

## STATEMENT OF PURPOSE

### RS23719

This is a fiscal year 2015 supplemental appropriation for the Department of Health and Welfare for behavioral health services.

This bill includes a General Fund transfer of \$615,000 from the Adult Mental Health Program to the Children's Mental Health Program, to pay for attorney fees associated with the Jeff D federal class-action lawsuit against the state as ordered by the District of Idaho and 9th Circuit Court of Appeals. In 2007, the Jeff D. lawsuit was dismissed by the District of Idaho. This decision was subsequently overturned in 2011 by the 9th Circuit Court of Appeals. Once remanded back to the District Court, Judge Winmill directed the state and plaintiffs to follow a meet-and-confer process that led to the parties entering into mediation to negotiate a resolution to the lawsuit. This mediation is expected to result in a settlement agreement that the state hopes will lead to a mutual request for dismissal. The transferred amount is a placeholder based on the amounts billed by the prosecuting attorney for services rendered; final amounts are negotiable and at the discretion of the judge.

For the Substance Abuse Treatment and Prevention Program the bill provides for an additional \$796,700 of federal fund appropriation for use with the federal Access to Recovery Grant funds as awarded from the Substance Abuse and Mental Health Services Administration. The grant will increase access to substance abuse treatment and recovery support services including transportation and temporary housing. The grant will aim to serve (1) veterans with a substance use disorder who have committed a crime and are on supervised probation; (2) child welfare families participating in child welfare court as a result of an addiction; and (3) homeless individuals. Intended outcomes of the grant are to eliminate drug use, expand access to services, and build sustainability. To help implement the additional grant funds, two full-time equivalent positions (FTP) were transferred from the Southwest Idaho Treatment Center (SWITC). The SWITC was able to transfer the FTP as the result of a declining census and reduced staff needs.

### FISCAL NOTE

	FTP	Gen	Ded	Fed	Total
FY 2015 Original Appropriation	298.70	27,660,900	2,390,000	21,379,200	51,430,100
Mental Health Services					
2. Jeff D Lawsuit Attorney Fees	0.00	0	0	0	0
Substance Abuse Treatment and Prevention					
5. Access to Recovery Grant	2.00	0	0	796,700	796,700
FY 2015 Total Appropriation	300.70	27,660,900	2,390,000	22,175,900	52,226,800
Chg from FY 2015 Orig Approp	2.00	0	0	796,700	796,700
% Chg from FY 2015 Orig Approp.	0.7%	0.0%	0.0%	3.7%	1.5%

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