated for each budgeted program.

1 SECTION 6. EDUCATIONAL NEEDS. It is the finding of the Legislature that
2 the Department of Health and Welfare is responsible for the educational
3 needs of school-age children placed in its custody by the courts for either
4 child protective or mental health issues. If the Department of Health and
5 Welfare places a child in a licensed residential treatment facility that
6 includes a nonpublic accredited school, and it is determined by the Depart-
7 ment of Health and Welfare that it is in the best interest of the child to be
8 educated at the residential treatment facility, then it is the responsibil-
9 ity of the Department of Health and Welfare to pay for such education, per
10 student, per educational day. This intent language does not preclude other
11 Idaho state agencies from exercising their responsibility to ensure a free
12 and appropriate education for these students within the requirements of fed-
13 eral disability law. The fiscal impact of this language is included within
14 existing department base appropriations.

15 SECTION 7. FOSTER CARE SUPPORT STAFF. The Department of Health and Wel-
16 fare, Child Welfare Division, shall provide biannual reports to the Legisla-
17 tive Services Office and the Division of Financial Management on the status
18 of staff workload and caseload issues. In 2016, the Legislature passed HCR
19 059, which authorized an Interim Committee on Foster Care. This committee
20 identified several shortcomings in the Child Welfare System, including the
21 concerns regarding recruiting and retaining qualified social workers. Sim-
22 ilar findings were identified in the Child Welfare System report, published
23 by the Office of Performance Evaluations in 2017. Both the committee and the
24 report identified a dire need for the department to review its processes and
25 add additional social workers and other associated staff to improve oper-
26 ations. The program over time has noted staffing issues related to effec-
27 tiveness and retention as a result of caseloads, workloads, and compensa-
28 tion; the Legislature has continually supported the Child Welfare Division
29 with additional staff and pay increases for social workers. The first report
30 shall be submitted no later than December 31, 2017; the second report shall
31 be submitted no later than June 30, 2018.

32 SECTION 8. HEAD START APPROPRIATION FROM TEMPORARY ASSISTANCE FOR
33 NEEDY FAMILIES FUNDS. At a minimum, the Department of Health and Welfare is
34 directed to maintain Head Start appropriations paid from federal Temporary
35 Assistance for Needy Families funds at the same level as was paid to the Head
36 Start Program in fiscal year 2007.

37 SECTION 9. In addition to the appropriation made in Section 1, Chapter
38 223, Laws of 2016, and any other appropriation provided for by law, there is
39 hereby appropriated \$651,000 from the Cooperative Welfare (General) Fund to
40 the Department of Health and Welfare, for the Child Welfare Program, to be
41 expended for personnel costs, for the period July 1, 2016, through June 30,
42 2017.

43 SECTION 10. In addition to the appropriation made in Section 1, Chapter
44 223, Laws of 2016, and any other appropriation provided for by law, there is
45 hereby appropriated \$217,100 from the Cooperative Welfare (General) Fund to
46 the Department of Health and Welfare, for the Foster and Assistance Payments

1 Program, to be expended for trustee and benefit payments, for the period July
2 1, 2016, through June 30, 2017.

3 SECTION 11. An emergency existing therefor, which emergency is hereby
4 declared to exist, the provisions of Sections 9 and 10 of this act shall be in
5 full force and effect on and after passage and approval.