

IN THE SENATE

SENATE BILL NO. 1165

BY FINANCE COMMITTEE

AN ACT

1 RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR  
2 FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND  
3 WELFARE FOR THE DIVISIONS OF MENTAL HEALTH SERVICES, PSYCHIATRIC HOS-  
4 PITALIZATION, AND SUBSTANCE ABUSE TREATMENT AND PREVENTION FOR FISCAL  
5 YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSI-  
6 TIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE  
7 FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PRO-  
8 VIDING REQUIREMENTS FOR PROGRAM INTEGRITY; LIMITING THE TRANSFER OF  
9 LEGISLATIVE APPROPRIATIONS; CLARIFYING RESPONSIBILITY FOR EDUCATION  
10 OF CERTAIN CHILDREN IN STATE CARE; DIRECTING AN INTERAGENCY PAYMENT  
11 FOR A JUVENILE DETENTION CLINICIANS CONTRACT; PROVIDING REQUIREMENTS  
12 REGARDING FUNDING FOR BEHAVIORAL HEALTH COMMUNITY CRISIS CENTERS; AND  
13 EXEMPTING THE APPROPRIATION FROM PROGRAM TRANSFER LIMITATIONS.  
14

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

16 SECTION 1. There is hereby appropriated to the Department of Health and  
17 Welfare the following amounts to be expended according to the designated  
18 programs and expense classes from the listed funds for the period July 1,  
19 2021, through June 30, 2022:

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	TRUSTEE AND	
	COSTS	EXPENDITURES	BENEFIT	TOTAL
			PAYMENTS	
24 I. MENTAL HEALTH SERVICES:				
25 A. CHILDREN'S MENTAL HEALTH:				
26 FROM:				
27 Cooperative Welfare (General)				
28 Fund	\$5,424,500	\$1,242,700	\$1,787,800	\$8,455,000
29 Cooperative Welfare (Dedicated)				
30 Fund			164,500	164,500
31 Cooperative Welfare (Federal)				
32 Fund	<u>2,973,100</u>	<u>1,934,200</u>	<u>1,092,600</u>	<u>5,999,900</u>
33 TOTAL	\$8,397,600	\$3,176,900	\$3,044,900	\$14,619,400
34 B. ADULT MENTAL HEALTH:				
35 FROM:				
36 Cooperative Welfare (General)				
37 Fund	\$15,393,300	\$2,445,800	\$10,043,800	\$27,882,900

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	TRUSTEE AND	
	COSTS	EXPENDITURES	BENEFIT	TOTAL
			PAYMENTS	
5	Cooperative Welfare (Dedicated)			
6	Fund	67,900	350,000	417,900
7	Cooperative Welfare (Federal)			
8	Fund	<u>2,328,800</u>	<u>2,153,000</u>	<u>9,609,700</u>
9	TOTAL	\$17,790,000	\$4,598,800	\$20,003,500
10	DIVISION TOTAL	\$26,187,600	\$7,775,700	\$23,048,400
11	II. PSYCHIATRIC HOSPITALIZATION:			
12	A. COMMUNITY HOSPITALIZATION:			
13	FROM:			
14	Cooperative Welfare (General)			
15	Fund		\$1,069,000	\$1,069,000
16	B. STATE HOSPITAL NORTH:			
17	FROM:			
18	Cooperative Welfare (General)			
19	Fund	\$9,911,700	\$799,900	\$55,600
20	Cooperative Welfare (Dedicated)			
21	Fund	166,800		166,800
22	State Hospital North Endowment Income			
23	Fund	<u>427,000</u>	<u>1,138,100</u>	<u>94,400</u>
24	TOTAL	\$10,505,500	\$1,938,000	\$150,000
25	C. STATE HOSPITAL SOUTH:			
26	FROM:			
27	Cooperative Welfare (General)			
28	Fund	\$7,849,600		\$254,700
29	Cooperative Welfare (Dedicated)			
30	Fund	6,690,200	\$3,049,400	900
31	Mental Hospital Endowment Income			
32	Fund	4,198,500	2,285,500	30,000
33	Cooperative Welfare (Federal)			
34	Fund	<u>4,770,700</u>	<u>938,000</u>	<u>25,600</u>
35	TOTAL	\$23,509,000	\$6,272,900	\$311,200

	FOR	FOR	FOR		
	PERSONNEL	OPERATING	TRUSTEE AND		
	COSTS	EXPENDITURES	BENEFIT	TOTAL	
			PAYMENTS		
5	D. STATE HOSPITAL WEST:				
6	FROM:				
7	Cooperative Welfare (General)				
8	Fund	\$1,685,700	\$476,400	\$8,300	\$2,170,400
9	Cooperative Welfare (Dedicated)				
10	Fund	200,000			200,000
11	Cooperative Welfare (Federal)				
12	Fund	<u>2,500,000</u>	<u>0</u>	<u>0</u>	<u>2,500,000</u>
13	TOTAL	\$4,385,700	\$476,400	\$8,300	\$4,870,400
14	DIVISION TOTAL	\$38,400,200	\$8,687,300	\$1,538,500	\$48,626,000
15	III. SUBSTANCE ABUSE TREATMENT & PREVENTION:				
16	FROM:				
17	Prevention of Minors' Access to Tobacco				
18	Fund		\$43,800		\$43,800
19	Cooperative Welfare (Dedicated)				
20	Fund		438,300		438,300
21	Liquor Control				
22	Fund			\$650,000	650,000
23	Idaho Millennium Income				
24	Fund		160,000	450,000	610,000
25	Cooperative Welfare (Federal)				
26	Fund	<u>\$1,153,400</u>	<u>4,959,200</u>	<u>17,392,400</u>	<u>23,505,000</u>
27	TOTAL	\$1,153,400	\$5,601,300	\$18,492,400	\$25,247,100
28	GRAND TOTAL	\$65,741,200	\$22,064,300	\$43,079,300	\$130,884,800

29 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,  
 30 Idaho Code, each of the programs in the Department of Health and Welfare  
 31 listed below is authorized no more than the following number of full-time  
 32 equivalent positions at any point during the period July 1, 2021, through  
 33 June 30, 2022, unless specifically authorized by the Governor. The Joint  
 34 Finance-Appropriations Committee will be notified promptly of any increased  
 35 positions so authorized.

36	Adult Mental Health .....	209.56
37	Children's Mental Health .....	97.67

1	State Hospital North .....	131.60
2	State Hospital South .....	286.25
3	State Hospital West .....	49.33
4	Substance Abuse Treatment and Prevention .....	16.00

5 SECTION 3. GENERAL FUND TRANSFERS. As appropriated, the Office of the  
6 State Controller shall periodically make transfers from the General Fund to  
7 the Cooperative Welfare Fund as requested by the director of the Department  
8 of Health and Welfare and approved by the Board of Examiners.

9 SECTION 4. TRUSTEE AND BENEFIT PAYMENTS. Notwithstanding the provi-  
10 sions of Section 67-3511, Idaho Code, funds appropriated in the trustee and  
11 benefit payments expense class shall not be transferred to any other expense  
12 classes during fiscal year 2022.

13 SECTION 5. PROGRAM INTEGRITY. Notwithstanding any other provision of  
14 law to the contrary, the Department of Health and Welfare shall be required  
15 to provide those services authorized or mandated by law in each program, only  
16 to the extent of funding and available resources appropriated for each bud-  
17 geted program.

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

24 SECTION 7. EDUCATIONAL NEEDS. The Department of Health and Welfare  
25 shall be responsible for the educational needs of school-age children placed  
26 in its custody by the courts for either child protective issues or mental  
27 health issues. If the department places a child in a licensed residential  
28 treatment facility that includes a nonpublic accredited school, and it is  
29 determined by the department that it is in the best interests of the child  
30 to be educated at the residential treatment facility, then it is the re-  
31 sponsibility of the department to pay for such education per student, per  
32 educational day. Other Idaho state agencies shall not be precluded from  
33 exercising their responsibility to ensure a free and appropriate education  
34 for these students within the requirements of federal disability law. The  
35 fiscal impact of this section is included within existing department base  
36 appropriations.

37 SECTION 8. INTERAGENCY PAYMENT FOR JUVENILE DETENTION CLINICIANS CON-  
38 TRACT. No later than July 16, 2021, the Children's Mental Health Program  
39 shall make an interagency payment of \$327,000 from the Cooperative Welfare  
40 (General) Fund to the Department of Juvenile Corrections to be used for the  
41 purchase of contract clinician services with juvenile detention facilities  
42 in Idaho for the period July 1, 2021, through June 30, 2022.

1           SECTION 9. BEHAVIORAL HEALTH COMMUNITY CRISIS CENTERS. The seven Be-  
2 havioral Health Community Crisis Centers shall submit plans for achieving  
3 non-state funding, in conformance with the requirements of their contracts  
4 with the Department of Health and Welfare, that demonstrate the extent to  
5 which the centers will receive financial support from non-state sources for  
6 ongoing operations. These plans shall be submitted to the Legislative Ser-  
7 vices Office no later than December 31, 2021.

8           SECTION 10. EXEMPTIONS FROM PROGRAM TRANSFER LIMITATIONS. The Commu-  
9 nity Hospitalization Program is hereby exempted from the provisions of Sec-  
10 tion 67-3511(2), Idaho Code, allowing unlimited transfers into the Commu-  
11 nity Hospitalization Program from other programs within the Department of  
12 Health and Welfare for all moneys appropriated to it for the period July 1,  
13 2021, through June 30, 2022.