

## IN THE HOUSE OF REPRESENTATIVES

## HOUSE BILL NO. 318

## BY APPROPRIATIONS COMMITTEE

## AN ACT

1 APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR  
 2 SERVICES FOR THE DEVELOPMENTALLY DISABLED FOR FISCAL YEAR 2010;  
 3 LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; APPRO-  
 4 PRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND  
 5 WELFARE FOR THE IDAHO STATE SCHOOL AND HOSPITAL FOR FISCAL YEAR  
 6 2009; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH  
 7 AND WELFARE FOR THE IDAHO STATE SCHOOL AND HOSPITAL FOR FISCAL  
 8 YEAR 2009; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE  
 9 TRANSFERS FROM THE GENERAL FUND; DIRECTING THAT THE FUNDS  
 10 FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED;  
 11 REQUIRING IDAHO STATE SCHOOL AND HOSPITAL TO COMPLETE A CLIENT  
 12 TRANSITION REVIEW AND REPORT TO THE LEGISLATURE; PROVIDING  
 13 LEGISLATIVE INTENT FOR THE INFANT AND TODDLER DATABASE SYSTEM;  
 14 PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DE-  
 15 PARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS  
 16 BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; PROVIDING  
 17 LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUC-  
 18 TIONS; AND DECLARING AN EMERGENCY.  
 19

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

21 SECTION 1. There is hereby appropriated to the Department of Health and Welfare for  
 22 services for the developmentally disabled the following amounts to be expended according to  
 23 the designated programs from the designated expense classes from the listed funds for the pe-  
 24 riod July 1, 2009, through June 30, 2010:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL	
25					
26					
27					
28					
29	I. COMMUNITY DEVELOPMENTAL DISABILITY SERVICES:				
30	FROM:				
31	Cooperative Welfare (General) Fund	\$4,499,000	\$1,263,900	\$2,485,000	\$8,247,900
32	Cooperative Welfare (Dedicated)				
33	Fund	821,600	46,300	1,579,800	2,447,700
34	Cooperative Welfare (Federal) Fund	<u>4,329,300</u>	<u>2,492,500</u>	<u>945,900</u>	<u>7,767,700</u>
35	TOTAL	\$9,649,900	\$3,802,700	\$5,010,700	\$18,463,300
36	II. IDAHO STATE SCHOOL AND HOSPITAL:				
37	FROM:				

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	TRUSTEE AND	
	COSTS	EXPENDITURES	BENEFIT	TOTAL
			PAYMENTS	
5 Cooperative Welfare (General) Fund	\$2,363,700	\$189,100	\$70,300	\$2,623,100
6 Medical Assistance Fund		3,500		3,500
7 Cooperative Welfare (Dedicated)				
8 Fund	630,500	437,800	10,600	1,078,900
9 Cooperative Welfare (Federal) Fund	<u>16,073,800</u>	<u>3,106,100</u>	<u>205,100</u>	<u>19,385,000</u>
10 TOTAL	\$19,068,000	\$3,736,500	\$286,000	\$23,090,500
11 GRAND TOTAL	\$28,717,900	\$7,539,200	\$5,296,700	\$41,553,800

12 SECTION 2. FULL-TIME EQUIVALENT POSITIONS. In accordance with Section  
13 67-3519, Idaho Code, the Department of Health and Welfare is authorized no more than one  
14 hundred sixty-nine and forty-two hundredths (169.42) full-time equivalent positions for the  
15 Community Developmental Disability Services Program for the period July 1, 2009, through  
16 June 30, 2010. The Department of Health and Welfare is authorized no more than three  
17 hundred eighty-one and fifty-three hundredths (381.53) full-time equivalent positions for the  
18 Idaho State School and Hospital Program for the period July 1, 2009, through June 30,  
19 2010. Transfers of full-time equivalent positions between appropriated programs within the  
20 department are authorized and shall be reported in the budget prepared for the next fiscal year.  
21 Any full-time equivalent positions in excess of the department's total cap may be authorized  
22 only by the Governor and promptly reported to the Joint Finance-Appropriations Committee.

23 SECTION 3. In addition to the appropriation made in Section 3, Chapter 354, Laws of  
24 2008, there is hereby appropriated to the Department of Health and Welfare for the Idaho State  
25 School and Hospital the following amount to be expended according to the designated expense  
26 classes from the listed fund for the period July 1, 2008, through June 30, 2009:

27 FOR:		
28 Personnel Costs		\$1,273,000
29 Operating Expenditures		213,300
30 Trustee and Benefit Payments		<u>19,000</u>
31 TOTAL		\$1,505,300

32 FROM:		
33 Cooperative Welfare (Federal) Fund		\$1,505,300

34 SECTION 4. Notwithstanding any other provision of law to the contrary, the appropria-  
35 tion made in Section 3, Chapter 354, Laws of 2008, is hereby reduced by the following amount

1 for the Idaho State School and Hospital Program, according to the designated expense classes  
2 from the listed fund for the period July 1, 2008, through June 30, 2009:

3 FOR:

4 Personnel Costs	\$1,273,000
5 Operating Expenditures	213,300
6 Trustee and Benefit Payments	<u>19,000</u>
7 TOTAL	\$1,505,300

8 FROM:

9 Cooperative Welfare (General) Fund	\$1,505,300
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10 SECTION 5. GENERAL FUND TRANSFERS. As appropriated, the State Controller  
11 shall make transfers from the General Fund to the Cooperative Welfare Fund, periodically, as  
12 requested by the director of the Department of Health and Welfare and approved by the Board  
13 of Examiners.

14 SECTION 6. TRUSTEE AND BENEFIT PAYMENTS. Notwithstanding the provisions  
15 of Section 67-3511, Idaho Code, funds budgeted in the trustee and benefit payments expendi-  
16 ture object code shall not be transferred to any other objects within the program budget during  
17 fiscal year 2010.

18 SECTION 7. IDAHO STATE SCHOOL AND HOSPITAL CLIENT TRANSITION RE-  
19 VIEW AND REPORT. It is the intent of the Idaho Legislature, that the Department of Health  
20 and Welfare and the Board of the Idaho State School and Hospital shall enter into discussions  
21 with stakeholders to create a plan for transitioning the current residents of the Idaho State  
22 School and Hospital into services in the community or other private institutional settings. The  
23 discussion shall include the Divisions of Family and Community Services, Behavioral Health,  
24 Medicaid, Idaho State School and Hospital Administration and board representatives, commu-  
25 nity providers, and other stakeholders as identified by the department. The plan shall include,  
26 at a minimum, a broad based manifest of the clientele that the Idaho State School and Hospi-  
27 tal serves and their individual medical as well as treatment needs, strategies for transitioning  
28 that clientele out of the Idaho State School and Hospital, a detailed list of barriers and sugges-  
29 tions for overcoming the barriers, a detailed cost analysis for transitioning clients, and timelines  
30 for transition. A report by the Department of Health and Welfare outlining the plan shall be  
31 provided to the Health and Welfare germane committees and the Joint Finance-Appropriations  
32 Committee during the Second Regular Session of the Sixtieth Idaho Legislature.

33 SECTION 8. INFANT AND TODDLER DATABASE SYSTEM. Recognizing that many  
34 parents of clients utilizing the Department of Health and Welfare Infant Toddler Program have  
35 the capacity to pay for services through personal insurance, and that the current infant and  
36 toddler systems do not possess the information technology structure to handle insurance billing  
37 and receipting, the Department of Health and Welfare is directed to include in the purchase of  
38 any information technology systems, including a database system, for the Infant and Toddler

1 Program the capacity to bill and receipt insurance payments for any and all services provided to  
2 the client through the Infant and Toddler Program.

3 SECTION 9. EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WEL-  
4 FARE EMPLOYEES. Recognizing that employee development is an essential part of a work-  
5 force but that budget shortfalls require a reprioritization of expenditures towards core functions  
6 first and development and training second. The Department of Health and Welfare is hereby  
7 directed not to pay any education stipend, regardless of funding source, for employees during  
8 the fiscal year 2010 due to budgetary shortfalls and a reprioritization towards core expenditures.

9 SECTION 10. TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING  
10 EXPENDITURES. Notwithstanding the provisions of Section 67-3511, Idaho Code, that  
11 state "No appropriation made for expenses other than personnel costs shall be expended for  
12 personnel costs of the particular department, office or institution for which it is appropriated,...."  
13 For fiscal year 2010, the Department of Health and Welfare may transfer funds appropriated for  
14 operating expenditures to personnel costs with the consent of the State Board of Examiners that  
15 currently designates the responsibility to the Division of Financial Management.

16 SECTION 11. LEGISLATIVE INTENT. It is the intent of the Legislature to retain to the  
17 extent possible, our capable, quality employees who support the essential services and statuto-  
18 rily authorized programs that the citizens of Idaho expect. The Legislature finds these critical  
19 essential services to be those that maintain the health and safety of our citizens and the ed-  
20 ucation of our children. While extending flexibility to the Governor and agency directors to  
21 manage the state workforce to the best of their ability during these difficult times, it remains the  
22 responsibility of the Legislature to identify priorities for the state workforce. The Legislature  
23 finds that reductions in personnel funding shall first be managed through salary reductions that  
24 impact all personnel fairly; secondly, be mitigated by the use of existing salary savings; thirdly,  
25 by using savings created by keeping newly vacated positions unfilled; fourth, by the use of fur-  
26 loughs; and lastly, as a last resort, by reducing the workforce. It is the intent of the Legislature  
27 that these policies shall be adhered to by the executive, legislative, and judicial branches to the  
28 extent allowed by law.

29 SECTION 12. SALARY REDUCTION. Inasmuch as salary reductions will save jobs;  
30 and inasmuch as a five percent (5%) reduction in personnel funding may create a reduction  
31 in force; and inasmuch as the state as a single employer of multiple departments and agen-  
32 cies is required by law to direct across the board salary adjustments; agencies and institutions  
33 shall reduce all salaries of classified and nonclassified employees, regardless of fund source, by  
34 three percent (3%) for fiscal year 2010, beginning on June 14, 2009, through June 12, 2010.  
35 Agencies shall use personnel cost savings, furloughs, and a reduction in force to manage the  
36 remaining two percent (2%) in funding reductions. The Division of Human Resources shall  
37 adjust all pay schedules for the classified personnel system downward to the extent that all  
38 beginning minimum salaries are three percent (3%) less than those in effect upon the date of  
39 passage of this law.

40 SECTION 13. An emergency existing therefor, which emergency is hereby declared to  
41 exist, Sections 3, 4 and 12 of this act shall be in full force and effect on and after passage and  
42 approval.