

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 715

BY APPROPRIATIONS COMMITTEE

AN ACT

REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MENTAL HEALTH SERVICES FOR FISCAL YEAR 2010; APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MENTAL HEALTH SERVICES FOR FISCAL YEAR 2011; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS FOR THE CHILDREN'S MENTAL HEALTH PROGRAM AND THE ADULT MENTAL HEALTH PROGRAM; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE DRUG COURT, MENTAL HEALTH COURT AND FAMILY COURT SERVICES FUND; DIRECTING AN INTERAGENCY PAYMENT FOR A JUVENILE DETENTION CLINICIANS CONTRACT; LIMITING THE TRANSFER OF TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT ON PROGRAM INTEGRITY; DIRECTING THE USE OF CERTAIN MONEYS IN THE MENTAL HEALTH GRANT PROGRAM; PROVIDING LEGISLATIVE INTENT FOR THE EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; AND DECLARING AN EMERGENCY.

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

SECTION 1. Notwithstanding any other provision of law to the contrary, the appropriation made in Section 1, Chapter 263, Laws of 2009, to the Department of Health and Welfare for Mental Health Services is hereby reduced by the following amounts for the designated programs according to the designated expense classes from the listed fund for the period July 1, 2009, through June 30, 2010:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
I. CHILDREN'S MENTAL HEALTH:				
FROM:				
Cooperative Welfare (General)				
Fund	\$181,500	\$49,700	\$334,800	\$566,000
II. ADULT MENTAL HEALTH:				
FROM:				
Cooperative Welfare (General)				
Fund	\$838,300	\$123,800	\$47,200	\$1,009,300
III. MENTAL HEALTH GRANTS:				
FROM:				
Cooperative Welfare (General)				
Fund			\$312,100	\$312,100

1 GRAND TOTAL \$1,019,800 \$173,500 \$694,100 \$1,887,400

2 SECTION 2. There is hereby appropriated to the Department of Health and  
3 Welfare for Mental Health Services the following amounts to be expended for  
4 the designated programs according to the designated expense classes from the  
5 listed funds for the period July 1, 2010, through June 30, 2011:

6				FOR	
7		FOR	FOR	TRUSTEE AND	
8		PERSONNEL	OPERATING	BENEFIT	
9		COSTS	EXPENDITURES	PAYMENTS	TOTAL
10	I. CHILDREN'S MENTAL HEALTH:				
11	FROM:				
12	Cooperative Welfare (General)				
13	Fund	\$4,070,500	\$633,600	\$4,448,200	\$9,152,300
14	Cooperative Welfare (Dedicated)				
15	Fund			164,500	164,500
16	Cooperative Welfare (Federal)				
17	Fund	<u>1,415,600</u>	<u>1,358,000</u>	<u>1,117,600</u>	<u>3,891,200</u>
18	TOTAL	\$5,486,100	\$1,991,600	\$5,730,300	\$13,208,000
19	II. ADULT MENTAL HEALTH:				
20	FROM:				
21	Cooperative Welfare (General)				
22	Fund	\$11,052,300	\$1,450,100	\$627,500	\$13,129,900
23	Cooperative Welfare (Dedicated)				
24	Fund	684,300		650,000	1,334,300
25	Drug Court, Mental Health and Family Court Services				
26	Fund	155,100	98,000		253,100
27	Cooperative Welfare (Federal)				
28	Fund	<u>2,666,800</u>	<u>1,158,400</u>	<u>353,700</u>	<u>4,178,900</u>
29	TOTAL	\$14,558,500	\$2,706,500	\$1,631,200	\$18,896,200
30	III. MENTAL HEALTH GRANTS:				
31	FROM:				
32	Cooperative Welfare (General)				
33	Fund			\$1,870,800	\$1,870,800
34	GRAND TOTAL	\$20,044,600	\$4,698,100	\$9,232,300	\$33,975,000

35 SECTION 3. FULL-TIME EQUIVALENT POSITIONS. In accordance with Section  
36 67-3519, Idaho Code, the Department of Health and Welfare is authorized no  
37 more than eighty-nine and thirty hundredths (89.30) full-time equivalent  
38 positions for the Children's Mental Health Program for the period July 1,

1 2010, through June 30, 2011. In accordance with Section 67-3519, Idaho Code,  
2 the Department of Health and Welfare is authorized no more than two hundred  
3 thirty-nine and four hundredths (239.04) full-time equivalent positions for  
4 the Adult Mental Health Program for the period July 1, 2010, through June  
5 30, 2011. Transfers of full-time equivalent positions between appropriated  
6 programs within the department are authorized and shall be reported in  
7 the budget prepared for the next fiscal year. Any full-time equivalent  
8 positions in excess of the department's total cap may be authorized only  
9 by the Governor and promptly reported to the Joint Finance-Appropriations  
10 Committee.

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

15 SECTION 5. COURT SERVICES FUND TRANSFERS. As appropriated, the State  
16 Controller shall make transfers of the Court Services Fund to the Coopera-  
17 tive Welfare Fund, periodically, as requested by the director of the Depart-  
18 ment of Health and Welfare and approved by the Board of Examiners.

19 SECTION 6. INTERAGENCY PAYMENT FOR JUVENILE DETENTION CLINICIANS CON-  
20 TRACT. The Children's Mental Health Program shall make, no later than July  
21 10, 2010, an interagency payment of \$327,000 from the Cooperative Welfare  
22 (General) Fund to the Department of Juvenile Corrections to be utilized for  
23 the purchase of contract clinician services with juvenile detention facili-  
24 ties in Idaho, for the period July 1, 2010, through June 30, 2011.

25 SECTION 7. TRANSFER OF TRUSTEE AND BENEFIT PAYMENTS. Notwithstanding  
26 the provisions of Section 67-3511, Idaho Code, funds budgeted in the trustee  
27 and benefit payments expenditure object code shall not be transferred to any  
28 other objects within the program budget during fiscal year 2011.

29 SECTION 8. PROGRAM INTEGRITY. Notwithstanding any other provisions of  
30 law, it is hereby declared to be the intent of the Legislature that the De-  
31 partment of Health and Welfare shall be required to provide those services  
32 authorized or mandated by law in each program, only to the extent of funding  
33 and available resources appropriated for each budgeted program.

34 SECTION 9. MENTAL HEALTH GRANTS. It is the intent of the Legislature  
35 that the department utilize the \$787,400 of ongoing funding within the Men-  
36 tal Health Grants Program for the Region 4 Dual Diagnosis Crisis Interven-  
37 tion beds that will contractually be operated by Ada County. It is also the  
38 intent of the Legislature that the \$1,083,400 base ongoing funding be con-  
39 tinued in fiscal year 2011 for the Region 7 grant project that was selected in  
40 fiscal year 2008.

41 SECTION 10. EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE  
42 EMPLOYEES. Recognizing that employee development is an essential part of a  
43 workforce but that budget shortfalls require a reprioritization of expendi-

1 tures towards core functions first and development and training second, the  
2 Department of Health and Welfare is hereby directed not to pay any education  
3 stipends, with the exception of the IV-E funding source, for employees  
4 during fiscal year 2011 due to budgetary shortfalls and a reprioritization  
5 towards core expenditures.

6 SECTION 11. TRANSFER BETWEEN PERSONNEL COSTS AND OPERATING EXPEN-  
7 DITURES. Notwithstanding the provisions of Section 67-3511, Idaho Code,  
8 that state "No appropriation made for expenses other than personnel costs  
9 shall be expended for personnel costs of the particular department, office  
10 or institution for which it is appropriated,..." For fiscal year 2011, the  
11 Department of Health and Welfare may transfer funds appropriated for oper-  
12 ating expenditures to personnel costs with the consent of the State Board of  
13 Examiners who currently designates that responsibility to the Division of  
14 Financial Management.

15 SECTION 12. An emergency existing therefor, which emergency is hereby  
16 declared to exist, Section 1 of this act shall be in full force and effect on  
17 and after passage and approval.