

Issue Brief – Follow Up on H.B. 245

DEPARTMENT OF HUMAN SERVICES

DHS-09-06

FOLLOW UP ON H. B. 245, “CHILD WELFARE AMENDMENTS”

The 2007 Legislature passed H.B. 245, “Child Welfare Amendments,” which appropriated \$332,700 (\$161,000 in General Fund, \$83,600 in one-time General Funds and \$88,100 in federal funds) for FY 2008. This funding was for the additional costs of background checks. In addition to the funding appropriated in FY 2008, the Department of Human Services (DHS) is requesting legislative approval for an internal reallocation of \$54,500 in General Funds to hire one full time equivalent (FTE) employee for FY 2009 to help reduce the time to process background checks.

OBJECTIVE

The purpose of this issue brief is to inform the Legislature of the impact of this legislation and the request for additional funding.

DISCUSSION AND ANALYSIS

Passage of this legislation brought the State into compliance with the federal Adam Walsh Protection and Safety Act of 2006, and the Safe and Timely Interstate Placement of Foster Care Children Act of 2006. This bill amended the procedures for background checks for foster care, kinship or adoptive placements for children in State custody.

This legislation increased the number of background screenings which has impacted the average number of days for completion of background checks from 15 to 22 days. DHS currently has five techs to process background screenings. DHS has requested one additional employee at a cost of \$54,500 to reduce the process time.

The following table shows a history of background checks conducted by DHS’s Office of Licensing:

History of Background Checks		
Fiscal Year	Number of Screenings	* Number of Screenings Per Tech
FY 2004	27,654	5,531
FY 2005	30,764	6,153
FY 2006	34,891	6,978
FY 2007	37,211	7,442
FY 2008 Estimated	40,500	8,100
FY 2009 Estimated	43,750	8,750
* Number of Screenings per Tech is Based on 5 Techs which is the Current Number.		

Internal Reallocation

During the 2005 General Session, the Legislature passed H.B 22, “Inter-country Adoption Accreditation,” which appropriated \$150,000 in General Funds to the Office of Licensing in the Department of Human Services. This legislation was dependent upon the federal government executing an agreement with the Office of Licensing to be the accrediting agency for inter-country adoptions for the State of Utah. The Office of Licensing was not accepted as the accrediting agency for inter-country adoptions by the State Department, therefore, there is \$150,000 in General Fund available for reallocation by this subcommittee. DHS is proposing to reallocate \$54,500 in General Funds from the inter-country adoption program to hire a Criminal Information Tech.

Proposed Legislation for FY 2009

There is a proposed bill, H.B. 36, “Child Welfare Amendments,” amends H.B. 245 to allow kinship placements before completion of the background checks required by federal law. It is estimated if this bill does not pass that

a child who could be placed with a relative would have to be placed in foster care between 40 to 60 days until the background check and licensing was completed. This amendment will result in a loss of federal Title IVE funding of about \$147,400 for the Division of Child and Family Services. This bill has a fiscal note of \$147,400 in General Funds to offset the loss in federal funds.

RECOMMENDATION

It is the recommendation of the Analyst that the Department of Human Services be allowed to reallocate \$54,500 in General Funds from the Inter-country Adoption program to hire one additional staff.