

IN THE SENATE

SENATE BILL NO. 1362

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE; AP-
PROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DI-
VISIONS OF CHILD WELFARE, SERVICES FOR THE DEVELOPMENTALLY DISABLED,
AND SERVICE INTEGRATION FOR FISCAL YEAR 2019; LIMITING THE NUMBER OF
AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND
TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR
TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM
INTEGRITY; CLARIFYING THE RESPONSIBILITY FOR THE EDUCATION OF CERTAIN
CHILDREN IN STATE CARE; DIRECTING EXPENDITURES FOR HEAD START APPROPRI-
ATIONS FROM TEMPORARY ASSISTANCE FOR NEEDY FAMILIES; APPROPRIATING AD-
DITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE CHILD
WELFARE PROGRAM FOR FISCAL YEAR 2018; AUTHORIZING ADDITIONAL FULL-TIME
EQUIVALENT POSITIONS FOR FISCAL YEAR 2018; REQUIRING A PLAN ON CHILD
WELFARE STAFFING; ALLOCATING FUNDING FOR THE HOME VISITATION PROGRAM;
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,
2018, through June 30, 2019:

| | FOR | FOR | FOR | FOR | |
|---|-------------------|------------------|---------|-------------|-------------------|
| | PERSONNEL | OPERATING | CAPITAL | TRUSTEE AND | |
| | COSTS | EXPENDITURES | OUTLAY | BENEFIT | TOTAL |
| | | | | PAYMENTS | |
| I. CHILD WELFARE: | | | | | |
| A. CHILD WELFARE: | | | | | |
| FROM: | | | | | |
| Cooperative Welfare (General) | | | | | |
| Fund | \$10,042,100 | \$2,073,800 | | | \$12,115,900 |
| Cooperative Welfare (Dedicated) | | | | | |
| Fund | 71,500 | 20,000 | | | 91,500 |
| Technology Infrastructure Stabilization | | | | | |
| Fund | | 3,900,000 | | | 3,900,000 |
| Cooperative Welfare (Federal) | | | | | |
| Fund | <u>21,036,200</u> | <u>9,684,400</u> | | | <u>30,720,600</u> |
| TOTAL | \$31,149,800 | \$15,678,200 | | | \$46,828,000 |

| | FOR | FOR | FOR | FOR | |
|----|---|------------------|------------------|-------------------|-------------------|
| | PERSONNEL | OPERATING | CAPITAL | TRUSTEE AND | |
| | COSTS | EXPENDITURES | OUTLAY | BENEFIT | TOTAL |
| | | | | PAYMENTS | |
| 5 | B. FOSTER AND ASSISTANCE PAYMENTS: | | | | |
| 6 | FROM: | | | | |
| 7 | Cooperative Welfare (General) | | | | |
| 8 | Fund | | | \$11,338,200 | \$11,338,200 |
| 9 | Cooperative Welfare (Dedicated) | | | | |
| 10 | Fund | | | 705,600 | 705,600 |
| 11 | Cooperative Welfare (Federal) | | | | |
| 12 | Fund | | | <u>18,047,700</u> | <u>18,047,700</u> |
| 13 | TOTAL | | | \$30,091,500 | \$30,091,500 |
| 14 | DIVISION TOTAL | \$31,149,800 | \$15,678,200 | \$30,091,500 | \$76,919,500 |
| 15 | II. SERVICES FOR THE DEVELOPMENTALLY DISABLED: | | | | |
| 16 | A. COMMUNITY DEVELOPMENTAL DISABILITY SERVICES: | | | | |
| 17 | FROM: | | | | |
| 18 | Cooperative Welfare (General) | | | | |
| 19 | Fund | \$7,487,100 | \$1,111,300 | \$2,415,100 | \$11,013,500 |
| 20 | Cooperative Welfare (Dedicated) | | | | |
| 21 | Fund | 104,400 | 46,300 | 783,100 | 933,800 |
| 22 | Cooperative Welfare (Federal) | | | | |
| 23 | Fund | <u>5,924,100</u> | <u>1,047,000</u> | <u>2,933,800</u> | <u>9,904,900</u> |
| 24 | TOTAL | \$13,515,600 | \$2,204,600 | \$6,132,000 | \$21,852,200 |
| 25 | B. SOUTHWEST IDAHO TREATMENT CENTER: | | | | |
| 26 | FROM: | | | | |
| 27 | Cooperative Welfare (General) | | | | |
| 28 | Fund | \$1,944,500 | \$542,400 | \$38,600 | \$77,700 |
| 29 | Cooperative Welfare (Dedicated) | | | | |
| 30 | Fund | 289,100 | 137,800 | 10,600 | 437,500 |
| 31 | Cooperative Welfare (Federal) | | | | |
| 32 | Fund | <u>5,804,600</u> | <u>1,931,400</u> | <u>11,400</u> | <u>142,800</u> |
| 33 | TOTAL | \$8,038,200 | \$2,611,600 | \$50,000 | \$231,100 |
| 34 | DIVISION TOTAL | \$21,553,800 | \$4,816,200 | \$50,000 | \$6,363,100 |
| | | | | | \$32,783,100 |

| | FOR | FOR | FOR | FOR | | |
|----|---------------------------------|------------------|----------------|------------------|------------------|---------------|
| | PERSONNEL | OPERATING | CAPITAL | TRUSTEE AND | | |
| | COSTS | EXPENDITURES | OUTLAY | BENEFIT | TOTAL | |
| 5 | III. SERVICE INTEGRATION: | | | | | |
| 6 | FROM: | | | | | |
| 7 | Cooperative Welfare (General) | | | | | |
| 8 | Fund | \$231,800 | \$54,700 | \$450,000 | \$736,500 | |
| 9 | Cooperative Welfare (Dedicated) | | | | | |
| 10 | Fund | | 19,500 | 50,000 | 69,500 | |
| 11 | Cooperative Welfare (Federal) | | | | | |
| 12 | Fund | <u>2,096,400</u> | <u>265,100</u> | <u>2,900,000</u> | <u>5,261,500</u> | |
| 13 | TOTAL | \$2,328,200 | \$339,300 | \$3,400,000 | \$6,067,500 | |
| 14 | GRAND TOTAL | \$55,031,800 | \$20,833,700 | \$50,000 | \$39,854,600 | \$115,770,100 |

15 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,
 16 Idaho Code, each of the programs in the Department of Health and Welfare
 17 listed below is authorized no more than the following number of full-time
 18 equivalent positions at any point during the period July 1, 2018, through
 19 June 30, 2019, unless specifically authorized by the Governor. The Joint
 20 Finance-Appropriations Committee will be notified promptly of any increased
 21 positions so authorized. Further, notwithstanding any other provision of
 22 law to the contrary, it is the intent of the Legislature that the Department
 23 of Health and Welfare has the authority to transfer authorized full-time
 24 equivalent positions between budgeted programs.

| | | |
|----|---|--------|
| 25 | Child Welfare | 404.80 |
| 26 | Community Developmental Disability Services | 180.96 |
| 27 | Southwest Idaho Treatment Center | 123.75 |
| 28 | Service Integration | 35.00 |

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

33 SECTION 4. TRUSTEE AND BENEFIT PAYMENTS. Notwithstanding the provi-
 34 sions of Section 67-3511, Idaho Code, funds budgeted in the trustee and
 35 benefit payments expense class shall not be transferred to any other expense
 36 classes during fiscal year 2019.

37 SECTION 5. PROGRAM INTEGRITY. Notwithstanding any other provision of
 38 law to the contrary, it is the intent of the Legislature that the Department
 39 of Health and Welfare shall be required to provide those services authorized
 40 or mandated by law in each program, only to the extent of funding and avail-
 41 able resources appropriated for each budgeted program.

1 SECTION 6. EDUCATIONAL NEEDS. It is the intent of the Legislature that
 2 the Department of Health and Welfare is responsible for the educational
 3 needs of school-age children placed in its custody by the courts for either
 4 child protective or mental health issues. If the Department of Health and
 5 Welfare places a child in a licensed residential treatment facility that
 6 includes a nonpublic accredited school, and it is determined by the Depart-
 7 ment of Health and Welfare that it is in the best interest of the child to be
 8 educated at the residential treatment facility, then it is the responsibil-
 9 ity of the Department of Health and Welfare to pay for such education, per
 10 student, per educational day. This intent language does not preclude other
 11 Idaho state agencies from exercising their responsibility to ensure a free
 12 and appropriate education for these students within the requirements of fed-
 13 eral disability law. The fiscal impact of this language is included within
 14 existing department base appropriations.

15 SECTION 7. HEAD START APPROPRIATION FROM TEMPORARY ASSISTANCE FOR
 16 NEEDY FAMILIES FUNDS. At a minimum, the Department of Health and Welfare is
 17 directed to maintain Head Start appropriations paid from federal Temporary
 18 Assistance for Needy Families funds at the same level as was paid to the Head
 19 Start Program in fiscal year 2007.

20 SECTION 8. In addition to the appropriation made in Section 1, Chap-
 21 ter 218, Laws of 2017, and any other appropriation provided for by law, there
 22 is hereby appropriated to the Department of Health and Welfare for the Child
 23 Welfare Program the following amounts to be expended for the designated ex-
 24 pense classes from the listed funds for the period July 1, 2017, through June
 25 30, 2018:

| | FOR | FOR | |
|----------------------------------|---------------|--------------|---------------|
| | PERSONNEL | OPERATING | |
| | COSTS | EXPENDITURES | TOTAL |
| 29 FROM: | | | |
| 30 Cooperative Welfare (General) | | | |
| 31 Fund | \$81,700 | \$1,609,000 | \$1,690,700 |
| 32 Cooperative Welfare (Federal) | | | |
| 33 Fund | <u>81,700</u> | <u>9,000</u> | <u>90,700</u> |
| 34 TOTAL | \$163,400 | \$1,618,000 | \$1,781,400 |

35 SECTION 9. FTP AUTHORIZATION. The full-time equivalent position autho-
 36 rization provided to the Department of Health and Welfare for the Child Wel-
 37 fare Program in Section 2, Chapter 218, Laws of 2017, is increased by nine
 38 (9.00) for the period July 1, 2017, through June 30, 2018.

39 SECTION 10. CHILD WELFARE STAFFING. It is the intent of the Legisla-
 40 ture that the newly approved social worker and social worker supervisor po-
 41 sitions are to be hired in accordance with documents submitted in the Depart-
 42 ment of Health and Welfare's budget request for the fiscal year 2018 suppl-
 43 emental appropriation. Of the social worker positions, a minimum of two po-

1 sitions are to be hired as case manager-social workers in order to alleviate
 2 the caseload and workload issues of staff working directly with children in
 3 the foster care system. Further, the department is to maximize its resources
 4 to reduce the caseload and workload of its social worker positions with the
 5 goal of improving the child welfare and foster care programs. No later than
 6 October 1, 2018, the department is to submit a budget-based plan on how the
 7 department intends to address the staffing issues related to caseload, work-
 8 load, recruitment, retention, and morale, as has been discussed in the leg-
 9 islative interim Foster Care Study Committee and from various reports pro-
 10 duced by the Office of Performance Evaluations on related issues.

11 SECTION 11. HOME VISITATION PROGRAM. It is the intent of the Legisla-
 12 ture that \$1,600,000 of the moneys appropriated in Section 8 of this act be
 13 used for the home visitation program through contract with each of the Public
 14 Health Districts of Idaho. The health districts currently provide these
 15 services using other fund sources, but those fund sources come with strin-
 16 gent requirements, which leads to a disparity of services being provided in
 17 all of Idaho's counties. This funding would allow each health district to
 18 provide home visitation services in all of Idaho's forty-four counties. The
 19 families that will receive these services are often involved in the foster
 20 care system, the behavioral health system, and judicial system. In fiscal
 21 year 2017, there were 2,714 children in foster care statewide, which is a 6%
 22 increase over fiscal year 2016 and a 13.6% increase since fiscal year 2013.
 23 Further, for three of the last five years, more children have entered foster
 24 care than have left the system. In fiscal year 2017, the difference was 184
 25 more children entering than exiting. The department attributes a signif-
 26 icant portion of the increase to the nationwide opioid crisis and parental
 27 substance use addictions. The moneys received by the health districts are
 28 not to be considered as state aid as determined in Section 39-425, Idaho
 29 Code, nor are the moneys to be allocated through a board of trustee formula
 30 according to Section 39-411, Idaho Code. The allocation of these funds was
 31 based on how much each district is currently providing for comparable ser-
 32 vices from other fund sources in comparison to the other health districts.
 33 Further, it is the intent of the Legislature that the Public Health Districts
 34 be allowed to reallocate these moneys between districts, but only upon unan-
 35 imous concurrence of the Board of Directors for the Public Health Districts.
 36 The moneys appropriated in Section 8 of this act are to be fully distributed
 37 to each Public Health District upon enactment of this legislation, as fol-
 38 lows:

| | | |
|----|--------------------------------|-----------|
| 39 | Public Health District 1 | \$313,300 |
| 40 | Public Health District 2 | \$254,500 |
| 41 | Public Health District 3 | \$328,000 |
| 42 | Public Health District 4 | \$170,400 |
| 43 | Public Health District 5 | \$211,400 |
| 44 | Public Health District 6 | \$168,600 |
| 45 | Public Health District 7 | \$153,800 |

1 SECTION 12. An emergency existing therefor, which emergency is hereby
2 declared to exist, Sections 8, 9, 10 and 11 of this act shall be in full force
3 and effect on and after passage and approval.