

IN THE SENATE

SENATE BILL NO. 1189

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF MENTAL HEALTH SERVICES, PSYCHIATRIC HOSPITALIZATION AND SUBSTANCE ABUSE TREATMENT AND PREVENTION FOR FISCAL YEAR 2018; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2018; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; LIMITING TRANSFER OF LEGISLATIVE APPROPRIATIONS; CLARIFYING RESPONSIBILITY FOR EDUCATION OF CERTAIN CHILDREN IN STATE CARE; DIRECTING AN INTERAGENCY PAYMENT FOR JUVENILE DETENTION CLINICIANS CONTRACT; PROVIDING LEGISLATIVE INTENT REGARDING FUNDING FOR BEHAVIORAL HEALTH COMMUNITY CRISIS CENTERS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE CHILDREN'S MENTAL HEALTH PROGRAM, COMMUNITY HOSPITALIZATION PROGRAM AND SUBSTANCE ABUSE TREATMENT AND PREVENTION PROGRAM FOR FISCAL YEAR 2017; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE ADULT MENTAL HEALTH PROGRAM FOR FISCAL YEAR 2017; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2017; AND DECLARING AN EMERGENCY.

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

SECTION 1. There is hereby appropriated to the Department of Health and Welfare, the following amounts to be expended according to the designated programs and expense classes, from the listed funds for the period July 1, 2017, through June 30, 2018:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
I. MENTAL HEALTH SERVICES:					
A. CHILDREN'S MENTAL HEALTH:					
FROM:					
Cooperative Welfare (General)					
Fund	\$4,793,200	\$834,400		\$4,151,000	\$9,778,600
Cooperative Welfare (Dedicated)					
Fund				164,500	164,500
Cooperative Welfare (Federal)					
Fund	<u>2,502,400</u>	<u>1,358,100</u>		<u>1,092,600</u>	<u>4,953,100</u>
TOTAL	\$7,295,600	\$2,192,500		\$5,408,100	\$14,896,200

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
5	B. ADULT MENTAL HEALTH:				
6	FROM:				
7	Cooperative Welfare (General)				
8	Fund	\$14,459,100	\$2,765,100	\$13,883,800	\$31,108,000
9	Cooperative Welfare (Dedicated)				
10	Fund	111,200		350,000	461,200
11	Cooperative Welfare (Federal)				
12	Fund	<u>2,179,900</u>	<u>1,143,100</u>	<u>778,700</u>	<u>4,101,700</u>
13	TOTAL	\$16,750,200	\$3,908,200	\$15,012,500	\$35,670,900
14	DIVISION TOTAL	\$24,045,800	\$6,100,700	\$20,420,600	\$50,567,100
15	II. PSYCHIATRIC HOSPITALIZATION:				
16	A. COMMUNITY HOSPITALIZATION:				
17	FROM:				
18	Cooperative Welfare (General)				
19	Fund			\$3,364,700	\$3,364,700
20	B. STATE HOSPITAL NORTH:				
21	FROM:				
22	Cooperative Welfare (General)				
23	Fund	\$7,427,600	\$140,100	\$105,500	\$7,673,200
24	Cooperative Welfare (Dedicated)				
25	Fund	154,100			154,100
26	State Hospital North Endowment Income				
27	Fund	<u>397,000</u>	<u>1,119,100</u>	<u>\$15,700</u>	<u>44,500</u>
28	TOTAL	\$7,978,700	\$1,259,200	\$15,700	\$9,403,600
29	C. STATE HOSPITAL SOUTH:				
30	FROM:				
31	Cooperative Welfare (General)				
32	Fund	\$9,769,300	\$286,400	\$175,000	\$241,900
33	Cooperative Welfare (Dedicated)				
34	Fund	3,664,900	1,020,200	900	4,686,000
35	Mental Hospital Endowment Income				
36	Fund	3,018,500	1,380,500	215,000	4,614,000

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
5	Cooperative Welfare (Federal)				
6	Fund	<u>4,927,600</u>	<u>1,169,000</u>	<u>0</u>	<u>25,900</u>
7	TOTAL	\$21,380,300	\$3,856,100	\$390,000	\$268,700
8	DIVISION TOTAL	\$29,359,000	\$5,115,300	\$405,700	\$3,783,400
9	III. SUBSTANCE ABUSE TREATMENT AND PREVENTION:				
10	FROM:				
11	Cooperative Welfare (General)				
12	Fund	\$296,300	\$673,500	\$1,505,400	\$2,475,200
13	Prevention of Minors' Access to Tobacco				
14	Fund		43,800		43,800
15	Cooperative Welfare (Dedicated)				
16	Fund	48,800	438,300		487,100
17	Liquor Control				
18	Fund			650,000	650,000
19	Cooperative Welfare (Federal)				
20	Fund	<u>1,082,000</u>	<u>3,459,200</u>	<u>6,628,400</u>	<u>11,169,600</u>
21	TOTAL	\$1,427,100	\$4,614,800	\$8,783,800	\$14,825,700
22	GRAND TOTAL	\$54,831,900	\$15,830,800	\$405,700	\$32,987,800

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

33	Adult Mental Health .....	210.56
34	Children's Mental Health .....	90.67
35	State Hospital North .....	107.10
36	State Hospital South .....	285.25
37	Substance Abuse Treatment and Prevention .....	16.00

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

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

9 SECTION 5. PROGRAM INTEGRITY. Notwithstanding any other provision of  
10 law, it is hereby declared to be the intent of the Legislature that the De-  
11 partment of Health and Welfare shall be required to provide those services  
12 authorized or mandated by law in each program, only to the extent of funding  
13 and available resources appropriated for each budgeted program.

14 SECTION 6. LIMITING TRANSFER OF LEGISLATIVE APPROPRIATIONS. Notwith-  
15 standing the provisions of Section 67-3511, Idaho Code, Cooperative Welfare  
16 (General) Fund moneys appropriated to the Division of Mental Health and the  
17 Psychiatric Hospitalization Division may be transferred between divisions,  
18 but shall not be transferred to any other division or program within the De-  
19 partment of Health and Welfare without legislative approval.

20 SECTION 7. LEGISLATIVE INTENT. It is the finding of the Legislature  
21 that the Department of Health and Welfare is responsible for the educational  
22 needs of school-age children placed in its custody by the courts for either  
23 child protective or for mental health issues. If the Department of Health  
24 and Welfare places a child in a licensed residential treatment facility that  
25 includes a nonpublic accredited school, and it is determined by the Depart-  
26 ment of Health and Welfare that it is in the best interest of the child to be  
27 educated at the residential treatment facility, then it is the responsibil-  
28 ity of the Department of Health and Welfare to pay for such education, per  
29 student, per educational day. This intent language does not preclude other  
30 Idaho state agencies from exercising their responsibility to ensure a free  
31 and appropriate education for these students within the requirements of fed-  
32 eral disability law. The fiscal impact of this language is included within  
33 existing department base appropriations.

34 SECTION 8. INTERAGENCY PAYMENT FOR JUVENILE DETENTION CLINICIANS CON-  
35 TRACT. The Children's Mental Health Program shall, no later than July 16,  
36 2017, make an interagency payment of \$327,000 from the Cooperative Welfare  
37 (General) Fund to the Department of Juvenile Corrections to be used for the  
38 purchase of contract clinician services with juvenile detention facilities  
39 in Idaho, for the period July 1, 2017, through June 30, 2018.

40 SECTION 9. BEHAVIORAL HEALTH COMMUNITY CRISIS CENTERS. It is the in-  
41 tent of the Legislature that the Behavioral Health Community Crisis Center  
42 located in Idaho Falls, share an updated plan, and the Behavioral Health Com-  
43 munity Crisis Center located in Coeur d'Alene, share its two-year plan as  
44 required by contract with the Department of Health and Welfare, that will

1 demonstrate to what extent the region will provide financial support from  
 2 local sources for ongoing operations of the centers. The contractually re-  
 3 quired plan is to be submitted to the Legislative Services Office no later  
 4 than December 31, 2017. Further it is the expectation that all other commu-  
 5 nity crisis centers will be required to share their two-year plan as required  
 6 by their contract with the Department of Health and Welfare upon completion  
 7 of two (2) years of operations.

8 SECTION 10. In addition to the appropriation made in Section 1, Chapter  
 9 250, Laws of 2016, and any other appropriation provided for by law, there is  
 10 hereby appropriated to the Department of Health and Welfare, the following  
 11 amounts to be expended for the designated programs and expense classes, from  
 12 the listed funds for the period July 1, 2016, through June 30, 2017:

	FOR	FOR	FOR	FOR	TOTAL
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	
				PAYMENTS	
17	I. MENTAL HEALTH SERVICES:				
18	FROM:				
19	Cooperative Welfare (General)				
20	Fund	\$100,200	\$13,200	\$14,300	\$127,700
21	Cooperative Welfare (Federal)				
22	Fund	<u>100,200</u>	<u>13,200</u>	<u>14,300</u>	<u>127,700</u>
23	TOTAL	\$200,400	\$26,400	\$28,600	\$255,400
24	II. PSYCHIATRIC HOSPITALIZATION:				
25	FROM:				
26	Cooperative Welfare (General)				
27	Fund			\$500,000	\$500,000
28	III. SUBSTANCE ABUSE TREATMENT & PREVENTION:				
29	FROM:				
30	Cooperative Welfare (Federal)				
31	Fund			\$1,500,000	\$1,500,000
32	GRAND TOTAL	\$200,400	\$26,400	\$28,600	\$2,255,400

33 SECTION 11. Notwithstanding any other provision of law to the contrary,  
 34 the appropriation made to the Department of Health and Welfare for the Adult  
 35 Mental Health Program, in Section 1, Chapter 250, Laws of 2016, from the Co-  
 36 operative Welfare (General) Fund, is hereby reduced by \$500,000 for trustee  
 37 and benefit payments, for the period July 1, 2016, through June 30, 2017.

1           SECTION 12. FTP AUTHORIZATION. The full-time equivalent position au-  
2           thorization provided to the Department of Health and Welfare for the Chil-  
3           dren's Mental Health Program, in Section 2, Chapter 250, Laws of 2016, is in-  
4           creased by eleven (11) for the period July 1, 2016, through June 30, 2017.

5           SECTION 13. An emergency existing therefor, which emergency is hereby  
6           declared to exist, the provisions of Sections 10, 11 and 12 of this act shall  
7           be in full force and effect on and after passage and approval.