PERFORMANCE NOTE FOLLOW-UP REPORT

EXECUTIVE APPROPRIATIONS COMMITTEE
STAFF: STAN ECKERSLEY

ISSUE BRIEF

SUMMARY

Twenty-three bills from the 2012 General Session required performance notes. Agencies responded to seventeen of those. One sponsor wrote his own. Based upon our session experience we make the following recommendations for improving the performance note process:

1. *Change the requirement that performance notes be attached to the bill to a requirement that performance notes be printed with the legislation.*
2. *Move the required notation from the bill to the fiscal note.*
3. *Ask the Analyst to do a look-back report on performance notes in the 2014 interim.*
4. *Invite the Analyst to present a refresher on performance notes in an early session caucus.*
5. *Direct the Analyst to expand the daily "Fiscal Note Status Report" to include performance notes and expand distribution to all legislators.*

PERFORMANCE NOTE REFRESHER

Legislative rule requires that legislation creating any new program or significantly expanding an existing program have a performance note. A performance note is a set of goals, outcomes, measures, benchmarks, and resources that will be used to gauge whether a program has performed as the Legislature intended.

The Analyst will make judgment calls on bills that fall short of the definition but meet the spirit and intent of the rule.

Implementation

1. Within three days of a bill being numbered the Analyst determines if a bill needs a performance note.
2. The responsible state agency is notified with a form the agency fills out.
3. Within six days of a bill being numbered the agency must respond. If an agency fails to respond, the Analyst attaches a notification of the failure to the bill.
4. The agency's answers become the performance note.
5. The sponsor may dispute the Analyst's original determination or the agency's note.
6. Within nine days of a bill being numbered, the sponsor may write a performance note that is attached with the agency's note.
7. After the General Session, the Legislative Auditor General reviews each program and reports to Executive Appropriations Committee.
8. The Audit Subcommittee may call for a more in-depth audit.

FINDINGS AND RECOMMENDATIONS

One: Attaching the performance note to the bill may slow down the legislative process.

If a bill has a Constitutional Review Note, the bill may not be printed until the note is attached to the bill. Similarly, JR4-2-404(2)(e)(ii) requires that "…the Legislative Fiscal Analyst shall attach the performance note to the legislation." Since performance notes have a nine day deadline, strict adherence to the rule could significantly delay printing a bill.

By contrast, fiscal notes are not attached to the bill. The requirement from JR4-2-403 states that: "The fiscal note shall be printed with the legislation." It is not interpreted to mean that they need to be printed simultaneously but that the fiscal note is paired with the bill after it is written and printed. The rule also specifically says that "the fiscal note is not an official part of the legislation." The bill and the fiscal note are printed separately.

The Analyst recommends that the Legislature change the requirement that performance notes be attached to the bill to a requirement that performance notes be printed with the legislation.

Two: Attaching the performance note designation may slow down the process as well.

The Analyst is required by JR4-2-404(2)(c) to attach a statement to the bill disclosing that a performance note is or is not required. The current process is to train the analysts so that they recognize bills that need a performance note. Then, when they do find one, they bring it to the Coordinator or the Deputy Director for a final decision. If these two agree then that is the final decision (unless appealed by the sponsor.) The purpose of the consultation is to bring consistency to the process.

The troublesome part of the process is that the notification is attached to the bill. This is the same problem mentioned above and might result in awkward delays.

The Analyst recommends that the Legislature m*ove the required notation from the bill to the fiscal note.* This allows the bill to be printed and continue through the process with the fiscal note coming along later.

Three: It is too early to assess the impact of performance notes in the agencies.

It is too early to determine how much performance notes impact new programs. Two years after passage of the bill, agencies should have enough results that the Legislature could profitably request a study.

The Legislative Auditor General follows-up on new programs. We recommend that the Legislature ask the Analyst to study agency implementation of performance measures in the 2014 interim. The Analyst will coordinate efforts with the Legislative Auditor General to eliminate duplication.

The Analyst recommends that the Legislature ask the Analyst to do a look-back report on performance notes in the 2014 interim.

Four: Legislators may need early training on performance notes.

In some ways, performance notes are more difficult for legislators than fiscal notes. Sponsors can protest the very designation that a bill does or does not require a performance note. If the sponsor thinks that the agency missed the mark, the rules allow the sponsor to write an additional performance note. It's difficult to stay fresh on tools you seldom use. Since the number of bills needing a performance note is relatively small, legislators will likely need a reminder on the topic.

The Analyst recommends that the Legislature invite the Analyst to present a refresher on performance notes in an early session caucus.

Five: Legislators were surprised when some agencies did not respond.

The Analyst created a new report, first used last session, called the Fiscal Note Status Report. It shows: (1)how many bills are numbered (2)how many have fiscal notes (3)which fiscal notes are overdue (4)due today (5)due tomorrow (6)waiting for the sponsor, and (7) held by the sponsor. The rules committees used the report. The Analyst proposes to add performance notes to the report and distribute it electronically to all legislators. This makes it possible for legislators to check their own performance and fiscal notes

The Analyst recommends that the Legislature direct the Analyst to expand the daily "Fiscal Note Status Report" to include performance notes and expand distribution to all legislators.

The Appendix contains (1.)A copy of the February 29th Fiscal Note Status report, (2.) a general listing of all of last session's performance notes, and (3) copies of last sessions individual performance notes.

Appendix

Fiscal Note Status Report (2/29/12)

This report shows the status of numbered bills in the process of getting a fiscal note. All other numbered bills have a completed fiscal note. Currently 94%of all numbered bills are done (959 of 1016) and none are overdue. "Done" is defined as sent to the sponsor. Bills on hold or waiting for a sponsor's action are considered done.

Fiscal Note Status - Overdue Bills				
2/29/12				
Bill Number	ShortTitle	PrimeSponsor	Analyst_ID	Date Due

Fiscal Note Status - Bills Due Today			
2/29/12			
Bill Number	ShortTitle	PrimeSponsor	Analyst_ID
HB0304S01	Access to Voter Date of Birth Records	Edwards, R.	RPA
HB0331	School Board Election Provisions	Nielson, J.	TEY
HB0407	New Car Safety and Emissions Inspection	Ipson, D.	GRS
HB0493S01	Campaign Finance Disclosure Amendments	Powell, K.	ZNK
SB0027S01	Amendments to Revenue and Taxation Title	Stephenson, H.	TEY

Fiscal Note Status - Bills Due Tomorrow

3/1/12			
Bill Number	**ShortTitle**	**PrimeSponsor**	**Analyst_ID**
HB0116S01	Probate Code Amendments	Snow, V. L.	GRS
HB0120S01	Department of Technology Services Amendments	Perry, L.	GKR
HB0173S01	Transportation Funding Modifications	Dee, B.	MCB
HB0175	Second Hand Item Transactions	Seelig, J.	GRS
HB0209S01	Utah Lands Protection Act	Cox, F.	IDD
HB0224S01	Political Subdivisions - Report of Receipts of Federal Money	Ivory, K.	RPA
HB0350S03	Payroll Deduction Amendments	Daw, B.	ZNK
HB0354S01	Alcoholic Beverage Amendments	Wilcox, R.	AW
HB0478	Economic Development Through Sports Promotion	Dee, B.	AW
HB0507	School Allocations Measured by Property Tax	Dougall, J.	TEY
HB0511S01	Eminent Domain of Federal Land	Sumsion, K.	MCB
HB0512	Rural County Health Care Special Service District Retirement Grant Pr	Ipson, D.	RTF
SB0164S01	Transportation Funding Amendments	Stevenson, J.	MCB
SB0240S01	General Repealer	Valentine, J.	GRS
SB0272	Property Tax Rate Amendments	McAdams, B.	TEY
SB0276	Cigarette Amendments	Niederhauser, W.	TEY
SB0281	Mortgage and Financial Fraud Investigations	McAdams, B.	ZNK
SB0282	Credit for Veteran Training	Weiler, T.	GKR
SB0283	Municipal Election Modifications	Bramble, C.	ZNK
SB0284	Concurrent Enrollment Amendments	Urquhart, S.	BL

Fiscal Note Status - Waiting on Sponsor

2/29/12

Bill Number	ShortTitle	PrimeSponsor	Analyst_ID	Date Due
HB0056S01	Condominium Amendments	Litvack, D.	AW	03/01/12
HB0172	Vote by Mail Amendments	Eliason, S.	ZNK	02/28/12
HB0339	Election Ballot Amendments	Eliason, S.	ZNK	02/27/12
HB0354	Alcoholic Beverage Amendments	Wilcox, R.	AW	02/27/12
HB0400	Traumatic Head and Spinal Cord Injury Rehabilita	Hutchings, E.	MCB	02/23/12
HB0410	Informed Consent in Domestic Cases	Froerer, G.	GRS	02/29/12
HB0417S01	Education on Process for Electing Public Officials	Barlow, S.	TEY	03/01/12
HB0420	Parent Education Initiative	Eliason, S.	TEY	02/28/12
HB0424	Museum Appropriation Amendments	Kiser, T.	MCB	02/29/12
HB0427	Tax Law Modifications	Wilcox, R.	AW	02/28/12
HB0437S01	Public Employee Health Care Benefits	Daw, B.	MCB	02/27/12
HB0441	Charter School Enrollment Amendments	McCay, D.	TEY	02/28/12
HB0443	Corrections Issues Task Force	Hutchings, E.	MCB	03/02/12
HB0463	Medicaid Inspector General	Wright, B.	ZNK	02/28/12
HB0476	Amendments to Government	Ipson, D.	TEY	02/28/12
HB0477	Employment and Verification Requirements	Sandstrom, S.	GRS	02/20/12
HB0482	Severance Tax Funding for Certain Programs	Ivory, K.	TEY	02/28/12
HB0503	Construction Amendments	Morley, M.	RPA	02/27/12
HB0503S01	Construction Amendments	Morley, M.	RPA	02/28/12
HB0503S02	Construction Amendments	Morley, M.	RPA	02/29/12
SB0161S06	Pharmacy Practice Act Revisions	Vickers, E.	AW	03/01/12
SB0191	Accountability for School Attendance	Stevenson, J.	GRS	02/14/12
SB0191S01	Accountability for School Attendance	Stevenson, J.	GRS	02/24/12

Fiscal Note Status - Held by Sponsor

2/29/12				
Bill Number	**ShortTitle**	**PrimeSponsor**	**Analyst_ID**	**Date Due**
2012FL0007	Retention Elections for Justice Court Judges	Oda, C.	GRS	06/23/11
HB0064	Amendments to Public Employee Health Care	Doughty, B.	MCB	01/17/12
HB0077	Construction Procurement Using Construction M	Sandstrom, S.	RPA	01/25/12
HB0091	Utah Enabling Act Litigation	Sumsion, K.	RPA	01/30/12
HB0133	Vehicle Registration Amendments	Peterson, J.	ZNK	02/07/12
HB0135	Focus on Front-line Teachers Program	Nielson, J.	TEY	02/08/12
HB0154S01	Certified Court Reporting Licensing Act Amendm	Morley, M.	AW	02/29/12
HB0188	Child Torture Amendments	Brown, D.	RPA	02/14/12
HB0200	Individual Income Tax Credit for Use Tax Liability	Nielson, J.	AW	12/23/11
HB0237S02	Child Welfare Amendments	Harper, W.	SCJ	02/16/12
HB0291	Funding for Burying Utility Lines	Briscoe, J.	AW	01/27/12
HB0292	Taxation of Variable Life Insurance	Bird, J.	AW	01/27/12
HB0298S01	Motor Vehicle Safety Inspection Amendments	Dougall, J.	TEY	02/13/12
HB0337	Open Government Amendments	Dougall, J.	RPA	02/24/12
HB0417	Education on Process for Electing Public Officials	Barlow, S.	TEY	02/20/12
HB0497S01	Clearance for Direct Patient Access	Last, B.	RTF	02/28/12
HB0501	Youth Suicide Prevention	Hutchings, E.	GRS	02/22/12
HB0504	Campus Safety Amendments	Ipson, D.	ZNK	02/24/12
HB0508	Boating Insurance	Perry, L.	GRS	02/17/12
SB0031S01	Classroom Size Amendments	Morgan, K.	BL	02/01/12
SB0041	Regulation of Tanning Facilities	Jones, P.	RTF	01/27/12
SB0041S03	Regulation of Tanning Facilities	Jones, P.	RTF	02/22/12
SB0065	Alternative Energy Development Tax Incentives	Adams, J. S.	TEY	02/20/12
SB0065S01	Alternative Energy Development Tax Incentives	Adams, J. S.	TEY	02/22/12
SB0151	Student Opportunity Scholarships	Stephenson, H.	TEY	02/02/12
SB0157	Utah Immigration Accountability and Enforceme	Urquhart, S.	GRS	02/06/12
SB0161S01	Pharmacy Practice Act Revisions	Bramble, C.	AW	02/08/12
SB0170	Driver License Qualification Amendments	Urquhart, S.	GKR	02/08/12
SB0171	Jail Reimbursement Funding Amendments	Valentine, J.	SMA	02/08/12
SB0182	Expungement of Drug Offenses	Stephenson, H.	GRS	02/10/12
SB0220	Hospital and Health Care Provider Lien Amendm	Christensen, A.	AW	02/20/12
SB0229	Telecommunications Regulatory Amendments	Bramble, C.	ZNK	02/15/12

Performance Notes: 2012 Session

Bill #	Title	Sponsor	Agency	Perf. Note Written to	Version Passed	Comments
HB 14	Civil Commitment Amendments	Rep. Daw	Human Services	Original	Original	
HB 65	College and Career Counseling for High Schoool Students	Rep. Arent	USOE	Original		
HB 66	Deferred Deposit Lending Amendments	Rep. Daw	Financial Instit.	Original		
HB 115	Peer Assistance and Review Pilot Program	Rep. Moss	USOE	Original	Original	
HB 123 s1	Education Savings Accounts	Rep. Dougall	USOE	No Note		
HB 125	Access to Dental Health Care	Rep. Cosgrove	Health	Original	Original	
HB 135 s1	Focus on Front-line Teachers Program	Rep. Nielson	USOE	s1		
HB 197	Grants for Math Teacher Training	Rep. Edwards	USOE	No Note	Original	
HB 272	Pilot Program for Coverage for Autism Spectrum Disorders	Rep. Menlove	Health	s3	s5	
HB 279	Utah Schools Seismic Hazard Inventory	Rep. Wiley	Utah Seismic Safety	Original		+ Sponsor
HB 283	State Stores Pilot Program for Days of Sale of Liquor	Rep. Arent	ABC	Original		
HB 513	Early Intervention Program	Rep. Newbold	USOE	No Note	s1	
SB 13	Medical Examiner Amendments	Sen. A. Christensen	Health	Original	Original	
SB 44 s1	GI Bill Tuition Gap Coverage	Sen. Robles	Board of Regents	s1		
SB 97	Grants for Online Testing	Sen. Osmond	USOE	Original	Original	
SB 100	Law Library Self-help Center	Sen. Urquhart	Courts	Original	Original	
SB 103	Personal Injury Protection Arbitration	Sen. Bramble	Insurance	Original		
SB 111	Health Amendments for Legal Immigrant Children	Sen. Robles	Health	Original		
SB 196	Software for Special Needs Children	Sen. Niederhauser	USOE	No Note	Original	
SB 226	High Quality Preschool Project	Sen. Osmond	USOE	No Note		
SB 248	Smart School Technology Act	Sen. J. Stevenson	USOE	No Note	s2	
SB 281	Mortgage and Financial Fraud Investigations	Sen. McAdams	Attorney General	Original	Original	
SB 290	Utah Futures Program	Sen. H. Stephenson	USOE	No Note	s1	

AGENCY PERFORMANCE NOTE FORM

BILL H.B., 14 Civil Commitment Amendments, Rep. B. Daw

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: [ ] New agency [ ] New services or benefits [x] Serving a new or larger population

DUE TO THE FISCAL ANALYST:

CONTACT INFORMATION

RESPONDE Robert Burton Title: CFO Agency: DHS DSAMH Utah State Hospital

Cell: 801-995-5539 Office: 801-344-4221 e-mail: rtburton@utah.gov

AUTHOR: Title: Agency:

Cell: Office: e-mail:

HOW WILL THE PUBLIC BENEFIT?

1a What are the public benefits or goals of the new or expanded program?

The changes to the Civil Commitment law were recommended to include harmful sexual conduct by persons with a mental illness as criteria for a civil commitment under the definitions of substantial danger. Individuals committed to the local authorities that meet the new civil commitment criteria would most likely be placed to receive treatment at Utah State Hospital (USH).

1b What products or services will the agency provide to achieve the public benefits?

Persons committed to the local authorities under the new criteria would most likely be placed in the USH and receive specialized treatment (which needs to be developed) in a secure setting.

1c How do the proposed agency activities cause the public benefit outcomes listed in *1a*.

Individuals with mental illness who have committed harmful sexual misconduct will most likely be placed by the local authorities in the USH with greater supervision and specialty programming.

2. PERFORMANCE MEASURES:

How will managers and policymakers know if the new or expanded program is contributing to the public benefit?

Goal (public benefit):

Measure Title:

Description: The number of civil commitments of harmful sexual offenders who have a mental illness and are admitted to USH. This is difficult to predict and we would defer to public safety and courts for this information.

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:	?	?	?	-	-
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Evaluate the rationale for civil commitment on all adult patients admitted during the fiscal year and track admissions, discharges, and length of stay.

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

PERFORMANCE NOTE: AGENCY FORM

BILL: H.B. 65, College and Career Counseling for High School Students, Rep. P. Arent

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: [ ] New agency [x] New services or benefits [ ] Serving a new or larger population

DUE TO THE FISCAL ANALYST:

CONTACT INFORMATION

RESPONDENT: Martell Menlove Title: Deputy Supt. Agency: USOE

Cell: 801-656-5578 Office: 801-538-7762 e-mail: martell.menlove@schools.utah.gov

HOW WILL THE PUBLIC BENEFIT?

1 What is the purpose and the duties of the new program, agency, services, or population served? JR4-2-404(4)(c)(i)

The College and Career Counseling Pilot Program will increase the number of students pursuing post-secondary education and better prepare studnets for post-secondary education.

2 What services are provided by the funding increase? JR4-2-404(4)(c)(ii)

On a pilot basis, provide increased counseling services to secondary students through the employment of interns and provide additional training for existing counselors.

3 What are the expected outcomes of the new or expanded program and how will the public benefit? JR4-2-404(4)(c)(iii)

More students attending post -secondary education, more cousnselors assisting students in their preparation for post-secondary educaton, and additional training for counselors currently employed in Utah's schools.

4 How will the bill be implemented and what resources are available to achieve the expected outcomes? JR4-2-404(4)(c)(iv)

The State Board of Education will make rules to implement the program and report to Education Interim Committee.

5 How will the proposed agency activities cause the expected outcomes and public benefit in 3?

Leadership and Accountability

2. PERFORMANCE MEASURES:

What measures will managers and policymakers use to know if the new or expanded program is providing the expected outcomes and public benefits? Provide one, two, and three year goals or targets, actual results and measures if available to serve as a baseline, and outcomes.

Goal (public benefit): increased students pursuing post-secondary education

Measure Title:

Description:

Fiscal Year:		FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:			Baseline	FY 2012	FY 2013	
Baseline:	percent of high school graduates					

How will program managers collect this performance information and ensure its reliability?

Existing school, both district and charter, graduation report that is already required.

Goal (public benefit): Students better prepared for post-secondary admission processes and actual experience

Measure Title:

Description: There is not data that measuses a studnet's ability to successfully apply for college admission or a success rate in doing so. This would be a reat performacne measure if it

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

AGENCY PERFORMANCE NOTE FORM

BILL: H.B. 66, Deferred Deposit Lending Amendments, Rep. B. Daw

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: [ ] New agency [X] New services or benefits [ ] Serving a new or larger population

DUE TO THE FISCAL ANALYST:

CONTACT INFORMATION

RESPONDENT: MICHAEL JONES Title: Chief Examiner Agency: Financial Institutions
Cell: 801-580-7075 Office: 801-538-8836 e-mail: mjones@utah.gov
AUTHOR: MICHAEL JONES Title: Chief Examiner Agency: Financial Institutions
Cell: 801-580-7075 Office: 801-538-8836 e-mail: mjones@utah.gov

HOW WILL THE PUBLIC BENEFIT?

1a What are the public benefits or goals of the new or expanded program?

The "Deferred Deposit Lending Database Program" creates a software database program which will track everyone who obtains a deferred deposit loan from a lender who is registered with the Department of Financial Institutions. On a real-time basis, lenders will report to the database when a borrower obtains a loan and how much the loan was for. Before extending any credit, lenders will be required to query the database to determine if a borrower is ineligible to obtain a deferred deposit loan. Anyone who has $500 or more outstanding in deferred deposit loans, is ineligible to receive any additional credit. The database will limit individuals from having more than $500 in deferred deposit loans, thus restricting those who get into financial difficulties through the use of these types of loans from having more than $500 outstanding. Those individuals who are ineligible for any additional deferred deposit loans will have to find some other source of credit if they need to borrow more money.

1b What products or services will the agency provide to achieve the public benefits?

Financial Institutions is responsible for administering the database, making it available to deferred deposit lenders on a real-time basis so that they can query to determine a borrower's ineligibility and to enable them to submit accurate and timely information to the database. The Department is authorized to contract with a third party to establish and maintain the database, provided that they are able to operate the database in compliance with the statutory requirements. A third party under contract would be a designated agent of the Department. The Department, however, is still responsible for investigating violations of and enforcing compliance with the database's purpose and requirements. The Department's annual examination of deferred deposit lender's locations will be expanded to ensure that queries are properly being made, accurate information is being submitted, and that loans are not be extended to ineligible borrowers.

1c How do the proposed agency activities cause the public benefit outcomes listed in *1a*.

The Department will oversee operations of the database. With the limited time allowed to establish the database, we will be looking to contract with someone who has database experience, who can develop and implement one quickly. Once deferred deposit lenders are able to begin making queries and submitting information, the Department will be able to access the database to determine that it's operating in accordance with the statute. In addition to procedures already completed during the examination of each physical location and each internet lender, procedures will be implemented to see that information is being properly submitted, accurately stored, and accessible when queries are made. Examination procedures will also be needed to determine that queries are be made to determine the ineligibility of a borrower and that credit is declined when the borrower is identified as being ineligible. Separate examination procedures will need to be developed to examine the database provider for adherence to applicable laws and regulations.

2. PERFORMANCE MEASURES:

How will managers and policymakers know if the new or expanded program is contributing to the public benefit?

Goal (public benefit): Compliance with database query and submission requirements

Measure Title: Average Hours to Complete a Deferred Deposit Loan Examination

Description: Identify the average length, in hours, that examiners take to complete an examination of each deferred deposit lender's physical location or internet site.

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark: (in hours)		8.75	10.00	12.75	13.00
Baseline: (in hours)	7.44				

How will program managers collect this performance information and ensure its reliability?

Total hours spent performing deferred deposit loan examinations (per calendar year) divided by the number of physical deferred deposit lending locations and the number of internete deferred deposit

Goal (public benefit): Loan Roll-overs

Measure Title: Average Number of Days a Deferred Deposit Loan is Extended

Description: Identify the average number of days a defered deposit loan was extended before it was paid in full.

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark: (in days)		33	30	28	26
Baseline: (in days)	37				

How will program managers collect this performance information and ensure its reliability?

From the opertions statements filed with the annual registration, calculate the aggregate average number of days deferred deposit loans were extended before it was finally paid in full as reported by each deferred

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

AGENCY PERFORMANCE NOTE FORM

BILL: H.B. 115, Peer Assistance and Review Pilot Program, Rep. C. Moss

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: ☐ New agency ☒ New services or benefits ☐ Serving a new or larger population

DUE TO THE FISCAL ANALYST:

CONTACT INFORMATION

RESPONDENT Martell Menlove Title: Deputy Supt. Agency: State Office of Education

Cell: 801-656-5578 Office: 801-538-7512 e-mail: martell.menlove@schools.utah.gov

AUTHOR: Martell Menlove Title: Deputy Supt. Agency: State Office of Education

Cell: 801-656-5578 Office: 801-538-7512 e-mail: martell.menlove@schools.utah.gov

HOW WILL THE PUBLIC BENEFIT?

1a What are the public benefits or goals of the new or expanded program?

Through the Peer Assistance and Review Pilot Program, novice teachers and underperforming veteran teachers will receive additional assistance from consulting (peer) teachers. This additional assistance will result in improved performance or facilitate the dismissal of a teacher who fails to improve performance.

1b What products or services will the agency provide to achieve the public benefits?

School districts participating in the program will achieve increased student performance by impacting the quality of teacher performance in the classroom. Students will ultimately benefit from this pilot program.

1c How do the proposed agency activities cause the public benefit outcomes listed in *1a*.

Consulting teachers will mentor and evaluate novice and underperforming veteran teachers, frequently visit their classrooms, develop growth plans, observe teaching and provide feedback, help with lesson planning, provide needed resources, and ultimately meet with decision makers and provide input as future employment decisions are made.

2. PERFORMANCE MEASURES:

How will managers and policymakers know if the new or expanded program is contributing to the public benefit?

Goal (public benefit): Improve the quality of instruction of novice teachers.

Measure Title:

Description: Consulting teachers will be released, as needed, from their regular teaching assignments to provide a range of assistance to novice teachers. Novice teachers will become more successful and acquire skills needed to be effective teachers or be dismissed from their

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

As a pilot program offered on a competitive basis to districts, one of the application components, and a criteria for awarding of a grant, will be a reliable effectiveness measure established by the applying district.

Goal (public benefit): Improve the quality of instruction of veteran teachers or dismiss underperforming teachers

Measure Title:

Description: Consulting teachers will be released, as needed, from their regular teaching assignments to provide a range of assistance to underperforming veteran teachers. Underperforming veteran teachers will become more successful and acquire skills needed to be effective

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

As a pilot program offered on a competitive basis to districts, one of the application components, and a criteria for awarding of a grant, will be a reliable effectiveness measure established by the applying district.

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

NOTE: This Performance Note represents the best thinking of USOE within the 36-hour required response time at the time of its publication.

PERFORMANCE NOTE: AGENCY FORM

BILL: H.B., 125 Access to Dental Health Care, Rep. T. Cosgrove

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: ☐ New agency ☐ New services or benefits ☐ Serving a new or larger population

DUE TO THE FISCAL ANALYST:

CONTACT INFORMATION

RESPONDENT Emma Chacon, Director Title: Bureau Managed Health Care Agency: UDOH/MHF

Cell: 801 244-7723 Office: 801 538-6577 e-mail: echacon@utah.gov

HOW WILL THE PUBLIC BENEFIT?

1 What is the purpose and the duties of the new program, agency, services, or population served? JR4-2-404(4)(c)(i)

This bill does not create a new agency, new services or benefits or serve a new or larger population. The bill permits the Division to establish a dental health care delivery system and payment reform pilot for Medicaid dental benefits to increase access to cost effective and quality dental health care by increasing the number of dentists available for Medicaid dental services. The bill allows the Division to target specific Medicaid populations or geographic areas in the state.

The bill permits the Division to establish a pilot program. The bill does not prescribe the elements of the pilot project. Until a specific pilot is developed , the cost and impact of the pilot cannot be determined. The Division has indicated additional funding would be needed to evaluate the impact of the pilot.

3 What are the expected outcomes of the new or expanded program and how will the public benefit? JR4-2-404(4)(c)(iii)

The bill permits the Division to establish a pilot project with CMS approval to increase the number of dentists which presumably will increase access to current Medicaid services. The bill permits the Division to evaluate different service delivery and payment models for the delivery of Medicaid dental services.

4 How will the bill be implemented and what resources are available to achieve the expected outcomes? JR4-2-404(4)(c)(iv)

It is unclear how the bill will be implemented. Until a specific pilot is developed , and approved by CMS (if necessary), outcomes cannot be established .

5 How will the proposed agency activities cause the expected outcomes and public benefit in 3?

Until a specific pilot is developed and approved by CMS (if necessary), we do not know what agency activities might be required.

2. PERFORMANCE MEASURES:

What measures will managers and policymakers use to know if the new or expanded program is providing the expected outcomes and public benefits? Provide one, two, and three year goals or targets, actual results and measures if available to serve as a baseline, and outcomes.

Goal (public benefit): Increase the access to Medicaid Dental. Number of Dentists willing to see Medicaid Clients.

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:	unknown				
Baseline:	unknown				

How will program managers collect this performance information and ensure its reliability?

Until a specific pilot is developed and approved by CMS (if necessary), we do not know the scope of the program (eg. geographic area, client eligibility category, pediatric dentists, etc.)

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Please see 4 above

PERFORMANCE NOTE: AGENCY FORM

BILL: H.B. 135s1, Focus on Front Line Teachers, Rep. J. Nielson

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: [ ] New agency [x] New services or benefits [ ] Serving a new or larger population

DUE TO THE FISCAL ANALYST:

CONTACT INFORMATION

RESPONDENT: Martell Menlove Title: Deputy Superintendent Agency: USOE

Cell: 801-656-5578 Office: 801-538-7762 e-mail: martell.menlove@schools.utah.gov

HOW WILL THE PUBLIC BENEFIT?

1 What is the purpose and the duties of the new program, agency, services, or population served? JR4-2-404(4)(c)(i)

The Bill provides additional funding to school districts and charter schools with higher than average percentages of resources allocated to "front-line teachers". Front-line teachers are licensed teachers assigned to teach kindergarten, elementary, secondary, or special education courses.

2 What services are provided by the funding increase? JR4-2-404(4)(c)(ii)

The Bill does not list specific services to be provided with the additional potential revenue. It might be assumed that the additional revenue received by districts and charters will be used in activities designed to improve instruction and increase student learning. These activities may include lowering class size, professional development activities, opportunities for teachers to earn additional compensation, etc.

3 What are the expected outcomes of the new or expanded program and how will the public benefit? JR4-2-404(4)(c)(iii)

Districts and charters are rewarded for allocating significant resources to "front-line teachers." Expected outcomes would be allocating additional resources for this purpose. Public benefit would occur as these allocations improve teaching and learning.

4 How will the bill be implemented and what resources are available to achieve the expected outcomes? JR4-2-404(4)(c)(iv)

The Bill will be implemented by the State Office of Education as outlined in the Bill. Additional resources will be allocated to those districts and charters meeting the criteria clearly established in the Bill.

5 How will the proposed agency activities cause the expected outcomes and public benefit in 3?

USOE's role is in the collection of data to determine distribution amounts.

2. PERFORMANCE MEASURES:

What measures will managers and policymakers use to know if the new or expanded program is providing the expected outcomes and public benefits? Provide one, two, and three year goals or targets, actual results and measures if available to serve as a baseline, and outcomes.

Goal (public benefit): Increase funding going to front-line teachers.

Measure Title:

Description: Through the data required from districts and charters to participate in this program, it can be determined if districts and charters alter the amount of funding going to front-line teachers.

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Baseline data will be collected in the initial year of the program and comparative data will be collected in each subsequent year.

Goal (public benefit): Increase student proficiency

Measure Title:

Description: The intent of the sponsor is that as districts and charters increase funding for front-line teachers, students will score higher on proficiency measures.

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Data on student proficiency can be compared with increased funding for front-line teachers and to determine if some correlation exists.

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

PERFORMANCE NOTE: AGENCY FORM

BILL: H.B. 197, Grants for Math Teacher Training, Representative R. Edwards

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: ☐ New agency ☐ New services or benefits ☐ Serving a new or larger population

The State Board of Education did not submit performance measures by the submission deadline.

HOW WILL THE PUBLIC BENEFIT?

1 What is the purpose and the duties of the new program, agency, services, or population served? JR4-2-404(4)(c)(i)

2 What services are provided by the funding increase? JR4-2-404(4)(c)(ii)

3 What are the expected outcomes of the new or expanded program and how will the public benefit? JR4-2-404(4)(c)(iii)

4 How will the bill be implemented and what resources are available to achieve the expected outcomes? JR4-2-404(4)(c)(iv)

5 How will the proposed agency activities cause the expected outcomes and public benefit in 3?

2. PERFORMANCE MEASURES:

What measures will managers and policymakers use to know if the new or expanded program is providing the expected outcomes and public benefits? Provide one, two, and three year goals or targets, actual results and measures if available to serve as a baseline, and outcomes.

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

PERFORMANCE NOTE: AGENCY FORM

SHORT TITLE HB 272s3 - PILOT PROGRAM FOR AUTISM SPECTRUM DISORDERS SERVICES

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: ☐ New agency ☒ New services or benefits ☐ Serving a new or larger population

DUE TO THE FISCAL ANALYST:

CONTACT INFORMATION

RESPONDENT Harper Randall Title: Medical Director Agency: UDOH FHP

Cell: 801-419-2387 Office: 801-584-8271 e-mail: harperrandall@utah.gov

HOW WILL THE PUBLIC BENEFIT?

1 What is the purpose and the duties of the new program, agency, services, or population served? JR4-2-404(4)(c)(i)

This bill is multi-pronged; this form will address only the information which pertains to the Autism Treatment Account (26-52-201,202 and 203). This bill amends the current Autism Treatment Account to expand membership of the existing advisory committee, allow for larger donations to this fund, specifically health insurance contributions, and allow for financial support for administration of this fund and its disbursements.

2 What services are provided by the funding increase? JR4-2-404(4)(c)(ii)

Any donations/contributions to this fund will be dispersed through grants to provide Applied Behavioral Analysis (ABA)therapy by or supervised by a certified Behavior Analyst to children, ages 2 to 6 years ,who have been diagnosed with autism.

3 What are the expected outcomes of the new or expanded program and how will the public benefit? JR4-2-404(4)(c)(iii)

More children, ages 2 to 6 years of age, with the diagnosis of autism will be able to start ABA or receive additional ABA therapy . The expected benefits to these children are improved behaviors and communication skills with social significance.

4 How will the bill be implemented and what resources are available to achieve the expected outcomes? JR4-2-404(4)(c)(iv)

The current Autism Treatment Account Advisory Committee will be expanded to include a Board Certified Behavior Analyst and will be responsible for revising the current policies, procedures and current draft rules. Administrative expertise will be hired to oversee the fund and disbursements according to policy established by the Advisory Committee. When funding in the Treatment Account is enough to disburse, RFPs will then be announced to established providers to provide ABA to eligible children.

5 How will the proposed agency activities cause the expected outcomes and public benefit in 3?

Make funds which have been contributed available to those who provide ABA therapy .

Monitor outcome measurements of those receiving therapy funded through the Autism Trust Fund.

2. PERFORMANCE MEASURES:

What measures will managers and policymakers use to know if the new or expanded program is providing the expected outcomes and public benefits? Provide one, two, and three year goals or targets, actual results and measures if available to serve as a baseline, and outcomes.

Goal (public benefit): Increase in number of children, diagnosed with autism, receiving ABA therapy

Measure Title: Number of children, ages 2 to 6, diagnosed with autism, who receive ABA therapy through this funding.

Description: Number of children who receive ABA therapy will be dependent of the amount contributed to the fund, the number of providers who apply for funding and the number of children they serve.

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

All reciepients of these funds will be required to report the number of children who receive ABA therapy . The Autism Treatment Account coordinator will be responsible for monitoring this information.

Goal (public benefit): Children receiving ABA therapy will have improved behavior or skills

Measure Title: Behavioral changes among children receivng therapy from funded providers

Description: Pre and post assessments which includes skills and abilities with social significance will be required from all providers who receive funding for providing ABA therapy.

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

All recipients of these funds will be required to provide this information. The Autism Treatment Account coordinator will be responsible for monitoring and compiling this information.

Goal (public benefit): Families of children receiving ABA therapy are involved in the treatment process

Measure Title: Methods used to engage families in the treatment process

Description: Reports of the methods used to engage families in the treatment process will be required from all providers who receive funding for providing ABA therapy.

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

All recipients of these funds will be required to provide this information. The Autism Treatment Account coordinator will be responsible for monitoring and compiling this information.

Form used by agencies to provide information

Performance Note Request for Information (JR 1-2-104)

BILL NO.:	H.B. 279
Agency	Utah Seismic Safety Commission

Performance Note prepared by	Roger R. Evans		
Title	Chairman	Phone	(435) 615-5113
eMail	rogercodes@comcast.net	Cell	(801) 856-4112
Performance note due on:			

New Program, agency, or appropriation purpose and duties

H.B. 279 requests $500,000.00 to provide a preliminary assessment of the earthquake safety of the more than 1,000 schools in the state of Utah. The Utah Schools Rapid Visual Screening was funded last year with a $69,000 grant from FEMA that was used to evaluate 128 school buildings. 51 buildings were determined to have an acceptable level of seismic safety, but 77 school buildings or 60 % were found to require more detailed seismic evaluation to determine if they can withstand strong earthquakes or instead need to be retrofitted or replaced. The $500,000.00 requested will provide a data bank for all the public and charter schools in the state.

New Program, agency, or appropriation services that will be provided

Ongoing program

Goals and outcomes that will be achieved within one, two, and three years

Year 1: Provide the Rapid Visual Screening (RVS) to all public and charter schools by input into a central collection system (ROVER). Provide the results to the school districts/charter schools and keep the file with the Utah State Office of Education

Year 2:

Resources and steps required to achieve the goals

The FEMA grant provided last year paid for the hand held computers and training for the structural engineers, plus the evaluation of the initial 128 schools.

Benchmarks that will be used to monitor progress toward goals

If H.B. 279 is approved the $500,000.00 would be spent on structural engineers evaluating the remaining 1,000 + buildings.

Performance measures that will be used to evaluate progress toward goals
Published reports and feedback to the Utah Seismic Safety Commission which holds quarterly meeting that are open to the public.
How information on performance measures will be collected reliably and objectively
The Utah Seismic Safety Commission will publish an updated "Utah Students At Risk" and will place the document on the USSC website (www.ussc.utah.gov)

Form used by agencies to provide information

PERFORMANCE NOTE REQUEST FOR INFORMATION (JR4-2-404)

BILL NO.: H.B. 279

Agency: Utah Seismic Safety Commission

Performance Note prepared by: Rep. Larry Wiley

Title: Representative, District 31 | Phone: (801) 487-8095

eMail: larrywiley@hotmail.com | Cell: (801) 520-8051

Performance note due on:

New Program, agency, or appropriation purpose and duties

H.B. 279 requests $500,000.00 to provide a seismic Rapid Visual Screening (RVS) of all public schools and charter schools within the state of Utah. Data from the RVS will be placed into a centralized data base maintained by the State Office of Education with help from the Utah Seismic Safety Commission. The Public School Seismic Safety Committee shall evaluate data gathered from the RVS and give each school an Evaluation Score based on probabilities of structural failure or collapse during a major seismic event.

New Program, agency, or appropriation services that will be provided

Funding for HB 279 shall be administered by the State DOE and used by each school district and charter school to conduct a seismic safety rapid visual screening of each facility used by the school district or charter school that has not been evaluated in accordance with federal guidelines.

Goals and outcomes that will be achieved within one, two, and three years

Year 1:

Perform Rapid Visual Screening (RVS) on all public schools and charter schools within the State of Utah.

Year 2:

The Public School Seismic Safety Committee (PSSSC) shall advise and make written recommendations based on data gathered from the RVS to the Legislature, governor, state superintendent, and State Board of Education on seismic safety issues in public schools. The PSSSC shall provide ongoing technical assistance to the State Board of Education, state superintendent, school districts, and charter schools in conducting and overseeing the seismic safety evaluations.

Resources and steps required to achieve the goals

The state superintendent's staff shall provide staff support to the PSSSC committee.
In 2010, a FEMA grant provided hand held computers and training for the structural engineers. Remaining grant money was used to evaluate 128 Utah public schools.

Benchmarks that will be used to monitor progress toward goals

A progress report prepared by the chair of the Public School Seismic Safety Committee shall be submitted to the Business and Labor Interim Committee in 6 month intervals or until every public school and charter school has been assessed.

Performance measures that will be used to evaluate progress toward goals
Quarterly progress reports prepared by the chair of the Public School Seismic Safety Committee shall be submitted to the Utah Seismic Safety Commission during their regularly scheduled meetings. Representatives from the Public School Seismic Safety Committee shall attend commissions meetings to provide progress updates.
How information on performance measures will be collected reliably and objectively
The Utah Seismic Safety Commission shall receive updates from the Public School Seismic Safety Committee and disseminate findings and data collected in the "Utah Students At Risk" publication. The Utah Students At Risk publication shall be placed on the USSC website (www.ussc.utah.gov) for public viewing.

PERFORMANCE NOTE: AGENCY FORM

BILL: H.B. 283, State Stores Pilot Program for Days of Sale of Liquor, Rep. P. Arent

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: ☐ New agency ☒ New services or benefits ☐ Serving a new or larger population

DUE TO THE FISCAL ANALYST:

CONTACT INFORMATION

RESPONDENT Benn Buys Title: Director of Finance Agency: DABC

Cell: 801-643-1935 Office: 801-977-6838 e-mail: bbuys@utah.gov

HOW WILL THE PUBLIC BENEFIT?

1 What is the purpose and the duties of the new program, agency, services, or population served? JR4-2-404(4)(c)(i)

The purpose of the new service to to open a limited number of liquor stores on holidays. This would allow the opening of stores on days where customer demand could be high due to Sundance Film Festival, ski season, and other tourist events.

2 What services are provided by the funding increase? JR4-2-404(4)(c)(ii)

Staffing of liquor stores on selected holidays, and providing administrative support for those stores.

3 What are the expected outcomes of the new or expanded program and how will the public benefit? JR4-2-404(4)(c)(iii)

Expected outcomes are increased sales as the public will be able to shop at state-owned liquor stores.

4 How will the bill be implemented and what resources are available to achieve the expected outcomes? JR4-2-404(4)(c)(iv)

The bill will provide a legal means and funding to staff stores on holidays.

5 How will the proposed agency activities cause the expected outcomes and public benefit in 3?

DABC will staff a limited number of liquor stores and be open for business on certain holidays.

2. PERFORMANCE MEASURES:

What measures will managers and policymakers use to know if the new or expanded program is providing the expected outcomes and public benefits? Provide one, two, and three year goals or targets, actual results and measures if available to serve as a baseline, and outcomes.

Goal (public benefit): Meet Customer Demand On Certain Holidays

Measure Title:
Description: Based on recommeded store openings, the expected sales are shown below. In FY13 $63,800 would be transferred to School Lunch and approximately $34,000 would be collected in sales tax. COGS would be approximately $342,000 and operating expenses of $35,000, leaving a net profit of $227,000.

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:			#######	#######	#######
Baseline:	$ -	$ -			

How will program managers collect this performance information and ensure its reliability?

Daily sales will be tracked for each open holiday.

Goal (public benefit):

Measure Title:
Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Goal (public benefit):

Measure Title:
Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

PERFORMANCE REVIEW NOTE

BILL: S.B. 13, Medical Examiner Amendments - Sen. A. Christensen

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: [ ] New agency [X] New services or benefits [ ] Serving a new or larger population

DUE TO THE FISCAL ANALYST:

CONTACT INFORMATION

RESPONDENT Todd C. Grey, M.D. Title: Chief Medical Examiner Agency: Department of Health

Cell: Office: (801) 584-8410 e-mail: ToddGrey@utah.gov

AUTHOR: Title: Agency:

Cell: Office: e-mail:

HOW WILL THE PUBLIC BENEFIT?

1a What the are the public benefits or goals of the new or expanded program?

This will be an expansion of existing process of transporting & examining OME cases, as defined in the current Medical Examiner Statute. All highway accident deaths will have a Medical Examiner investigation with appropriate level of examination based on the circumstances of death. Case reports will be generated and proper records and statistics maintained. The major public benefit will be that victims of motor vehicle related trauma will receive the same competent and professional investigation as all other trauma related deaths in Utah. Information collected from investigation of highway deaths will be useful to public safety officials and the legislature to improve highway safety and to vehicle manufacturers and road designers to reduce highway death and injury.

1b What products or services will the agency provide to achieve the public benefits?

Changing the law will mean that investigating law enforcement agencies will be relieved of the burden of having to decide on a case by case basis if they need to request OME involvement; that emergency room physicians will be relieved of the burden of dealing with fatalities which take up valuable time and resources that detract from their ability to care for the living; and that Funeral homes will not have to spend days trying to find a physician who will sign the death certificate in cases where the deceased is taken from the scene to the mortuary without ever being seen by a doctor. Toxicologic evaluation will assist law enforcement in evaluating role of drugs and/or alcohol in the traumatic event and documentation of injuries may assist in the analysis of vehicle design as either a contributory or protective factor.

1c How do the proposed agency activities cause the public benefit outcomes listed in *1a*.

As stated in 1a, all highway accidents deaths will be investigated and certified by the OME.

2. PERFORMANCE MEASURES:

How will managers and policymakers know if the new or expanded program is contributing to the public benefit?

Goal (public benefit): Investigate all highway accident deaths

Measure Title:

Description: In 2010, there were 281 MVA related highway deaths. Of these, 80 were managed under OME jurisdiction at request of investigating law enforcement agency. If law were changed, OME could expect additional 201 cases, that would represent 10.4% total

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark: OME Examination/cases	1925	2126	2347	2592	2892
Baseline: Projected 10.4% annual case increas	1925				

How will program managers collect this performance information and ensure its reliability?

Annual records will be maintained per existing statutory requirements and case percentages adjusted.

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

PERFORMANCE NOTE: AGENCY FORM

BILL S.B.44s1, GI Bill Tuition Gap Coverage, Sen. Robles

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: [ ] New agency [x] New services or benefits [x] Serving a new or larger population

DUE TO THE FISCAL ANALYST:

CONTACT INFORMATION

RESPONDENT: Darren Marshall Title: Mgr. of Audit & Fin Serv Agency: State Board of Regents
Cell: Office: 801-321-7173 e-mail: dmarshall@utahsbr.edu

HOW WILL THE PUBLIC BENEFIT?

1 What is the purpose and the duties of the new program, agency, services, or population served? JR4-2-404(4)(c)(i)

The bill will assist veterans in completing a degree if they use all of their GI Bill benefits prior to graduation.

2 What services are provided by the funding increase? JR4-2-404(4)(c)(ii)

Tuition assistance to veterans to help complete their degrees if they use all of their GI Bill benefits proior to graduation.

3 What are the expected outcomes of the new or expanded program and how will the public benefit? JR4-2-404(4)(c)(iii)

The expected outcome is assistance to veterans to promote degree completion.The public does benefit from assisting veterans of war.

4 How will the bill be implemented and what resources are available to achieve the expected outcomes? JR4-2-404(4)(c)(iv)

The bill will be implemented similarly to some of our other student assistance programs. We will have an annual report of number of students served. UHEEA will assist the Board of Regents in fulfilling their assignment.

5 How will the proposed agency activities cause the expected outcomes and public benefit in 3?

This is a tuition assistance program. If the individual ceases to perform academically towards a degree the benefit could be lost.

2. PERFORMANCE MEASURES:

What measures will managers and policymakers use to know if the new or expanded program is providing the expected outcomes and public benefits? Provide one, two, and three year goals or targets, actual results and measures if available to serve as a baseline, and outcomes.

Goal (public benefit): Serve Veteran Students to assist in graduating.

Measure Title: Number of Recipients

Description: Track the number of Recipients and also the number of students graduated. The baseline needs to be determined, because we only have estimates of individuals who will take advantage of this opportunity.

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

The institutions regularly collect information on number of students served with other assistance program, so we would incorporate this in a reporting form. The institutions data systems would have this ifnormation and they should be able to report on numbers served. USHE estimates that a few 100 students could possibly be affected by this bill.

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

PERFORMANCE NOTE: AGENCY FORM

BILL: S.B. 97, Grants for Online Spending, Sen. A. Osmond

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: [ ] New agency [x] New services or benefits [ ] Serving a new or larger population

DUE TO THE FISCAL ANALYST:

CONTACT INFORMATION

RESPONDENT: Martell Menlove Title: Deputy Supt. Agency: USOE

Cell: 801-656-5578 Office: 801-538-7762 e-mail: martell.menlove@schools.utah.gov

HOW WILL THE PUBLIC BENEFIT?

1 What is the purpose and the duties of the new program, agency, services, or population served? JR4-2-404(4)(c)(i)

This legislation provides grants to school districts and charter schools to implement summative and adaptive online testing.

2 What services are provided by the funding increase? JR4-2-404(4)(c)(ii)

School districts and charter schools are able to effectively and efficiently participate in online testing programs.

3 What are the expected outcomes of the new or expanded program and how will the public benefit? JR4-2-404(4)(c)(iii)

Additional student proficiency data will be available to teachers to inform instruction, to students to assist in increased proficiency, to parents for inform them and encourage parental participation, and to schools and districts to meet State and federal accountability reporting demands.

4 How will the bill be implemented and what resources are available to achieve the expected outcomes? JR4-2-404(4)(c)(iv)

The State Board of Education will make rules to implement the program and report to Education Interim Committee.

5 How will the proposed agency activities cause the expected outcomes and public benefit in 3?

Leadership, Service, and Accountability

2. PERFORMANCE MEASURES:

What measures will managers and policymakers use to know if the new or expanded program is providing the expected outcomes and public benefits? Provide one, two, and three year goals or targets, actual results and measures if available to serve as a baseline, and outcomes.

Goal (public benefit): Increased confidence in school grading mandate

Measure Title:

Description: Additional data from multiple administration will increase confidence that student data accurately reflect student achievement data incorporated into school grades.

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

No formal process currently exists to measure confidence in school grading procedures. If this performance measure is viewed as important, such a measure could be developed given the needed

Goal (public benefit): More effective classroom instruction based on assessment data driving instruction.

Measure Title:

Description: An important component of effective instruction is accurate and time data on student performance. Skilled teachers use current performance to drive instruction. Student

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

The State Office of Education is currently developing process and products to measure teacher effectiveness. Using consistent standards, a consistent and effective framework for assessing

Goal (public benefit):

Measure Title: Provide better and more timely information to parents concerning student proficiency

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

AGENCY PERFORMANCE NOTE FORM

BILL: S.B. 100 Law Library Self Help Center, Senator S. Urquhart

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: [ ] New agency [ ] New services or benefits [X] Serving a new or larger population

DUE TO THE FISCAL ANALYST:

CONTACT INFORMATION

RESPONDENT Richard Schwermer Title: Asst. St. Ct. Admin Agency: Courts

Cell: 801-231-8979 Office: 801-538-1751 e-mail: ricks@email.utcourts.gov

AUTHOR: Title: Agency:

Cell: Office: e-mail:

HOW WILL THE PUBLIC BENEFIT?

1a What are the public benefits or goals of the new or expanded program?

The justice system can be complicated and confusing. Each year thousands of people interact with the courts without an attorney. Self-represented parties place a tremendous strain on the justice system. They may file incomplete or inaccurate papers, don't know how to follow court rules, and have unrealistic expectations about what court staff can do for them. Their cases don't move smoothly through the system causing frustration for court staff, judges, and attorneys, as well as the self-represented parties themselves. The courts' Self-Help Center (SHC) helps people move through the system more efficiently and improves access to justice for all Utahns.

1b What products or services will the agency provide to achieve the public benefits?

The SHC is avirtual "center" – all services are provided via a toll-free telephone help line, the courts' website, email, text messaging and online chat. No service is provided in person. SHC attorneys provide legal information – not legal advice – in a wide range of civil law areas. SHC attorneys help people understand where they are in their case, explain court procedures, provide forms and give referrals. The SHC also provides information and forms to court staff; thereby improving court efficiency for everyone.

1c How do the proposed agency activities cause the public benefit outcomes listed in *1a*.

The SHC educates people about the judicial system so that they are better prepared to work within it. The SHC also provides education and support to court staff in their work with self-represented parties. Survey data show that the SHC pilot is providing valuable and unique services to the public and the courts. Customer feedback has been overwhelmingly positive. Services are provided to all who contact the SHC. There is no screening and there are no eligibility criteria.

2. PERFORMANCE MEASURES:

How will managers and policymakers know if the new or expanded program is contributing to the public benefit?

Goal (public benefit):

Measure Title:

Description: Number of people served by phone, email, text messaging and online chat.

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:	6,000	8,000	16,000	17,000	18,000
Baseline:					

How will program managers collect this performance information and ensure its reliability?

SHC attorneys record statistics for every customer contact.

Goal (public benefit):

Measure Title:

Description: 95% or more customers answer "yes" to three satisfaction questions: 1. Did help line staff treat you with courtesy or respect?; 2. Did you understand the information you received?; 3. Do you know what to do next?

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:	95%	95%	95%	95%	95%
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Library staff gather data through customer surveys completed after SHC staff complete calls. Emailers are asked to complete an online survey.

Goal (public benefit):

Measure Title:

Description: 80% of those surveyed report that they were able to get through to SHC staff on the toll-free phone line that day.

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:	80%	80%	80%	80%	80%
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Library staff gather data through customer surveys completed after SHC staff complete calls. The survey question is: How often have you tried to reach the Self-Help Center?

PERFORMANCE NOTE: AGENCY FORM

BILL: S.B. 103, Personal Injury Protection Arbitration, Sen. C. Bramble

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: [ ] New agency [X] New services or benefits [ ] Serving a new or larger population

DUE TO THE FISCAL ANALYST:

CONTACT INFORMATION

RESPONDE *Neal T. Gooch* Title: Commissioner Agency: Insurance Department

Cell: (801) 913-1848 Office: (801) 538-3880 e-mail: ngooch@utah.gov

HOW WILL THE PUBLIC BENEFIT?

1 What is the purpose and the duties of the new program, agency, services, or population served? JR4-2-404(4)(c)(i)

The bill creates a personal injury protection arbitration program. The insurance commissioner must issue a request for proposal to contract with an organization that resolves personal injury protection disputes through arbitration. The insurance commissioner must establish rules for the arbitration procedure and process that the bill requires. Individuals that have disputes with insurance companies relating to the personal injury protection coverage will be able to use the arbitration program to resolve them.

2 What services are provided by the funding increase? JR4-2-404(4)(c)(ii)

An insured individual, a person that has been injured in a motor vehicle accident, a provider that is an assignee of personal injury benefits or an auto insurer will be able to submit disputes relating to personal injury protection benefits to arbitration under the program.

3 What are the expected outcomes of the new or expanded program and how will the public benefit? JR4-2-404(4)(c)(iii)

The outcomes are unclear as the total dollar amount for personal injury protection benefits is capped at $3,000 by statute. The bill calls for simplified arbitration procedures that promote efficiency and cost savings through the use of electronic filing and administration. Currently, few if any personal injury cases are disputed so predicting the number of cases going to arbitration is problematic. Any benefit to the public will depend on the amount of the arbitration award less the costs of processing the dispute through the program. The costs of the program are paid by those that use it. Outcomes could include: number of cases submitted for arbitration; dollar value of awards; cost, excluding arbitration award, of each case; arbitration cases that result in awards to the insured person; and arbitration cases that result in no awards to the insured person.

4 How will the bill be implemented and what resources are available to achieve the expected outcomes? JR4-2-404(4)(c)(iv)

The insurance department will have to develop a request for proposal under the oversight of the Division of Purchasing and publish it to registered vendors in the state's purchasing system and then evaluate responses and select a vendor and award a contract to the selected vendor. The Insurance Department is required to develop rules relating to the arbitration program. An approval process will need to be implemented of the pay of arbitration ajudicators that render services. The Insurance Department is required to oversee and administer the program. The department currently has no resources available for such a program and will have to rely on revenue generated by the program to cover its costs.

5 How will the proposed agency activities cause the expected outcomes and public benefit in 3?

Utilization of the program will be driven by thesuccess or lack of success of vendor that is selected to administer and execute the program. The department's role is a passive role.

2. PERFORMANCE MEASURES:

What measures will managers and policymakers use to know if the new or expanded program is providing the expected outcomes and public benefits? Provide one, two, and three year goals or targets, actual results and measures if available to serve as a baseline, and outcomes.

Goal (public benefit): Injured policyholders usage of the personal injury protection arbitration program

Measure Title: Cases submitted to arbitration vendor for resoluton

Description: Total number of cases submitted for arbitration and total dollar value of the cases

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:	0	0			
Baseline:	0	0			

How will program managers collect this performance information and ensure its reliability?

The request for proposal will require the selected arbitration vendor to collect that data needed to determine the number of cases that are submitted each year.

Goal (public benefit): Injured policyholders usage of the personal injury protection arbitration program

Measure Title: Arbitration cases that result in awards to the insured person

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:	0	0			
Baseline:	0	0			

How will program managers collect this performance information and ensure its reliability?

The request for proposal will require the selected arbitration vendor to collect that data needed to determine the number of cases that are submitted each year.

Goal (public benefit): Injured policyholders usage of the personal injury protection arbitration program

Measure Title: Arbitration cases that result in no awards to the insured person

Description: The request for proposal will require the selected arbitration vendor to collect that data needed to determine the number of cases that are submitted each year.

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:	0	0			
Baseline:	0	0			

How will program managers collect this performance information and ensure its reliability?

PERFORMANCE NOTE: AGENCY FORM

BILL: S.B. 111, Health Amendments for Legal Immigrant Children, Sen. L. Robles

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: [ ] New agency [ ] New services or benefits [X] Serving a new or larger population

DUE TO THE FISCAL ANALYST:

CONTACT INFORMATION

RESPONDENT Nate Checketts Title: Assistant Division Director Agency: UDOH

Cell: 801-349-5776 Office: 801-538-6043 e-mail: ncheckettts@utah.gov

HOW WILL THE PUBLIC BENEFIT?

1 What is the purpose and the duties of the new program, agency, services, or population served? JR4-2-404(4)(c)(i)

This bill amends the Medical Assistance Act and the Utah Children's Health Insurance Act to provide Medicaid coverage or Children's Health Insurance Programcoverage to a legal immigrant child, regardless of the length of time that the child has been in the United States.

2 What services are provided by the funding increase? JR4-2-404(4)(c)(ii)

Full Medicaid or CHIP benefits depending on the income and assets of the child that qualifies

3 What are the expected outcomes of the new or expanded program and how will the public benefit? JR4-2-404(4)(c)(iii)

More legal immigrant children will have health insurance

4 How will the bill be implemented and what resources are available to achieve the expected outcomes? JR4-2-404(4)(c)(iv)

Medicaid and CHIP eligility rules will be changed to allow children covered by the bill to come on to those programs. DWS will reprogram eREP (the State's eligibility determination system) and retrain its eligibility specialists. Medicaid and CHIP will issue benefit cards to the newly eligible children. Health plans and medical providers will provide services to the children and Medicaid and CHIP will pay for those benefits.

5 How will the proposed agency activities cause the expected outcomes and public benefit in 3?

By changing the eligibility rules, fewer legal immigrant children will be denied for Medicaid or CHIP when they apply.

2. PERFORMANCE MEASURES:

What measures will managers and policymakers use to know if the new or expanded program is providing the expected outcomes and public benefits? Provide one, two, and three year goals or targets, actual results and measures if available to serve as a baseline, and outcomes.

Goal (public benefit): More legal immigrant children will have health insurance

Measure Title: Number of newly eligible legal immigrant children enrolled on Medicaid

Description:

Fiscal Year:		FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:	400					
Baseline:	0					

How will program managers collect this performance information and ensure its reliability?

Look at enrollment using eREP

Goal (public benefit): More legal immigrant children will have health insurance

Measure Title: Number of newly eligible legal immigrant children enrolled on CHIP

Description:

Fiscal Year:		FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:	400					
Baseline:	0					

How will program managers collect this performance information and ensure its reliability?

Look at enrollment using eREP

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

PERFORMANCE NOTE: AGENCY FORM

BILL: S.B. 281, MORTGAGE AND FINANCIAL FRAUD INVESTIGATIONS, SEN. MCADAMS

Joint Rule 4-2-404 requires a Performance Review Note anytime the legislature significantly increases funding for: [ ] New agency [X] New services or benefits [ ] Serving a new or larger population

DUE TO THE FISCAL ANALYST:

CONTACT INFORMATION

RESPONDENT Scott Reed — Title: Chief, Criminal Justice Div. — Agency: Attorney General

Ken Wallentine — Chief, Investigations Div.

Cell: (801)350-1775 — Office: (801)281-1233 — e-mail: Scottreed@utah.gov

(801)556-9702 — (801)281-1207 — Kenwallentine@utah.gov

HOW WILL THE PUBLIC BENEFIT?

1 What is the purpose and the duties of the new program, agency, services, or population served? JR4-2-404(4)(c)(i)

A wide variety of white collar crime, including securities fraud, mortgage fraud and real estate fraud, and other financially motivated crime, continue to be a problem statewide. These cases are labor and document intensive, and require certain forensic accounting skills which are not always available in local law enforcement agencies. The purpose is to increase resources available for the detection and successful prosecution of large scale financial crimes.

2 What services are provided by the funding increase? JR4-2-404(4)(c)(ii)

Additional investigative and prosecutor resources with state-wide jurisdiction, with specialized skills in tracking and analyzing financial records and locating and preserving assets as potential sources of victim restitution.

3 What are the expected outcomes of the new or expanded program and how will the public benefit? JR4-2-404(4)(c)(iii)

Increase in scope and volume of prosecution of high-dollar fraud with multiple victims.

4 How will the bill be implemented and what resources are available to achieve the expected outcomes? JR4-2-404(4)(c)(iv)

Implementation will be coordinated within Attorney General's office, working with other state investigative agencies including Division of Securities, Division of Real Estate, DPS Special Bureau of Investigations. AG Special Investigations Unit and AG Criminal Justice Division will carry primary responsibility for a wide range of "white collar" crime, including various types of fraud, money laundering, and racketeering.

5 How will the proposed agency activities cause the expected outcomes and public benefit in 3?

Since few, if any, local law enforcement agencies focus upon or emphasize white collar crime investigations, having a specialized unit with statewide authority will provide conduit for increase scrutiny of financial schemes. Coordination with state agencies such as Commerce and Public Safety will provide more thorough coverage and earlier detection of misguided investment plans. This in turn works as a general deterrent to fraud schemes.

2. PERFORMANCE MEASURES:

What measures will managers and policymakers use to know if the new or expanded program is providing the expected outcomes and public benefits? Provide one, two, and three year goals or targets, actual results and measures if available to serve as a baseline, and outcomes.

Goal (public benefit):

Measure Title:

Description:

1. Investigations opened
2. Arrests made
3. Defendants charged
4. Total charges filed per case
5. Total restitution recovered
6. Total restitution ordered

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark: New program, unknown what results will					
Baseline: New program, no benchmarks currently e					

How will program managers collect this performance information and ensure its reliability?

Program managers will collect data from AG Investigations and AG Criminal Justice files., as is done with all other Investigations and Criminal Justice cases.

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?

Goal (public benefit):

Measure Title:

Description:

Fiscal Year:	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Target or Benchmark:					
Baseline:					

How will program managers collect this performance information and ensure its reliability?