

MINUTES OF THE  
JOINT HEALTH AND HUMAN SERVICES APPROPRIATION SUBCOMMITTEE  
Friday, January 26, 2001  
Room 403, State Capitol Building

Members Present: Rep. Jack A. Seitz, Committee Co-Chair  
Sen. D. Edgar Allen  
Sen. Curtis S. Bramble  
Rep. Trisha Beck  
Rep. David L. Hogue  
Rep. David Litvack  
Rep. Rebecca Lockhart  
Rep. Carl R. Sanders  
Rep. Matt Throckmorton

Members Excused: Co-Chair David H. Steele  
L. Steven Poulton

Staff Present: Thor Nilsen, Legislative Fiscal Analyst  
Spencer C. Pratt Legislative Fiscal Analyst  
Norda Shepard, Secretary

Public Speakers Present: Mark Ward, Deputy Director, Department of Human Services  
Bart Hopkins, Director, Office of Administrative Support  
Vaughn Emmett, Director, Office of Fiscal Operations  
Steve Jardine, Analyst, Governor's Office of Planning and Budget  
Patrick Fleming, Director, Division of Substance Abuse  
Rich Schwermer, Assistant Director, Administrative Office of Courts  
Mark Thomas, Deputy Attorney General, Uintah County  
Kristy

Visitor List on File

Sen. Bramble called the meeting to order at 2:07 p.m.

Sen. Bramble acted as chair at the request of Co-Chair Sen. Steele.

**1. Budget Hearing - Executive Director's Office**

Analyst Thor Nilsen explained that the Executive Director's Office budget includes the department director's office and various bureaus that serve other divisions in the department. It also includes programs that are independent of the other department divisions, such as the Governor's Council for People with Disabilities, Foster Care Citizens' Review Boards and the Office of Children's Ombudsman. The analyst is recommending a budget totaling approximately \$19.2 million, including \$8.3 million from the general Fund. Mr. Nilsen discussed adjustments to the base budgets, which are transfers across divisional line items. These are listed in the Budget Analyst book. He discussed Intent Language on Outcome Measures which report has been presented to the committee; Cross Agency Budgets for Services for Aging and People with Disabilities which information has been presented to the committee; Administrative and Services Cost Report, which has been presented; and Replacement of One-time Transfer of TANF Funds, of which the analyst has included \$1.5 million from the General Fund in the FY2002 budget recommendation for the Division of Services for People with Disabilities. Mr. Nilsen discussed the program budgets within the Executive Directors Operations which are shown in the Budget Analyst book, pointing out that the Governor's Council for People with Disabilities is required by federal statute and the Foster Care Citizen's Review Board is by Utah statute. He also pointed out the Fee Schedule which will require committee consideration.

Mark Ward, Department Deputy Director, stated there are no building blocks requested for the Executive Director's Operations Budgets.

Mr. Nilsen distributed a document on the Division of Health and Human Services that brings up to date those items discussed in the committee. Those items marked with an X have been voted on, without funds. The document will be updated each meeting.

Mr. Ward and Bart Hopkins, Director, Office of Administrative Support, answered questions concerning employees in the different divisions and random moment sampling of employees for reports for federal funding. Steve Jardine, Analyst, Governor's Office of Planning and Budget, explained this was done to increase federal funding. Vaughn Ematt, Director, Office of Fiscal Operations, explained the difference between DP Current Expense and Current Expense. Current expense are items such as rent, office supplies, etc. DP Current Expense is what is paid for purchasing service on the state's mainframe, port charges for local area networks, etc.

**2. Approval of Minutes**

**MOTION:** Sen. Allen moved to approve the minutes of 1-24-01. The motion passed unanimously.

**3. Voting on Budgets**

**MOTION:** Rep. Seitz moved to approve the building blocks, without funds at this time, for the Division of Aging and Adult Services, and to include meals and transportation. The motion passed unanimously.

**4. Budget Hearing - Drug Courts and Drug Boards**

Analyst Thor Nilsen stated that this is the first time this budget has been in the Budget Analyst book. It is a new line appropriation from last year when the Legislature appropriated about \$1.6 million from the Tobacco Settlement Restricted Fund for additional Drug Courts and Drug Boards in the state. He explained that Drug Courts deal with drug abusing offenders as an alternative to prison if the offender completes the program. Drug Boards deal with individuals entering parole from prison. The analyst is recommending \$1.7 million from the general fund to increase and spread the system. He stated the tobacco fund is on going but in order to increase the program, the general fund increase is needed. He gave a brief history of the drug courts in the state.

Mr. Ward explained that the Governor's recommendation for Drug Courts includes \$3 million in the Department of Human Services budget for testing, treatment and management of cases related to the Drug Courts. He introduced Patrick Fleming, Director of the Division of Substance Abuse. Mr. Fleming presented a video showing how drug courts function. He distributed a report on Drug Courts and explained it to committee members. The report contains an overview of Drug Courts in Utah, a brief history, and recent legislative action. It also explains the different types of drug courts in the state which are juvenile, dependency, adult felony, adult misdemeanor, and a pilot project tobacco court. The report also shows existing and planned drug courts in the state. Mr. Fleming reported the courts are seeing an 80% to 90% success rate.

Rick Schwermer, Assistant Director, Administrative Office of Courts, said that judges are in support of the drug courts. He said judges have stated that it is one of the few times in their judicial careers that they get to see something really positive happen every day.

Kristy, a graduate of a dependency drug court, reported her experience with the drug court. She said at first she felt that the court was an intervention and intrusion in her life, but at the time of graduation she embraced it with all her heart. She is the mother of six children and has a lot at stake. Her children were taken from her and lived with her mother while she was in the program. She has been reunited with her children for one and a half years and stated they are doing well and now living like real people. She said the thing that keeps her from going back to her life on drugs was the 12 step program and the people who support her.

Mark Thomas, Deputy Attorney General, Uintah County, stated that from the stand point of a prosecutor, drug courts satisfy the demands of justice by demanding that the participants in drug court change. If they choose not to change then they go back and have the original sentence imposed. He said he believes that drug courts can hit a person with an addiction as hard as they need to be hit and at the same time turn around and give them the tools they need to overcome the addiction. He displayed a chart that tracked two different cases, one in drug court and one in prison, and showed the difference in cost and results. He pointed out that the most important difference is not the cost savings, although significant, but that the person in the drug court had his life changed. He commented that that person came to him and said for the first time in his life he was satisfied with his life. He urged the committee to approve the recommended appropriations.

#### **5. Budget Hearing - Internal Service Funds**

Mr. Nilsen explained that an internal service fund operates similarly to private, non-profit service providers. It is a way to allocate scarce resources and to make the using state agency pay for the services, and it is a way to compare the cost of services delivered internally to what is available on the outside. He explained that the Department of Human Services operates two internal service funds within the department, which are the General Service Internal Service Fund which takes care of the Administration Building on 2<sup>nd</sup> West and North Temple, and the Data Process Internal Service Funds which provides programming services to various division and agencies in the department. The analyst is recommending a total budget of \$4,177,900 from collection of dedicated credits/intergovernmental revenues.

Mr. Ward stated he would like to address two issues. He stated they need the rate increase on data processing from \$50 to \$52 to break even. He explained that the building has a back log of projects which exceeds the amount of the retained earnings. There is about \$700,000 in projects, the largest being the wiring necessary for current data processing needs and the repairs to the bathrooms. Rep. Lockhart asked if these projects had been reported to the Capital Facilities Subcommittee and would it be a duplication. Mr. Hopkins explained they work with DFCM to come up with a priority list of capital improvements. He said that money would not be duplicated.

Mr. Nilsen distributed the FY2002 Budget Recommendations for the Division of Services for People with Disabilities for committee members to insert in Red Tab 27 of the Budget Analyst book.

**MOTION:** Rep. Lockhart moved to adjourn. The motion passed unanimously.

Sen. Bramble adjourned the meeting at 4:37 p.m.

Minutes reported by Norda Shepard, Secretary.

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Sen. David Steele  
Committee Co-Chair

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Rep. Jack A. Seitz  
Committee Co-Chair