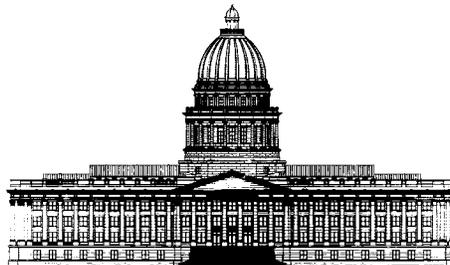

COMPENDIUM OF BUDGET INFORMATION
FOR THE
2005 GENERAL SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE FOR
HEALTH AND HUMAN SERVICES

DEPARTMENT OF HUMAN SERVICES

OFFICE OF THE LEGISLATIVE FISCAL ANALYST
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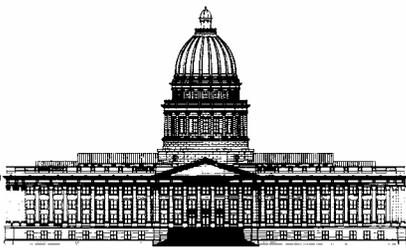
UTAH STATE LEGISLATURE
COMPENDIUM OF BUDGET INFORMATION
FOR THE
2005 GENERAL SESSION



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December 1, 2004

Appropriations Subcommittee for
Health and Human Services
Utah State Capitol
Salt Lake City, UT 84114

Dear Subcommittee Members:

I am pleased to present to you the first edition of the Utah Legislature's Compendium of Budget Information (COBI). I hope that it provides useful and thorough information upon which you can base your policy and budget decisions.

COBI is one part of a new three-pronged approach to staff budget analysis authorized by the Executive Appropriations Committee last spring. It is designed as a reference document from which you may garner details on Utah state government activities within your subcommittee's jurisdiction. It includes program descriptions, references to statutory authority, accountability information, and, of course, budget data. COBI sets a baseline against which you can evaluate budgets proposed during the 2005 General Session.

Parts two and three of the new budget format – Budget Briefs and Issue Briefs – will be available throughout the 2005 General Session beginning in January. Both are succinct, decision oriented papers that build on COBI, presenting future budgets rather than COBI's *status quo*. Budget Briefs will follow the structure of state government documenting proposals for current year supplemental and future year budget action. Issue Briefs will cut across "silos" to discuss subjects that impact the state independent of program structure.

If I or my staff can assist you further regarding COBI specifically, the new budget format generally, or any other matter, please do not hesitate to contact me at (801) 538-1034.

Sincerely,

John E. Massey
Legislative Fiscal Analyst

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INTRODUCTION

Format

During the 2004 Interim the Office of the Legislative Fiscal Analyst proposed a new budget analysis format to the Executive Appropriations Committee, which the committee unanimously approved. Budget analyses will now consist of three parts:

- **Compendium of Budget Information (COBI).** The document you are currently reading, the COBI will provide detailed information at a program level. It will be a resource for decision-makers desiring further detail or background information beyond the summary provided in the Budget Analysis. It will not contain recommendations.
- **Issue Briefs.** These relatively short documents (no more than a few pages) will discuss issues that transcend line items or perhaps even departments. For example, if the Analyst wished to present a concern with law enforcement, an Issue Brief may be the best format. The Analyst will prepare Issue Briefs just prior to the 2005 General Session.
- **Budget Briefs.** Another relatively short document, the budget brief will be used to highlight issues, recommendations, performance measures, and line item-level budget tables. The purpose of this document is to bring issues to the forefront and discuss the Analyst's recommendations. The Analyst will prepare Budget Briefs just prior to the 2005 General Session.

Process

The Office of the Legislative Fiscal Analyst (LFA) – a non-partisan office – serves both chambers of the Legislature by making independent budgetary recommendations, determining the fiscal impact of proposed legislation, and preparing appropriations bills. Appropriations subcommittees review LFA's recommendations, vote upon, and report to the Executive Appropriations Committee proposed budgets for programs within their respective jurisdictions. The Executive Appropriations Committee, and ultimately the Legislature as a whole, considers multiple appropriation acts that, in turn, determine the final annual budget for each program of state government.

Timing

Utah does not budget on the calendar year, but on what is termed a Fiscal Year, which is the twelve-month period from July 1 to June 30 of the following year. A Fiscal Year is usually abbreviated FY, with the number which follows designating the year which includes the second six months. The current fiscal year is FY 2005, which will end June 30, 2005. The next fiscal year for which the Legislature is determining the budget is FY 2006, which will include the period of time from July 1, 2005 to June 30, 2006. However, the Legislature can also make supplemental changes to the already established budget for FY 2005.

Sources

In allocating funds for governmental purposes, appropriations subcommittee may use funding from several sources to complete the full appropriation to each. The following funding sources have been most prevalently used by the subcommittee:

- General Fund
- School Funds
- Transportation Funds
- Federal Funds
- Dedicated Credits
- Restricted Funds
- Other Funds

A glossary of terms – included at the end of this document – defines these funding sources as well as other terms commonly used in Utah state budgeting

CHAPTER 1 DEPARTMENT OF HUMAN SERVICES**Function**

The Department of Human Services administers various social services programs in the State of Utah. Some programs overseen by the Department are operated at the local county level. The Department includes the Divisions of Substance Abuse and Mental Health, Services for People with Disabilities, Aging and Adult Services, Office of Recovery Services, Child and Family Services, and the Division of Juvenile Justice Services (DJJS - formerly Youth Corrections). While DJJS is part of the Department of Human Services, its budget is reviewed in the Executive Offices and Criminal Justice appropriations subcommittee and its budget is not part of the figures in this report. The Department and the Legislature combined the two formerly separate divisions of Mental Health and Substance Abuse into one Division of Substance Abuse and Mental Health in 2002. The Department also operates two internal service funds whose services are used by various divisions in the Department.

Statutory Authority

The Department of Human Services is established and functions under authority of Title 62A of the Utah Code.

- UCA 62A-1-102 creates the Department of Human Services and broadly outlines its purposes.
- UCA 62A-1-107 describes creation and purposes of various state boards within the Department.
- UCA 62A- 1-111 list the Department's authority.
- UCA 62A-1-112 and 114 outline the Department's role as the State agency in overseeing federal social service programs.

Funding Detail

The Department’s plan of financing consists of state funds (about 43%), federal grants and Medicaid funds (approximately 54%), with the balance from dedicated credits, General Fund restricted accounts and transfers from other agencies. Local county operated programs (mental health, substance abuse, aging services), draw down federal Medicaid funds directly in addition to local county appropriations.

Human Services					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	202,792,800	206,669,780	200,509,600	200,490,600	204,877,800
General Fund, One-time	0	655,200	0	0	1,802,700
Federal Funds	103,601,347	106,068,669	107,495,130	116,831,000	122,090,300
Dedicated Credits Revenue	8,321,815	7,644,992	8,237,448	8,272,300	12,024,900
General Fund Restricted	0	0	0	11,000	0
GFR - Children's Trust	350,000	350,000	350,000	350,000	400,000
GFR - Domestic Violence	550,000	650,000	650,000	650,000	700,000
GFR - Intoxicated Driver Rehab	950,000	1,050,000	1,200,000	1,200,000	1,200,000
GFR - IT Innovation Fund	100,000	0	0	0	0
GFR - Tobacco Settlement	1,647,200	1,647,200	1,647,200	1,647,200	1,647,200
GFR - Trust for People with Disabilities	0	200,000	200,000	235,000	0
Transfers - H - Medical Assistance	115,773,049	125,097,527	131,700,617	139,294,600	137,174,800
Transfers - Other Agencies	5,957,355	9,031,982	4,973,040	2,983,600	951,900
Pass-through	0	0	0	2,200	0
Beginning Nonlapsing	5,089	1,450,694	2,176,350	4,152,600	3,112,700
Closing Nonlapsing	(1,450,210)	(2,167,550)	(4,152,600)	(6,705,300)	(1,209,200)
Lapsing Balance	(5,459,052)	(1,930,194)	(1,857,600)	(2,003,600)	0
Total	\$433,139,393	\$456,418,300	\$453,129,186	\$467,411,200	\$484,773,100
Line Items					
Executive Director Operations	19,555,080	19,665,200	17,620,500	18,358,400	19,463,000
Drug Courts/Boards	1,421,027	1,647,200	1,647,200	1,647,200	1,647,200
Substance Abuse & Mental Health	101,608,463	103,758,600	104,658,900	104,096,300	108,177,600
Svcs for People w/Disabilities	134,164,100	143,874,300	147,084,200	153,193,500	157,593,700
Office of Recovery Services	41,978,131	42,808,900	41,608,320	41,764,500	45,073,000
Child and Family Services	115,995,331	124,678,100	120,429,900	127,707,300	131,157,600
Aging and Adult Services	18,417,261	19,986,000	20,080,166	20,644,000	21,661,000
Total	\$433,139,393	\$456,418,300	\$453,129,186	\$467,411,200	\$484,773,100
Categories of Expenditure					
Personal Services	161,475,260	166,913,232	165,161,234	170,436,100	178,195,900
In-State Travel	1,092,140	1,148,115	1,054,995	1,099,700	1,123,700
Out of State Travel	309,981	140,222	117,971	125,400	142,000
Current Expense	41,723,477	44,950,043	40,984,848	43,626,400	43,601,300
DP Current Expense	14,565,930	13,655,988	12,394,776	14,779,400	13,816,400
DP Capital Outlay	191,377	284,815	21,394	112,100	38,100
Capital Outlay	363,642	372,725	340,800	204,700	144,200
Other Charges/Pass Thru	213,417,586	228,953,160	233,053,167	237,027,400	247,711,500
Total	\$433,139,393	\$456,418,300	\$453,129,185	\$467,411,200	\$484,773,100
Other Data					
Total FTE	3,658.8	3,704.5	3,531.5	3,600.8	3,641.7
Vehicles	287	337	377	380	381

Table 1-1

As indicated in the above Table 1-1 the Department also draws funds from several General Fund Restricted Accounts, as appropriated by the Legislature. These are shown in the following Table 1-2.

Restricted Funds Summary - (Dept of Human Services)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2004 Balance
Tobacco Settlement Account	UCA 63-97-20	Tobacco Settlement Payments	For Drug Courts/Boards Treatment Services	
Intoxicated Driver Rehabilitation Account	UCA 62A-15-503 UCA 63-63a-7	7.5 % of surcharges on court fines & penalties	Education, intervention & treatment of DUI drivers	\$ 4,743
Trust Fund for People with Disabilities	UCA 63A-5-220	Sale and lease of real property at USDC*	DSPD related programs identified in 62A-5	\$ 2,759,986
Domestic Violence Services Account	UCA 63-63a-6	4.5 % of surcharges on court fines & penalties	Domestic violence services	\$ 603,732
Children's Trust Account	UCA 26-2-12.5 UCA 62A -4a-309	\$3 surcharge on birth certificates; private contributions	Child abuse prevention programs	\$ 338,557
<i>*Only lease payment receipts and interest on the principal may be appropriated for use by DSPD</i>				

Table 1- 2

CHAPTER 2 EXECUTIVE DIRECTOR OPERATIONS

Function	The Executive Director Operations (EDO) division includes the Department Director's Office and various bureaus that serve other divisions in the department such as Fiscal Operations, Human Resource Management, the Office of Technology, Legal Affairs (including the Office of Public Guardian), and various administrative support services such as the Office of Licensing. It also includes programs that work independently of the other department divisions, but for which the Department provides administrative support. These programs include the Governor's Council for People with Disabilities and the Foster Care Citizen Review Boards.
Statutory Authority	<p>The following laws govern the operations of Office of the Executive Director Operations:</p> <ul style="list-style-type: none">➤ UCA 62A-1-108 describes the appointment, qualifications and responsibilities of the Executive Director.➤ UCA 62A-1-110 defines the authority of the Executive Director over division and office directors.➤ UCA 62A-2 sets up the process for licensing human service programs and facilities.➤ UCA 62A-14 creates the Office of Public Guardian.➤ UCA 78-3g creates the Foster Care Citizens Review Boards.➤ UCA 67-19 (State Personnel Management Act) allows the State Human Resource Management Office to contract with other State agencies to perform specific personnel functions on its behalf. Subsections 7, 9 and 10 detail specific functions that can be delegated to agency human resource offices.
Accountability	All measures used in the divisions are an indirect reflection of the effectiveness of the function of the Executive Director's Office. However, the Analyst has included some performance measures associated with some specific programs under this line item. These are listed separately under specific programs described later in this chapter.

Funding Detail

About 51 percent of the Executive Director Operations' budget comes from federal grants and Medicaid funds. The balance of funding comes from State funds (38 percent), dedicated credits (10 percent) with about one percent from other agency fund transfers. Most of the dedicated credits come from service fees charged by the Office of Technology.

Executive Director Operations					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	8,524,900	8,188,133	7,446,200	8,004,900	7,435,000
General Fund, One-time	0	655,200	0	0	54,900
Federal Funds	8,100,635	7,680,679	7,384,836	8,179,100	9,062,700
Dedicated Credits Revenue	104,010	86,249	23,192	0	1,933,100
GFR - IT Innovation Fund	7,000	0	0	0	0
Transfers - H - Medical Assistance	608,642	655,656	802,278	710,100	824,900
Transfers - Other Agencies	2,343,393	2,392,728	2,110,380	2,029,100	152,400
Beginning Nonlapsing	0	100,000	61,150	0	0
Closing Nonlapsing	(100,000)	(61,150)	0	(517,800)	0
Lapsing Balance	(33,500)	(32,295)	(207,536)	(47,000)	0
Total	\$19,555,080	\$19,665,200	\$17,620,500	\$18,358,400	\$19,463,000
Programs					
Executive Director's Office	2,293,070	1,509,000	1,390,200	1,456,500	1,849,100
Legal Affairs	1,099,858	995,500	1,068,500	1,174,500	1,363,500
Information Technology	4,149,568	4,136,200	3,941,200	4,198,000	4,215,600
Administrative Support	3,285,463	3,226,500	3,087,100	3,086,300	3,231,800
Fiscal Operations	2,644,419	2,644,500	2,637,400	2,584,300	2,692,400
Human Resources	1,278,871	1,235,400	1,188,100	2,170,500	2,261,100
Local Discretionary	1,607,793	1,498,000	1,438,400	1,332,300	1,492,000
Special Projects	855,195	785,200	36,400	1,300	40,500
Services Review	404,877	980,100	993,300	1,054,100	899,000
Developmental Disabilities Council	698,769	688,000	655,100	754,600	758,800
Foster Care Citizens Review Boards	1,237,197	1,311,600	1,184,800	546,000	659,200
Families Agencies Communities Togetl	0	655,200	0	0	0
Total	\$19,555,080	\$19,665,200	\$17,620,500	\$18,358,400	\$19,463,000
Categories of Expenditure					
Personal Services	12,793,506	12,697,689	12,413,311	12,948,300	13,331,900
In-State Travel	135,801	139,237	125,379	112,700	119,200
Out of State Travel	56,970	34,033	25,548	28,000	34,600
Current Expense	2,864,680	3,319,651	1,662,644	1,674,300	2,254,500
DP Current Expense	1,815,089	1,576,431	1,546,081	1,787,400	1,742,500
DP Capital Outlay	5,034	120,966	0	14,300	0
Other Charges/Pass Thru	1,884,000	1,777,193	1,847,536	1,793,400	1,980,300
Total	\$19,555,080	\$19,665,200	\$17,620,500	\$18,358,400	\$19,463,000
Other Data					
Total FTE	224.2	216.6	205.0	212.6	218.8
Vehicles	5	6	11	11	11

Table 2-1

EXECUTIVE DIRECTOR'S OFFICE

Function The Executive Director's Office is responsible for the overall direction of the Department. This includes administration and support, public relations, legislative liaison, planning and policy development. This program also includes two direct federal grants. The Real Choice Systems Change Grant is intended to redesign Utah's long-term care system to give participants a meaningful choice of care. The Visitation Grant is to establish and administer programs that support and facilitate non-custodial parents' access to and visitation of their children.

Funding Detail The Executive Director's Office is funded about two-thirds federal funds and one-third State funds.

Executive Director's Office					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,271,822	789,933	729,000	627,300	638,500
General Fund, One-time	0	0	0	0	3,100
Federal Funds	770,501	622,228	658,805	829,200	1,207,500
Dedicated Credits Revenue	104,010	76,839	2,395	0	0
Transfers - H - Medical Assistance	106,737	0	0	0	0
Transfers - Other Agencies	40,000	20,000	0	0	0
Total	\$2,293,070	\$1,509,000	\$1,390,200	\$1,456,500	\$1,849,100
Categories of Expenditure					
Personal Services	1,774,518	1,157,905	1,137,203	1,028,900	1,043,900
In-State Travel	15,445	4,016	4,191	4,600	6,100
Out of State Travel	16,598	12,660	7,365	8,800	16,100
Current Expense	391,605	300,077	212,437	367,900	598,300
DP Current Expense	94,904	34,342	29,003	46,300	184,700
Total	\$2,293,070	\$1,509,000	\$1,390,200	\$1,456,500	\$1,849,100
Other Data					
Total FTE	25.8	23.7	11.1	11.5	11.3

Table 2-2

LEGAL AFFAIRS

Function The Legal Affairs Program consists of the following offices:
The Office of Legal Affairs handles the cost of Attorney General services in the Department. Currently there are two full time attorneys dedicated to Department issues whose personnel costs are budgeted in DHS and transferred to the AG Office.

Administrative Hearings conducts hearings required by state and federal law where persons may appeal decisions of administrative agencies in the Department. Among the programs served are child abuse or neglect findings,

child support enforcement, foster parent due process, licensing, and disciplinary proceedings by Division of Youth Corrections.

The Office of Public Guardian was created by the 1999 Legislature (UCA 62A-14). It provides guardianship and conservatorship services to legally incapacitated adults who have no willing and responsible family or friends to serve as guardians or conservators. The primary function of the Office is to evaluate, prepare documentation, and assist the court process in establishing these functions for its clients. Office staff acts as surrogate decision makers and case managers, makes and arranges residential arrangements; makes health care and treatment decisions and obtains services for wards; and manages the finances and real personal property of wards. As resources are limited, its services are focused on incapacitated adults who are in life-threatening situations and adults who are being abused, neglected or exploited. The Office is also responsible to educate the public about the role of the Office and in general about guardians and conservators.

Accountability

The timely disposition of administrative hearings is crucial to the process, as well as being required by federal and state statutes. Shown in the following Table 2-3 are two measures indicating compliance with required timelines. Also shown below are two measures indicating the quality of guardianship case management.

Performance Data Summary (Office of Legal Affairs)						
Goal	Measure	Measure		Observed		
		Type	Target	FY 2003	FY 2004	
Timely disposition of admin. hearings	% UAPA* decisions within 60 days	Output	100%	99%	99%	
"	% assistance cases within 90 days**	Output	100%	100%	100%	
Public guardianship plans in place	% of wards with guardianship plans	Output	100%	100%	97%	
Keeping guardianships current	% of wards visited at least monthly	Output	100%	100%	100%	

* UAPA - Utah Administrative Procedures Act
 ** By federal regulation, public assistance fraud case must be decided within 90 days of hearing notice

Table 2-3

Funding Detail

The Legal Affairs Program funding is about equally divided between State funds and federal funds (including Medicaid). A small amount of dedicated credits (2 percent) comes from a service agreement with the Department of Workforce Services.

Legal Affairs					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	504,308	437,415	629,900	659,200	669,400
General Fund, One-time	0	0	0	0	3,600
Federal Funds	479,452	415,226	127,762	256,900	347,900
Dedicated Credits Revenue	0	0	0	0	30,500
Transfers - H - Medical Assistance	43,108	59,918	244,297	286,500	312,100
Transfers - Other Agencies	72,990	82,941	66,541	0	0
Lapsing Balance	0	0	0	(28,100)	0
Total	\$1,099,858	\$995,500	\$1,068,500	\$1,174,500	\$1,363,500
Categories of Expenditure					
Personal Services	874,858	812,887	782,854	866,400	859,200
In-State Travel	8,475	13,835	14,300	14,700	15,500
Out of State Travel	2,268	4,214	1,153	1,800	1,400
Current Expense	174,077	127,255	97,620	98,700	283,800
DP Current Expense	40,180	37,309	29,917	51,100	32,600
Other Charges/Pass Thru	0	0	142,655	141,800	171,000
Total	\$1,099,858	\$995,500	\$1,068,500	\$1,174,500	\$1,363,500
Other Data					
Total FTE	15.3	14.4	13.0	12.1	13.6

Table 2-4

INFORMATION TECHNOLOGY**Function**

The Office of Information Technology is responsible for planning, support, enhancement and maintenance of the department's data processing network and automated applications, including system design, development, implementation, and data security. It also provides resources to support, enhance and maintain the Unified Social Services Delivery System (USSDS), the Office of Recovery Services Information System (ORSIS), the Child Welfare Information System (SAFE), and other automated applications that support the department's services.

Modifications to the existing Department of Human Services data systems are required to enable them to communicate with the Department of Workforce Services' new electronic Resource and Eligibility Product (eREP) data system which will replace the existing Public Assistance Case Management Information System (PACMIS). DHS currently uses PACMIS to determine and record eligibility for Medicaid services in the Department's Child Welfare Management Information System ("SAFE") and in the Unified Social Service Delivery System (USSDS). The 2004 Legislature appropriated \$660,300 (\$463,900 General Fund) as a one-time supplemental for FY 2004 for the required programming work. The appropriation is non-lapsing into FY 2005.

Accountability

The Office of Technology’s goals are to complete programming service requests and resolve problems within cost estimates and on time. The following Table 2-5 contains some measures indicating how well the Office is achieving these goals.

Performance Data Summary (Office of Information Technology)					
Goal	Measure	Measure Type	Target	Observed	
				FY 2003	FY 2004
Complete projects within budgets	% of requests completed within cost estimates	Output	100%	82%	84%
Complete jobs at Service Ctr level, if possible	% jobs completed at Service Center level	Output	50%	36%	38%
Resolve problems in timely manner	% problems resolved within 2 days	Output	90%	84%	85%
Resolve requests in timely manner	% projects resolved within 5 days	Output	90%	90%	91%

Table 2-5

Funding Detail

The Office of Information Technology’s major sources of funding are dedicated credits and transfers from user service charges (47 percent). Other major sources include federal funds (including Medicaid) which comprise (about 32 percent) and State funds (about 21 percent).

Information Technology					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,125,315	1,083,157	887,097	1,311,200	881,500
General Fund, One-time	0	0	0	0	4,100
Federal Funds	872,148	783,033	958,947	1,210,800	1,235,600
Dedicated Credits Revenue	0	0	0	0	1,902,600
GFR - IT Innovation Fund	7,000	0	0	0	0
Transfers - H - Medical Assistance	116,807	127,633	123,238	121,000	131,500
Transfers - Other Agencies	2,028,298	2,142,377	1,971,919	2,018,900	60,300
Closing Nonlapsing	0	0	0	(463,900)	0
Total	\$4,149,568	\$4,136,200	\$3,941,200	\$4,198,000	\$4,215,600
Categories of Expenditure					
Personal Services	2,533,044	2,591,666	2,565,267	2,656,300	2,756,300
In-State Travel	20,031	21,296	19,546	17,400	19,900
Out of State Travel	7,436	3,864	715	4,000	2,900
Current Expense	342,829	285,098	236,620	231,700	239,600
DP Current Expense	1,241,194	1,113,310	1,119,052	1,279,800	1,196,900
DP Capital Outlay	5,034	120,966	0	8,800	0
Total	\$4,149,568	\$4,136,200	\$3,941,200	\$4,198,000	\$4,215,600
Other Data					
Total FTE	38.6	39.0	38.7	38.5	38.0
Vehicles	2	2	5	5	5

Table 2-6

ADMINISTRATIVE SUPPORT SERVICES

Function The Office of Administrative Support is responsible for facilities management and planning, risk management, “Americans with Disabilities Act” coordination, emergency management, and constituent services. It provides such general services as mail distribution, forms control, motor pool and information services.

Accountability The Office strives to provide service in a timely manner, including proper maintenance of all state-owned buildings. The following Table 2-7 includes some measures of how well it is performing.

Performance Data Summary (Office of Administrative Support)					
Goal	Measure	Measure		Observed	
		Type	Target	FY 2003	FY 2004
Services provided in a timely manner	% service calls resolved within 24 hours	Output	90%	80%	80%
"	% vehicle requests handled within 7 days	Output	90%	85%	85%
"	% of all mail processed within 24 hours	Output	100%	90%	90%
State buildings properly maintained	% maintenance compliance at all state bldgs	Output	100%	90%	90%

Table 2-7

Funding Detail Administrative Support Services is funded from state funds (61%) and federal funds (39%).

Administrative Support					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	1,919,600	2,002,149	1,987,200	1,909,000	1,951,400
General Fund, One-time	0	0	0	0	15,800
Federal Funds	1,265,363	1,199,351	1,099,900	1,177,300	1,264,600
Transfers - Other Agencies	100,500	25,000	0	0	0
Total	\$3,285,463	\$3,226,500	\$3,087,100	\$3,086,300	\$3,231,800
Categories of Expenditure					
Personal Services	2,707,687	2,675,761	2,599,262	2,639,000	2,756,800
In-State Travel	44,051	46,318	39,961	35,300	40,900
Out of State Travel	672	95	3,285	0	3,600
Current Expense	381,499	384,445	336,174	297,600	323,400
DP Current Expense	151,554	119,881	108,418	114,400	107,100
Total	\$3,285,463	\$3,226,500	\$3,087,100	\$3,086,300	\$3,231,800
Other Data					
Total FTE	56.7	54.3	50.5	50.3	51.3
Vehicles	2	3	5	5	5

Table 2-8

OFFICE OF LICENSING

Function The Office of Licensing is authorized to license public and private agencies that provide various human service programs. The Office proposes and enforces laws, rules and due process procedures in issuing and reviewing licenses. A schedule of license fees is at the end of this report. This office was a function within the Administrative Support Services program prior to FY 2006 but is proposed as a separate program in the Department’s FY 2006 budget request.

Accountability The following Table 2-9 shows performance measures reflecting the timeliness, accuracy and courtesy of the Office staff work.

Performance Data Summary (Office of Licensing)					
Goal	Measure	Type	Target	FY 2003	FY 2004
Licenses issued in timely manner	% licenses issued within 30 days of completed application	Output	90%	100%	100%
Complaints handled promptly	% complaints investigated within 30 days	Output	80%	85%	89%
Courteous and accurate staff work	% complaints of accuracy and courtesy per cases handled	Output	5%	0.05%	0.05%

Table 2-9

Funding Detail The State General Fund provides about two-thirds of the funding for this Office (about \$1.5 million). The remainder comes from federal funding sources (about \$900,000). This program was separated from the Administrative Support program (KAD) by the Department in the current fiscal year (FY 2005). The Appropriations Act for FY 2005 does not show this program budget separately but includes it in the appropriation for Administrative Support for FY 2005. With legislative approval, the Office of Licensing will appear with a separate program budget in the FY 2006 Appropriations Act.

License Fees

The following Table 2-10 shows the current fee structure.

Department of Human Services License Fees (FY 2005)			
	Current	Estimated	Estimated
	Fee	# Licenses	Revenues
Initial-new program*	\$ 300.00	50	\$ 15,000
Adult Day Care (0-50)	100.00	12	1,200
Adult Day Care per cap	3.00	250	750
Adult Day Care (50+)	200.00	1	200
Child Placing	250.00	60	15,000
Day Treatment	150.00	150	22,500
Outpatient Treatment	100.00	225	22,500
Residential Support	100.00	70	7,000
Residential Treatment	200.00	225	45,000
Residential Treatment per cap	3.00	3,900	11,700
Social Detoxification	200.00	10	2,000
Life Safety Pre-inspection	200.00	50	10,000
Outdoor Youth Program	300.00	9	2,700
Outdoor Youth Program per cap	5.00	628	3,140
Intermediate Secure Treatment	250.00	5	1,250
Intermediate Secure Treatment per cap	3.00	200	600
FBI Fingerprint Checks **	24.00	1,000	24,000
Total Estimated FY 2005 Revenues			\$ 184,540
* <i>Except comprehensive mental health, substance abuse.</i>			
** <i>Fees collected for the FBI fingerprint checks are passed through to the FBI.</i>			

Table 2-10

FISCAL OPERATIONS

Function

The Office of Fiscal Operations provides financial services and information to the department, and functions as the liaison between the Department of Human Services and the Division of Health Care Financing regarding Medicaid rate issues. The Office consists of the following bureaus:

The Bureau of Finance is responsible for cost allocations for federal grants, purchasing, accounting, cash management, and manages the Bureau of Budget.

The Bureau of Budget oversees the Department's appropriation request, budgeting and forecasting process.

The Bureau of Internal Review and Audit reports to the department management on fiscal accountability, efficiency, economy, and effectiveness of programs and services.

The Bureau of Contract Management is responsible for oversight of all Department contract functions, including policy and standards, procurement, establishing rates for client services, technical assistance and process, and monitoring of service contractors.

Accountability The following Table 2-11 shows some performance measures related to contract preparation and monitoring and capability of meeting budgeting deadlines.

Performance Data Summary (Office of Fiscal Operations)					
Goal	Measure	Measure Type	Target	Observed	
				FY 2003	FY 2004
Contracts complete prior start date	% contracts completed prior to start date of contract	Output		40%	44%
Contract monitoring and reports	% scheduled monitoring events completed & reported	Output		98%	99%
Timely budgeting events	% of budget & forecast events completed on time	Output		92%	94%

Table 2-11

Funding Detail This office is funded from federal funds (about 61%) and State funds (about 39%).

Fiscal Operations					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,176,200	1,164,060	1,101,600	1,013,200	1,042,700
General Fund, One-time	0	0	0	0	8,600
Federal Funds	1,468,219	1,480,440	1,535,800	1,571,100	1,641,100
Total	\$2,644,419	\$2,644,500	\$2,637,400	\$2,584,300	\$2,692,400
Categories of Expenditure					
Personal Services	2,274,327	2,308,604	2,321,945	2,246,700	2,377,300
In-State Travel	12,683	5,202	5,057	5,400	5,500
Out of State Travel	5,788	3,444	5,167	2,700	4,000
Current Expense	243,824	226,726	220,626	222,100	221,700
DP Current Expense	107,797	100,524	84,605	107,400	83,900
Total	\$2,644,419	\$2,644,500	\$2,637,400	\$2,584,300	\$2,692,400
Other Data					
Total FTE	36.3	35.7	35.6	32.9	33.6

Table 2-12

HUMAN RESOURCES

Function The Office of Human Resources (OHR) administers personnel and payroll functions for the department and its approximately 5,000 employees. Functions performed include position classification, recruitment, selection, training and development, compensation and benefits, employee assistance, corrective disciplinary actions, and grievance resolution. The Office provides consultation, technical assistance to DHS regarding all aspects of human resources and ensures department compliance with the State Personnel Management Act; the Department of Human Resource Management rules; federal statutes such as ADA (Americans with Disabilities Act), FMLA (Family Medical Leave Act), FLSA (Fair Labor Standards Act); and unlawful harassment laws and policies. The office also provides coordination of volunteer services in the department. OHR processed over 500 new hires, plus 618 seasonal or other temporary employees during FY 2004.

During the 2003 calendar year, OHR consolidated all human resource functions in the Department. All 55 FTEs now work under direction of the Department's HR director. However, 17 of the 55 FTE's are still working at the State Hospital (5.5 FTE's), Developmental Center (8 FTE's) and at the Office of Recovery Services (3.5 FTE's) and their funds are still a part of those respective office budgets.

Funding Detail

The budget for Human Resources comes from state funds (about 57 percent) and federal funds (about 43 percent).

Human Resources					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	595,987	587,359	573,374	1,275,100	1,287,900
General Fund, One-time	0	0	0	0	10,800
Federal Funds	682,884	648,041	614,726	868,100	929,700
Transfers - H - Medical Assistance	0	0	0	27,300	32,700
Total	\$1,278,871	\$1,235,400	\$1,188,100	\$2,170,500	\$2,261,100
Categories of Expenditure					
Personal Services	1,090,562	1,093,009	1,025,227	1,900,300	1,931,600
In-State Travel	5,688	4,834	4,039	10,000	7,500
Out of State Travel	1,634	0	0	200	0
Current Expense	125,192	102,246	113,530	182,800	258,000
DP Current Expense	55,795	35,311	45,303	71,700	64,000
DP Capital Outlay	0	0	0	5,500	0
Total	\$1,278,871	\$1,235,400	\$1,188,100	\$2,170,500	\$2,261,100
Other Data					
Total FTE	18.3	17.9	15.8	36.9	38.0

Table 2-13

LOCAL DISCRETIONARY PASS-THROUGH**Function**

This budget includes the Social Services Block Grant (SSBG) portion passed through to local governments. Since the early 1990's, the division has passed through about nine percent of the State's grant. Since FFY 1997 (Federal Fiscal Year), this block grant has been reduced approximately 23%, from \$2.5 billion to \$1.9 billion in FFY 1999 and was cut again in FFY 2001 and 2002. The portion passed through to local entities has likewise been reduced. For FY 2005, the SSBG passed through is expected to be about \$1.2 million and should be about the same for FY 2006.

This program also includes the federal Ogden Urban Enterprise Grant with an estimated \$290,000 in FY 2005. This ten-year grant has received a two-year extension, expiring now in FY 2006. The total amount of the grant has not changed. The Department passes the funds through to Ogden City for a variety of urban issues such as efforts to reduce drug abuse, increase effectiveness of law enforcement, improved access, etc.

Funding Detail This budget is entirely from federal grants.

Local Discretionary					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
Federal Funds	1,607,793	1,498,000	1,438,400	1,332,300	1,492,000
Total	\$1,607,793	\$1,498,000	\$1,438,400	\$1,332,300	\$1,492,000
Categories of Expenditure					
Current Expense	0	12	0	0	0
Other Charges/Pass Thru	1,607,793	1,497,988	1,438,400	1,332,300	1,492,000
Total	\$1,607,793	\$1,498,000	\$1,438,400	\$1,332,300	\$1,492,000

Table 2-14

SPECIAL PROJECTS

Function No staff is funded directly in this program. The appropriated funds are used for the following special projects:

The Carousel Project is a flexible funding source for difficult placements of children who have been in programs in more than one area and have failed. These children have typically been in Child and Family Services, Mental Health, and Juvenile Justice programs.

Single Audit is a billing from the State Auditor for expenses incurred in the financial audit of federal funds required by the Federal Government.

Funding Detail The majority of funding for this program is state funds.

Special Projects					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	870,989	770,913	42,500	41,700	39,000
Federal Funds	0	14,242	0	600	1,500
Transfers - Other Agencies	17,706	32,340	0	(41,000)	0
Lapsing Balance	(33,500)	(32,295)	(6,100)	0	0
Total	\$855,195	\$785,200	\$36,400	\$1,300	\$40,500
Categories of Expenditure					
Personal Services	32,596	64,170	0	0	0
Current Expense	822,599	721,030	36,400	1,300	40,500
Total	\$855,195	\$785,200	\$36,400	\$1,300	\$40,500

Table 2-15

BUREAU OF SERVICES REVIEW

Function The following three functions are within this program:

The Office of Services Review (OSR) coordinates and monitors the Department's efforts to comply with state and federal regulations, court rulings, and policies. Utah Code (62A-41-118) requires the Department to review a random sample of child welfare referral cases in the Division of

Child and Family Services. The results must be reported to the Legislative Auditor General and the Health and Human Services Interim Committee by October 1 each year. The review includes quality control and compliance reviews of child protective services programs and foster care cases. OSR conducts program reviews in other divisions within the Department as directed by the Department Director. It also performs fatality reviews of deaths of individuals in care and/or custody of various Department agencies.

Office of Child Protection Ombudsman (OCPO) was created by the Department in 1996 to investigate complaints filed against the Division of Child and Family Services (DCFS) and make recommendations regarding the findings of those investigations. It investigates whether an act or omission of DCFS with respect to a particular child is contrary to statute, rule, or policy; places a child’s health or safety at risk; is made without an adequate statement of reason; or, is based on irrelevant, immaterial, or erroneous grounds. The Office was codified in statute during the 1998 legislative session (62A-4a-209). Both the OCPO and the OSR conduct unannounced quick checks of private contract service providers of the Division of Services for People with Disabilities looking at client safety, home cleanliness, and medication management.

The Disabilities Ombudsman program was created administratively by the Department’s Executive Director in 2003 with a one person staff. Its purpose is to give individuals a chance to express complaints or concerns about services provided clients of the Division of Services for People with Disabilities (DSPD). Another purpose of the program is to bring persistent problem areas to the attention of DSPD. The Ombudsman is using assistance of the OSR and OCPD for intake and other administrative support.

Accountability

Two-thirds of the complaints filed against DCFS investigated by the Office of Child Protection Ombudsman turn out to be valid and OCPO makes recommendations to DCFS as a result. As can be seen in the following Table 2-16, the vast majority of these recommendations are implemented by DCFS.

Performance Data Summary (Bureau of Services Review)					
Goal	Measure	Measure Type	Target	Observed	
				FY 2003	FY 2004
OCPO: Make valued recommendations	Number of recommendations made	Output		225	109
"	% of recommendations implemented	Output	100%	93%	100%
OSR: Accuracy of case reviews	% agreement on double read case reviews	Output	100%	96%	97%

NOTES: OCPO = Office of Child Protection Ombudsman; OSR = Office of Services Review

Table 2-16

Funding Detail

Funding for the Bureau of Services Review is divided between State Funds (about 56 percent) and federal grants and Medicaid (about 44 percent).

Services Review					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	260,702	628,516	759,600	752,200	500,700
General Fund, One-time	0	0	0	0	5,200
Federal Funds	77,701	177,623	172,583	206,000	204,000
Dedicated Credits Revenue	0	9,410	20,797	0	0
Transfers - H - Medical Assistance	66,474	164,551	147,197	143,600	189,100
Transfers - Other Agencies	0	0	0	(28,800)	0
Lapsing Balance	0	0	(106,877)	(18,900)	0
Total	\$404,877	\$980,100	\$993,300	\$1,054,100	\$899,000
Categories of Expenditure					
Personal Services	342,934	826,190	840,802	880,100	758,300
In-State Travel	1,373	14,191	18,154	11,900	13,100
Out of State Travel	364	438	1,093	0	0
Current Expense	40,454	102,479	93,323	99,400	92,600
DP Current Expense	19,752	36,802	39,928	62,700	35,000
Total	\$404,877	\$980,100	\$993,300	\$1,054,100	\$899,000
Other Data					
Total FTE	6.5	5.5	16.7	15.2	15.6

Table 2-17

GOVERNOR’S COUNCIL FOR PEOPLE WITH DISABILITIES

Function

Like all states, Utah has decided to participate in the federal Developmental Disabilities Assistance and Bill of Rights Act (Public Law 106 – 402). This federal law provides funds for grants for innovative, pilot service programs for people with disabilities. It also requires every participating state to have a council to serve as a coordinating, advocacy and long range planning body for people with disabilities. The Utah Governor’s Council for People with Disabilities, established by executive order, advocates for the collective needs of people with disabilities in Utah and works to facilitate system changes and increased system capacity. It awards and monitors federal grants issued under this federal Act and evaluates their effectiveness.

The Council also administers the “Access Utah Network” program. The State Offices of Education and Rehabilitation, and the Departments of Health and Human Services fund this information delivery system jointly. Its purpose is to provide information to persons with disabilities and their families regarding services and programs available, the Americans with Disabilities Act (ADA), and availability of assistive technology. It operates a toll-free telephone service, maintains an Internet home page, a Cooperative Service Directory of program service providers, a used equipment data bank, an ADA resource library, and a listing of assistive technology equipment available nationwide.

Funding Detail

The majority of funding for the Council comes from the federal “Developmental Disability Grant” (about 76 percent). The balance is from state funds (about 12 percent) and transfers from other agencies (about 12 percent).

Developmental Disabilities Council					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	79,399	85,363	82,900	85,200	87,100
General Fund, One-time	0	0	0	0	800
Federal Funds	535,471	512,567	500,255	589,400	578,800
Transfers - Other Agencies	83,899	90,070	71,921	80,000	92,100
Lapsing Balance	0	0	24	0	0
Total	\$698,769	\$688,000	\$655,100	\$754,600	\$758,800
Categories of Expenditure					
Personal Services	294,620	297,396	280,385	304,400	328,500
In-State Travel	15,274	11,878	6,729	6,500	6,300
Out of State Travel	14,309	5,002	6,601	10,500	6,600
Current Expense	75,176	79,453	76,757	80,800	81,600
DP Current Expense	23,183	15,066	18,147	33,100	18,500
Other Charges/Pass Thru	276,207	279,205	266,481	319,300	317,300
Total	\$698,769	\$688,000	\$655,100	\$754,600	\$758,800
Other Data					
Total FTE	6.6	6.3	5.5	6.0	6.5

Table 2-18

FOSTER CARE CITIZEN REVIEW BOARD**Function**

The Foster Care Citizen Review Board (FCCRB) was started as a pilot project in 1993 to evaluate an alternative method of reviewing foster care cases. The Legislature established the FCCRB as a statewide, independent, agency in 1997 (U.C. 78-3g) to comply with federal statute (42 U.S.C. 675(5)(B)), that requires the status of all children in foster care be reviewed at least every six months. Prior to the establishment of the FCCRB system, these reviews were either accomplished through an administrative review process in the Division of Child and Family Services (DCFS) or by the courts themselves. The courts also perform reviews – mostly during the first year a child is in custody. The FCCRB evaluates the appropriateness of foster children placements and that children are moving through the system in a timely manner. The citizen boards are advisory and can only make recommendations to DCFS or to the courts.

The FCCRB agency is governed by a 16-member steering committee representing, the Department of Human Services, the Juvenile Court, the Guardian Ad Litem, the Foster Parent Association, independent child advocates, service providers, and FCCRB volunteers. A full-time director and nine other full-time and part-time employees provide support to the Boards.

Impact of budget reductions

Prior to FY 2004 there were 46 volunteer boards, located throughout the State, staffed by 440 volunteer board members. As a result of a 50 percent budget

reduction in the FY 2004 budget, the number of paid staff has been halved, the number of boards reduced to 26, the number of volunteer board members has been reduced to about 260 and the number of reviews will be reduced by half, from 2,100 to about 1,050 annually.

Court Improvement Project Study questions usefulness of citizens' reviews...

The Court Improvement Project awarded Utah Children a contract to study the FCCRB operations and structure. This study was completed in January, 2004. The report questions the usefulness of citizens reviews since the Juvenile Courts perform similar reviews.

"DCFS and the Juvenile Courts place minimal reliance on information obtained from the FCCRB in directing their respective practices. Most judges conduct their own frequent reviews. Some of the judges surveyed for the report expressed clear benefits to FCCRB review such as increasing DCFS accountability and providing a supplemental source of information gathering. However, judges surveyed will not use the FCCRB review or report as a substitute for holding their own review hearings."

("Utah's Foster Care Review at a Crossroads, A Report from Voices for Utah Children for the Utah Court Improvement Program," January, 2004, Executive Summary, page 3)

...while pointing to some intrinsic values of citizens' reviews.

However, the study also pointed to some intrinsic values of citizens' involvement in the child welfare and the citizens' review process.

"Stakeholders identify intrinsic benefits to citizen review, but struggle to quantify the results or to demonstrate utilization of citizen recommendations. Stakeholder surveys indicate that FCCRB reviews are longer than court hearing and that the foster child is more likely to be present before the FCCRB. Volunteers identify a benefit of allowing parties to voice their concerns in a neutral environment, even if the results of this benefit are not corrected, but again, this information is anecdotal and difficult to quantify. Many stakeholders recognize these innate values of citizen review, but are ambivalent when asked directly if the program should continue. FCCRB volunteers and one half of the foster parents and judges surveyed support in the current citizen review program. Some DCFS workers and many parents' attorneys, on the other hand, place little or no value on citizen review."

("Utah's Foster Care Review at a Crossroads, A Report from Voices for Utah Children for the Utah Court Improvement Program," January, 2004, Executive Summary, pages 3-4)

Legislation has been prepared to focus FCCRB reviews on children in care longer than 12 months.

As a result of this study, a subcommittee of the Court Improvement Project has been meeting since March 2004 to discuss ways to improve the FCCRB process and the timing of reviews. The subcommittee has agreed that changing the section of the code which requires a review of all cases during the first 12 months a child is in custody to the "first 18 months" a child is in custody will assist in reducing the duplication of services discussed in the study. The subcommittee has agreed that focusing the FCCRB reviews on those children who have been in care longer than 12 months will be a positive step. A bill has been prepared to make this change

Accountability

The following Table 2-19 indicates the percentage of foster kids receiving citizens' reviews during their first twelve months of state custody. If proposed legislation is approved, the FCCRB reviews will focus more on children who have been in care longer than 12 months.

Performance Data Summary (Foster Care Citizen Review Boards)					
Goal	Measure	Measure Type	Observed		
			Target	FY 2003	FY 2004
All foster children receive citizens review during first year in custody	% of foster children with a citizens review during first year of custody	Output	100%	94%	95%

Table 2-19

Funding Detail

The budget for the FCCRB is about equally split between State funds and federal grants and Medicaid.

Foster Care Citizens Review Boards					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	720,578	639,268	653,029	330,800	336,800
General Fund, One-time	0	0	0	0	2,900
Federal Funds	341,103	329,928	277,658	137,400	160,000
Transfers - H - Medical Assistance	275,516	303,554	287,546	131,700	159,500
Beginning Nonlapsing	0	100,000	61,150	0	0
Closing Nonlapsing	(100,000)	(61,150)	0	(53,900)	0
Lapsing Balance	0	0	(94,583)	0	0
Total	\$1,237,197	\$1,311,600	\$1,184,800	\$546,000	\$659,200
Categories of Expenditure					
Personal Services	868,360	870,101	860,366	426,200	520,000
In-State Travel	12,781	17,667	13,402	6,900	4,400
Out of State Travel	7,901	4,316	168	0	0
Current Expense	267,425	335,630	239,156	92,000	115,000
DP Current Expense	80,730	83,886	71,707	20,900	19,800
Total	\$1,237,197	\$1,311,600	\$1,184,800	\$546,000	\$659,200
Other Data					
Total FTE	20.1	19.9	18.2	9.3	11.0
Vehicles	1	1	1	1	1

Table 2-20

CHAPTER 3 DRUG COURTS AND DRUG BOARDS

Function	Drug Courts is a judicial process that offers nonviolent drug abusing offenders intensive court-supervised drug treatment as an alternative to jail or prison. The local area substance abuse authorities and private contractors provide treatment services. Drug Boards is an administrative process similar to Drug Courts, but is offered by the Board of Pardons and Parole in the correctional system to individuals on probation or parole.
<i>Beginnings of Drug Courts in Utah</i>	Drug Courts started in Utah with federal grants, local government grants, private contributions, and funding within existing court budgets. For FY 2000, the Legislature directed the Division of Substance Abuse (now the combined Division of Substance Abuse and Mental Health) to use \$200,000 from increases in its federal Substance Abuse Prevention and Treatment grant for planning grants to communities and courts in the State.
Statutory Authority	The During the 2000 General Session, the Legislature, in HB 281, passed un-codified material (see Chapter 337, Laws of Utah, 2000) defining the drug court program, allowing for its expansion, setting criteria for participation in the program and setting reporting requirements. It also created a coordinated disbursement process involving the Executive Director of the Department of Human Services, the Executive Director of the Department of Commerce and the State Court Administrator. The bill also set up a Drug Court Pilot Project in Davis and Weber Counties, outlining participation and reporting requirements.
<i>Allocation from Tobacco Settlement Funds</i>	UCA 63-97-201 allocates funds from the General Fund Restricted – Tobacco Settlement Account first to the Department of Health for the (Children’s Health Insurance Program), second to the Department of Health for alcohol, tobacco, and other drug programs, then to Drug Courts and Boards, and finally to U of U Health Sciences Center. Current state statute (as amended by HB 330, 2004 General Session) outlines payment schedules and defines how funds are to be distributed.
Accountability	The following Table 3-1 shows significant reductions in recidivism rates (re-arrests within 18 months of successfully completing the drug court program) compared to a non-participant control group and a group of participants who were not successful. The data shows a significantly lower recidivism rate among those who were successful, both in terms of re-arrests for all reasons and re-arrests for drug related crimes.

Performance Data Summary (Drug Courts)				
Goal	Measure	Measure Type	Target	Observed FY 2003
Reduce Recidivism Rates	% new arrests (any reason) within 18 months among:		Outcome	
	Control Group - No Drug Court			78.0%
	Unsuccessful Drug Court participants			55.4%
Reduce Recidivism Rates	Successful Drug Court Completers			39.2%
	% new arrests (drug related) within 18 months among:		Outcome	
	Control Group - No Drug Court			64.0%
	Unsuccessful Drug Court participants			39.3%
	Successful Drug Court Completers			15.4%

Note: Data measurements have not been made since the FY 2003 data was collected.

Table 3-1

Funding Detail

The legislative appropriation for Drug Courts and Drug Boards consists entirely of funds from the Tobacco Settlement Account. However, the various courts also receive funding directly from federal and local agencies.

Drug Courts/Boards					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
GFR - Tobacco Settlement	1,647,200	1,647,200	1,647,200	1,647,200	1,647,200
Lapsing Balance	(226,173)	0	0	0	0
Total	\$1,421,027	\$1,647,200	\$1,647,200	\$1,647,200	\$1,647,200
Programs					
Drug Board	124,727	350,900	350,900	350,900	350,900
Drug Courts	1,296,300	1,296,300	1,296,300	1,296,300	1,296,300
Total	\$1,421,027	\$1,647,200	\$1,647,200	\$1,647,200	\$1,647,200
Categories of Expenditure					
Other Charges/Pass Thru	1,421,027	1,647,200	1,647,200	1,647,200	1,647,200
Total	\$1,421,027	\$1,647,200	\$1,647,200	\$1,647,200	\$1,647,200

Table 3-2

DRUG COURTS

Function

Utah’s first drug court was started in 1996, in Salt Lake County, with funds from the U.S. Department of Justice, Salt Lake County and other sources. Currently, 26 drug courts are operating in Utah. Funds from the Tobacco Settlement Account are used to fund 16 of these courts in the expanded system.

Each drug court has its own eligibility criteria; however, most look at both a potential participant’s legal history and the clinical severity of the addiction. In most drug courts, offenders enter a guilty plea, which is held in abeyance for the duration of the program. Upon successful completion of the program, the charges are dismissed.

The Drug Court program usually lasts a minimum of 52 weeks. It is divided into four phases. Participants are randomly tested for drug use from one to four times a week. Treatment counselors develop individualized treatment plans. The drug court judge reviews compliance with the treatment plan

during weekly court reviews. In most programs, participants must be clean for at least six months to graduate. Failure to comply with any element of the program or having a positive drug test may result in immediate court action such as being taken immediately to jail. Compliance and progress in the program is rewarded with praise from the court and a gradual decrease in supervision.

Utah has four distinct drug court models.

In Utah five distinct drug court models exist. In addition to the Adult Felony Drug Courts, there are programs that focus on juveniles, adult misdemeanants, and parents involved in civil child welfare custody cases.

Adult Drug Courts: Utah has twelve functioning adult drug courts located in Emery, Weber, Davis, Salt Lake, Utah Washington, Box Elder, Cache, Uintah, Wasatch, Sanpete, and Sevier counties. New adult courts are planned in Carbon and Juab counties. Nine of these programs receive funds from the Tobacco Settlement Account.

Juvenile Drug Courts: There are juvenile drug courts in Utah, Davis, Weber, Tooele, Uintah and Salt Lake Counties. Juvenile drug courts involve parents and the schools in the creation of the treatment plan. Three of these programs receive funds from the Tobacco Settlement Account.

Misdemeanor Drug Courts: Three misdemeanor drug courts have been established in Salt Lake County. These programs are operated at the Justice Court level. At least two more of these programs are currently planned. These programs focus on offenders who have been arrested on alcohol or marijuana charges. None of these programs receive funding from the Tobacco Settlement.

Dependency Drug Courts deals with cases where a parent's substance abuse could result in loss or restriction of parental rights. Their primary purpose is to assist in determining whether reasonable efforts have been made in reunification cases involving substance-abusing parents. They operate similarly to adult and juvenile drug courts. In Utah there are five operational dependency courts (Salt Lake, Grand, Weber, Washington and Utah Counties). Three dependency drug courts receive funding from the Tobacco Settlement Account.

Funded Drug Courts The following Table 3-3 lists various types of drug courts that are partially funded through the Tobacco Settlement Account and with funds from the federal Substance Abuse Prevention and Treatment (SAPT) block grant.

Overview of Existing Drug Courts				
	FY 03 Funds	FY 04 Funds	FY 05 Funds	Cases Funded
Adult Felony Drug Courts				
First District (Cache, Box Elder)	\$ 125,000	\$ 125,000	\$ 125,000	25
Davis County	250,000	250,000	250,000	60
Salt Lake County	250,000	250,000	250,000	50
Sevier County	64,064	64,064	64,064	13
Uintah County	120,000	120,000	120,000	24
Utah County	200,000	200,000	200,000	40
Wasatch County	-	36,000	36,000	8
Wasington County	46,870	50,000	120,000	10
Weber County	41,250	250,000	250,000	50
Juvenile Drug Courts				
Third District	95,000	63,372	63,372	13
Tooele County	32,000	32,000	32,000	7
Utah County	-	75,000	75,000	15
Dependency Drug Courts				
Fourth District	75,000	125,000	125,000	25
Weber County	-	80,000	80,000	16
Third District	105,000	105,000	105,000	21
Dual Model Drug Court				
Emery County	160,000	200,000	200,000	40
TOTAL	\$ 1,564,184	\$ 2,025,436	\$ 2,095,436	417

Table 3-3

Funding Detail The State's funding of drug courts consists entirely of Tobacco Settlement Funds (General Funds Restricted). However, the various drug courts also receive funding directly from federal and local agencies.

	Drug Courts				
	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
Sources of Finance					
GFR - Tobacco Settlement	1,296,300	1,296,300	1,296,300	1,296,300	1,296,300
Total	\$1,296,300	\$1,296,300	\$1,296,300	\$1,296,300	\$1,296,300
Categories of Expenditure					
Other Charges/Pass Thru	1,296,300	1,296,300	1,296,300	1,296,300	1,296,300
Total	\$1,296,300	\$1,296,300	\$1,296,300	\$1,296,300	\$1,296,300

Table 3-4

DRUG BOARDS

Function

Drug Boards is a program similar to drug courts, but is offered by the correction system to individuals leaving prison and entering parole. Instead of judges and a courtroom, the official in charge is a representative from the Board of Pardons and the location is a hearing room. In this case, the “stick” is the threat of having parole lifted and returning to prison. The “carrot” is the same as in drug courts, in that progress in the program is rewarded with praise from the Board and support from peers and continued parole.

Funding Detail

The 2000 Legislature appropriated a total of \$510,000 from Tobacco Settlement Funds to start a pilot drug board program in Davis and Weber Counties. This amount included \$77,400 to the Board of Pardons, \$81,700 to the Department of Corrections and \$350,900 to the Department of Human Services. The program serves approximately 150 parolees. Funding has continued in the same amount through FY 2005.

Drug Board					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
GFR - Tobacco Settlement	350,900	350,900	350,900	350,900	350,900
Lapsing Balance	(226,173)	0	0	0	0
Total	\$124,727	\$350,900	\$350,900	\$350,900	\$350,900
Categories of Expenditure					
Other Charges/Pass Thru	124,727	350,900	350,900	350,900	350,900
Total	\$124,727	\$350,900	\$350,900	\$350,900	\$350,900

Table 3-5

CHAPTER 4 DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH**Function**

The Division is the State's public mental health and substance abuse authority. It oversees the twelve local mental health and thirteen local substance abuse authorities. Each county legislative body is both a mental health and substance abuse authority. Two or more counties may join to provide prevention and treatment services. The Division has general supervision of the State Hospital in Provo. A seven-member Board of Substance Abuse and Mental Health is the policy-making entity for the Division. The Board establishes minimum quality standards, funding formulas for distribution of public funds, and sets other public mental health policies with input from various stakeholders.

Both mental health and substance abuse services are delivered either directly by the local authorities (counties) or through contracts with private providers (such as Valley Mental Health in Salt Lake County). Counties are required to provide a minimum scope and level of service, and must provide a minimum 20 percent county fund match. Counties set priorities to meet local needs but must submit an annual plan describing services they will provide.

*The Public Local
Mental Health System*

The State Public Mental Health System serves adults with severe and persistent mental illnesses and children with serious emotional disturbances. Individuals with serious mental illnesses often benefit most from the public mental health system because of extra wrap-around supports that are available. The targeted population tends to have less financial and private insurance resources.

Local mental health centers review and evaluate mental health needs and services, including mental health needs and services for incarcerated people. They prepare plans for mental health funding and service delivery for adults, youth and children, which may include:

- Inpatient care and services;
- Residential care and services;
- Outpatient care and services;
- 24-hour crisis care and services;
- Psychotropic medication management;
- Psychosocial rehabilitation, including vocational training and skills development;
- Case management;
- Community supports, including in-home services, housing, family support services, and respite services;
- Consultation and education services, including case consultation, collaboration with other county service agencies, public education, and public information;

- Services to incarcerated persons

(Utah Code: 17-43-301)

Some local mental health centers provide additional services including housing, clubhouses, consumer drop-in centers, employment and rehabilitation, services to the homeless, forensic evaluations, family respite, nursing home and hospital alternatives and consumer education.

*The Public Local
Substance Abuse
Authority (LSAA)
System*

Any person in need of LSAA services is eligible; however, due to limited resources, the number that can be served is restricted, which creates waiting lists. A significant amount of resources is geared towards individuals in the criminal justice system (see also separate report tab on Drug Courts and Boards). Recently, the Division policy board adopted the following priority of who will receive services:

- Pregnant women
- Women with dependent children
- Other women
- Men referred from the Criminal Justice System
- Other men

For the State to receive the federal Substance Abuse Prevention and Treatment (SAPT) block grant, local substance abuse authorities are required to provide the following services:

- Prevention services
- Outpatient services
- Intensive outpatient services
- Detoxification
- Residential

Statutory Authority

Utah Code Title 62A Chapter 15 describes the functions and responsibilities of the public mental health and substance abuse treatment and prevention systems in Utah. Included in this chapter are the following:

- Part 2: “Teen Substance Abuse Intervention and Prevention Act”
- Part 3: Commitment of Minors to Drug or Alcohol Programs or Facilities
- Part 4: Alcohol Training and Education
- Part 5: Programs for DUI Drivers
- Part 6: Utah State Hospital and Other Mental Health Facilities
- Part 7: Commitment of Youth to Division Care

- Part 8: Interstate Compact on Mental Health
- Part 9: Forensic Mental Health Facility
- Part 10: Declaration of Mental Health Treatment Choice

In addition, Utah Code Title 17-43 outlines the responsibilities and functions of local (county) substance abuse and mental health authorities.

Intent Language

The 2004 Legislature included the following intent language in its Supplemental Appropriations Act II (HB 3):

“It is the intent of the Legislature that increased State funds provided by the 2004 Legislature for local Mental Health Centers in item 122 of Senate Bill 1 (Appropriations Act, 2004 General Session) be distributed through the mental health funding formula to local authorities for use as a match for Medicaid funding.”

The FY 2005 appropriation for the local mental health system received an increase of \$300,000 from the State General Fund. The Division has reported to the Fiscal Analyst that this amount was distributed, as directed, through the mental health funding formula.

Accountability

The following Table 4-1 shows improvements in clients of the local mental health centers and the State Hospital as a result of treatment received.

Performance Data Summary (Mental Health)					
Goal	Measure	Measure		Observed	
		Type	Target	FY 2003	FY 2004
Improvement in psychological distress symptoms* of mental health center clients	% mental health center clients with improved symptoms after 2 - 3 months, or at end of treatment.	Outcome		51.4%	57.0%
Improvement in symptoms** between admission and discharge at the State Hospital	Decrease of symptoms' scores at discharge from State Hospital (scores at admission / discharge, rounded)	Outcome		51 / 35	57 / 39
* Using the Positive Mental Health Index, a 10-item scale from the "General Well-Being" Schedule (GWB)					
** Using the "Brief Psychiatric Rating Scale (BPRS) scores					

Table 4-1

The following Table 4-2 shows improvements in clients of the local substance abuse authority treatment programs.

Performance Data Summary (Substance Abuse)					
Goal	Measure	Measure		Observed	
		Type	Target	FY 2003	FY 2004
Decrease criminal active among substance abusers.	Percent change in average # arrests before and after admission to treatment services	Outcome		-62.5%	-79.0%
Decrease substance abuse	Reported substance abuse from admission to a treatment program, to discharge (no use / decreased use)	Outcome		56% / 7%	58% / 11%

Table 4-2

Funding Detail

The majority of funds for the Substance Abuse and Mental Health budget come from the State General Fund (about 63 percent). Federal grants and Medicaid transfers make up about one-third of the appropriation. The Intoxicated Driver Rehabilitation Account provides \$1.2 million. There is also a small amount of fund transfers from other agencies.

Substance Abuse & Mental Health					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	68,452,100	69,294,400	66,418,100	65,611,000	67,214,100
General Fund, One-time	0	0	0	0	572,000
Federal Funds	20,389,686	22,305,600	24,743,200	24,426,400	26,220,900
Dedicated Credits Revenue	2,973,535	2,247,800	2,762,400	2,953,200	2,822,100
GFR - Intoxicated Driver Rehab	950,000	1,050,000	1,200,000	1,200,000	1,200,000
GFR - IT Innovation Fund	53,700	0	0	0	0
Transfers - H - Medical Assistance	8,414,323	8,479,800	8,910,200	9,728,000	9,904,900
Transfers - Other Agencies	381,246	406,300	860,100	254,600	243,600
Beginning Nonlapsing	5,089	11,200	36,500	0	0
Closing Nonlapsing	(11,216)	(36,500)	0	(76,900)	0
Lapsing Balance	0	0	(271,600)	0	0
Total	\$101,608,463	\$103,758,600	\$104,658,900	\$104,096,300	\$108,177,600
Programs					
Administration	2,625,108	2,465,100	2,248,800	2,151,100	2,343,100
Community Mental Health Services	7,388,703	6,630,600	5,067,200	5,710,000	5,926,100
Mental Health Centers	21,257,679	22,375,500	23,717,200	22,794,800	23,411,200
Residential Mental Health Services	2,744,032	2,576,800	2,579,300	2,595,700	2,819,800
State Hospital	41,272,328	41,126,900	40,123,900	41,746,600	42,840,900
State Substance Abuse Services	3,836,257	5,283,100	6,159,000	4,867,700	5,940,300
Local Substance Abuse Services	21,534,356	22,250,600	23,563,500	23,030,400	23,696,200
Drivers Under the Influence	950,000	1,050,000	1,200,000	1,200,000	1,200,000
Total	\$101,608,463	\$103,758,600	\$104,658,900	\$104,096,300	\$108,177,600
Categories of Expenditure					
Personal Services	35,254,230	36,129,546	34,678,500	35,986,200	37,273,100
In-State Travel	38,879	28,690	32,400	37,600	35,000
Out of State Travel	77,110	31,800	37,600	38,600	30,300
Current Expense	8,660,776	8,073,590	8,886,400	9,670,400	8,937,500
DP Current Expense	794,415	594,649	653,600	704,000	804,000
DP Capital Outlay	67,779	35,700	5,300	40,200	0
Capital Outlay	41,202	6,100	262,200	(6,600)	38,600
Other Charges/Pass Thru	56,674,072	58,858,525	60,102,900	57,625,900	61,059,100
Total	\$101,608,463	\$103,758,600	\$104,658,900	\$104,096,300	\$108,177,600
Other Data					
Total FTE	845.6	840.9	760.1	781.5	789.9
Vehicles	60	68	68	70	71

Table 4-3

ADMINISTRATION

Function

The State Office coordinates the public substance abuse prevention/treatment and mental health programs in the state under the direction of the State Board of Substance Abuse and Mental Health. It provides consultation and technical assistance to the local authorities and centers, administers state and federal grants, collects data, evaluates programs, and prepares required reports. It is responsible for development of administrative, fiscal, and service standards for local mental health centers and substance abuse authorities. The office also has general oversight of the State Hospital and works with the State Office of Education and other agencies for the establishment of substance abuse prevention programs. It also administers the DUI program and the alcohol servers program.

Funding Detail

About half of Administration’s budget comes from the State General Fund and half from federal grants and Medicaid transfers. A small amount is from dedicated credits.

Administration					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,675,139	1,530,300	1,088,200	1,093,200	1,131,800
General Fund, One-time	0	0	0	0	7,000
Federal Funds	835,495	918,200	1,115,300	1,078,400	1,153,900
Dedicated Credits Revenue	15,140	14,400	19,900	19,100	19,900
Transfers - H - Medical Assistance	55,823	27,500	21,800	26,800	30,500
Transfers - Other Agencies	54,727	0	0	0	0
Beginning Nonlapsing	0	11,200	36,500	0	0
Closing Nonlapsing	(11,216)	(36,500)	0	(66,400)	0
Lapsing Balance	0	0	(32,900)	0	0
Total	\$2,625,108	\$2,465,100	\$2,248,800	\$2,151,100	\$2,343,100
Categories of Expenditure					
Personal Services	1,848,927	1,847,301	1,691,900	1,672,300	1,891,000
In-State Travel	25,878	20,500	23,400	28,100	22,100
Out of State Travel	47,204	18,300	9,200	29,800	9,000
Current Expense	474,301	460,125	401,100	340,800	319,900
DP Current Expense	197,560	118,749	117,900	80,100	101,100
DP Capital Outlay	7,840	0	5,300	0	0
Other Charges/Pass Thru	23,398	125	0	0	0
Total	\$2,625,108	\$2,465,100	\$2,248,800	\$2,151,100	\$2,343,100
Other Data					
Total FTE	35.9	34.0	30.8	27.9	30.4

Table 4-4

COMMUNITY MENTAL HEALTH SERVICES

Function

This program area is used for federal grants which are used to develop, coordinate and evaluate mental health services. The program includes:

- *Information Systems Grant:* This federal grant is used to develop common data indicators across all of the Mental Health Centers that are consistent, compatible, and that conform to national indicators.
- *Frontiers Project:* This is a federal grant to develop and provide a network of wrap-around mental health services for children in “frontier” areas of the State. Two mental health centers have been involved, including six counties: Kane, Beaver, Garfield, Grand, Emery and Carbon. The grant has provided about \$8.5 million over a six year period. An extension has been granted to allow the project to draw down its last \$1 million through September 2005.
- *Community Action Grant – Consensus Building Project:* The Division received a \$150,000 federal grant in FY 2003 which involved key stakeholders looking to incorporate practice principles of an assertive community treatment model (ACOT) for delivery of mental health services. The grant expired in FY 2004.
- *Project Reconnect:* In FY 2003, the Division was awarded a four-year federal grant totaling \$2 million to assist seriously emotionally disturbed youth (ages 14 – 21) or youth with emerging mental illness to successfully transition to adulthood.
- *Homeless Mentally Ill:* The Division distributes this federal “PATH” grant to mental health centers for specialized services to the homeless mentally ill. This is an annual grant and the Division has reapplied for the FY 2005 year.
- *Mental Health Block Grant:* A portion of this \$3.2 million grant is used in various statewide mental health services.

The following state-funded programs are also budgeted in this program:

- *Competency Evaluations:* The State is responsible for determining an individual’s competency to stand trial for a crime.
- *Omnibus Budget Reconciliation Act of 1987 (OBRA):* This Act requires the State to assess the appropriateness of placement for mentally ill persons residing in nursing facilities, using the Preadmission Screening and Resident Review (PASRR). The State is required to provide alternative placements for those inappropriately placed and to provide appropriate social rehabilitation to the mentally ill residing in nursing facilities.

- *Rural Education:* This program provides funding for the Rural Mental Health Therapist Financial Assistance program in under-served rural areas of the State.
- *Pre-school Autism Program:* This program provides funds to several areas of the State to develop and operate programs for pre-school children with autism.

Funding Detail

The State General Fund provides about 39 percent of this budget with federal grants and Medicaid transfers providing the balance of 61 percent.

Community Mental Health Services					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	4,654,605	4,296,100	2,262,500	2,193,000	2,287,800
General Fund, One-time	0	0	0	0	50,000
Federal Funds	2,333,486	1,671,700	2,355,900	3,008,700	3,127,200
Transfers - H - Medical Assistance	395,523	428,600	448,800	508,300	461,100
Transfers - Other Agencies	0	234,200	0	0	0
Beginning Nonlapsing	5,089	0	0	0	0
Total	\$7,388,703	\$6,630,600	\$5,067,200	\$5,710,000	\$5,926,100
Categories of Expenditure					
Personal Services	182,439	175,500	116,600	115,400	89,100
In-State Travel	5,542	3,850	2,700	1,800	4,600
Out of State Travel	5,139	4,700	14,600	1,000	8,100
Current Expense	586,305	946,550	1,267,000	1,578,300	1,262,600
DP Current Expense	250	300	400	0	0
Other Charges/Pass Thru	6,609,028	5,499,700	3,665,900	4,013,500	4,561,700
Total	\$7,388,703	\$6,630,600	\$5,067,200	\$5,710,000	\$5,926,100
Other Data					
Total FTE	2.0	2.1	2.0	1.9	2.0

Table 4-5

MENTAL HEALTH CENTERS

Function

Under Utah law, county governing bodies are the local public mental health authorities and are charged with delivering mental health services to residents of their counties. The State Board and the State Division of Substance Abuse and Mental Health provide policy and administrative direction to the local mental health authorities. The counties have organized 11 local mental health centers, with some counties combining resources to serve a region. These centers are listed in the following Table 4-6. Seven of the local mental health centers are county (or multi-county) operated and four of the centers contract for services with private nonprofit corporations.

Local Mental Health Centers		
Center	Private / County	Counties Served
Bear River Mental Health	Private	Box Elder, Cache, Rich
Davis Behavioral Health	Private	Davis
Weber Human Services	County	Weber, Morgan
Valley Mental Health	Private	Salt Lake, Summit, Tooele
Northeast Counseling Ctr	County	Daggett, Duchesne, Uintah
Four Corners Mental Health	Private	Carbon, Emery, Grand
Wasatch Mental Health	County	Utah
Heber Valley Counseling	County	Wasatch
San Juan Mental Health	County	San Juan
Southwest Center	County	Beaver, Garfield, Iron, Kane, Washington
Central Utah Mental Health	County	Piute, Sevier, Juab, Wayne, Millard, Sanpete

Private - Private Non-profit contract provider
County - Services provided by one or more counties

Table 4-6

The Division contracts with the local mental health authorities for state funds, based on local plans to provide mental health services. Local authorities must provide at least a 20 percent match. The plan must include services for adults, youth and children, including, but not limited to: inpatient, residential and outpatient care and services, 24-hour crisis care, psychotropic medication management, psychosocial rehabilitation, case management, community supports (such as in-home services, housing, family support and respite services), consultation and education services.

Funding Detail

Over 90 percent of the appropriation for local Mental Health Centers comes from the State General Fund, with about 10 percent from the federal mental health block grant. Local centers also draw down Medicaid funding directly, as well as local funds required to match state funds.

Mental Health Centers					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	19,427,893	20,118,100	21,381,300	20,554,600	21,006,600
General Fund, One-time	0	0	0	0	165,900
Federal Funds	1,829,786	2,153,400	2,231,900	2,240,200	2,238,700
Transfers - Other Agencies	0	104,000	104,000	0	0
Total	\$21,257,679	\$22,375,500	\$23,717,200	\$22,794,800	\$23,411,200
Categories of Expenditure					
Other Charges/Pass Thru	21,257,679	22,375,500	23,717,200	22,794,800	23,411,200
Total	\$21,257,679	\$22,375,500	\$23,717,200	\$22,794,800	\$23,411,200

Table 4-7

RESIDENTIAL MENTAL HEALTH SERVICES

Function

The Residential Mental Health Services program provides IMD (Institutions for Mental Disease) funds for alternative care placements (to nursing homes) for persons with chronic, severe and persistent mental illness as they are discharged from the State Hospital. Federal Omnibus Reconciliation Act (OBRA) regulations define any nursing facility with 40 percent or more mentally ill residents as an IMD and prohibit Medicaid funding for residents of IMD's between the ages of 22 and 65. Residential services also provide nursing home outplacement funding for treatment alternatives for persons who apply for care in nursing homes but are unable to justify a medical need. A third component of Residential Mental Health Services provides outplacement funding for assistance to community mental health centers as they provide additional supervision, treatment or intensive residential care for individuals released from the State Hospital who are difficult to place in the community due to their symptoms and behaviors associated with their mental illness. There are 46 funded slots for outplacement from nursing facilities and 70 for diversions from institutions for the mentally diseased (IMD).

Funding Detail

The cost of these residential placement programs are entirely funded from the State General Fund.

Residential Mental Health Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,744,032	2,576,800	2,680,300	2,595,700	2,819,800
Lapsing Balance	0	0	(101,000)	0	0
Total	\$2,744,032	\$2,576,800	\$2,579,300	\$2,595,700	\$2,819,800
Categories of Expenditure					
Other Charges/Pass Thru	2,744,032	2,576,800	2,579,300	2,595,700	2,819,800
Total	\$2,744,032	\$2,576,800	\$2,579,300	\$2,595,700	\$2,819,800

Table 4-8

STATE HOSPITAL

Function

The State Hospital complements the local mental health centers by providing specialized services not available in community settings. The Hospital's population includes adults and children for whom no appropriate, less restrictive, environment is currently available. Services are provided for four groups of people: 1) pediatric services for children and adolescents, 2) forensic services for those found not guilty of crimes by reason of insanity, guilty and mentally ill, or not competent to proceed with court actions, 3) specialty services for geriatric patients and patients being prepared for transfer into the community, and 4) adult services. The adult and geriatric services provide 182 beds to the community mental health centers as prescribed by statute.

The beds available for use by the local mental health centers are allocated according to population (62A-15-611, adult allocation and 62A-15-612, pediatric allocation). The statute indicates that as the State population changes, the distribution of beds available to the local centers should be reviewed and possibly reallocated. Recent legislation (H.B. 181, 2002 General Session) reduced the number of adult beds available in statute to local centers from 212 to 182.

Hospital Cost History The following Table 4-9 shows the average number of available beds at the State Hospital and the average daily occupancy rate for the past five years. It also shows the total Hospital budget, cost per patient per day and per year, and cost per bed per day and per year. For FY 2004, the average cost per patient/day was \$414, up 49.3 percent since 1998.

STATE HOSPITAL BUDGET HISTORY & COST PER PATIENT AND PER BED								Six Year
	FY 1998	FY1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	% Change
Avg # Beds Available	343	343	358	384	348	333	335	
Avg Patients Per Day	306	306	323	323	312	284	276	
Avg Occupancy Rate	89.2%	89.2%	90.2%	84.1%	89.7%	85.3%	82.4%	
Hospital Budget (Actuals)	\$31,001,857	\$32,097,061	\$36,029,017	\$41,272,327	\$41,117,412	\$40,097,000	\$41,746,600	34.7%
Avg Patient Cost / Day	\$278	\$287	\$306	\$350	\$361	\$387	\$414	49.3%
Avg Patient Cost / Year	\$101,313	\$104,892	\$111,545	\$127,778	\$131,787	\$141,187	\$151,256	
Average Bed Cost / Day	\$248	\$256	\$276	\$294	\$324	\$330	\$341	37.9%
Average Bed Cost / Year	\$90,384	\$93,577	\$100,640	\$107,480	\$118,153	\$120,411	\$124,617	

*During FY 2002, the Hospital closed one of two geriatric wings (30 beds)
For FY 2003, it has closed one of four forensic wings (26 beds)*

Table 4-9

Funding Detail

The major funding for the State Hospital comes from the State General Fund (71 percent). For qualified Medicaid patients, the Hospital draws down Medicaid funds (about 22 percent of the budget). The balance of its budget comes from dedicated credits and a small amount of other agency transfers.

State Hospital					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	29,997,898	30,801,700	29,017,600	29,560,100	30,285,500
General Fund, One-time	0	0	0	0	280,900
Dedicated Credits Revenue	2,958,395	2,233,400	2,742,500	2,934,100	2,802,200
GFR - IT Innovation Fund	53,700	0	0	0	0
Transfers - H - Medical Assistance	7,962,977	8,023,700	8,439,600	9,192,900	9,413,300
Transfers - Other Agencies	299,358	68,100	61,900	70,000	59,000
Closing Nonlapsing	0	0	0	(10,500)	0
Lapsing Balance	0	0	(137,700)	0	0
Total	\$41,272,328	\$41,126,900	\$40,123,900	\$41,746,600	\$42,840,900
Categories of Expenditure					
Personal Services	33,129,740	34,074,500	32,821,700	34,187,400	35,255,000
In-State Travel	7,280	4,000	6,000	7,700	8,000
Out of State Travel	24,123	8,800	8,900	7,800	11,400
Current Expense	7,413,439	6,523,100	6,560,500	6,886,300	6,825,000
DP Current Expense	596,605	474,700	464,600	623,800	702,900
DP Capital Outlay	59,939	35,700	0	40,200	0
Capital Outlay	41,202	6,100	262,200	(6,600)	38,600
Total	\$41,272,328	\$41,126,900	\$40,123,900	\$41,746,600	\$42,840,900
Other Data					
Total FTE	807.7	804.8	727.3	751.4	757.5
Vehicles	60	68	68	70	71

Table 4-10

STATE SUBSTANCE ABUSE SERVICES**Function**

While most Division funds are passed through to local substance abuse authorities, the Division retains some funds for statewide programs. By Board policy, the Division may retain up to 10 percent of the federal Substance Abuse Prevention and Treatment (SAPT) block grant funds for statewide programs, including:

- *State Office of Education* provides curriculum and training in drug abuse prevention for Utah's schools.
- *Department of Corrections* provides substance abuse treatment services at the Utah State Prison.
- *University of Utah* provides counseling education, clinical services, evaluation and data analysis and operates the Utah School of Alcoholism and Other Drug Dependencies.
- *Drug Free Schools and Communities* is a specific federal grant to local authorities to provide prevention and education.
- *Statewide Incentive Cooperative Assistance (SICA)* is a federal substance abuse grant aimed at reducing youth alcohol, tobacco and drug use. It is a three year grant with a total funding of \$8.7 million. The grant expires in September 2004, but is expected to be extended for another year to September 2005. Its funding is intended to develop a comprehensive statewide strategy to coordinate, redirect, and leverage substance abuse prevention resources.
- *Higher Education SIG-E* (also known as SICA enhancement) is a federal grant similar in intent to the SICA grant, but aimed at students in the State's public institutions of higher education. The grant provides \$750,000 a year for three years and is distributed between smaller schools (enrollment less than 5,000) and the larger institutions.
- *Other Federal Grants* include grants to help upgrade the Division's data infrastructure and collection abilities. The Division also keeps a portion (about \$1.7 million) of the SAPT (Substance Abuse Prevention and Treatment) grant to be used for statewide programs.

Funding Detail

The majority of funding for this program comes from various federal grants (about 88 percent). The balance comes from the State General Fund (about 9 percent) and other agency transfers (about 3 percent).

State Substance Abuse Services					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	588,950	566,800	608,100	516,200	516,200
Federal Funds	3,220,146	4,716,300	4,856,700	4,166,900	5,239,500
Transfers - Other Agencies	27,161	0	694,200	184,600	184,600
Total	\$3,836,257	\$5,283,100	\$6,159,000	\$4,867,700	\$5,940,300
Categories of Expenditure					
Personal Services	93,124	32,245	48,300	11,100	38,000
In-State Travel	179	340	300	0	300
Out of State Travel	644	0	4,900	0	1,800
Current Expense	186,731	143,815	657,800	865,000	530,000
DP Current Expense	0	900	70,700	100	0
Other Charges/Pass Thru	3,555,579	5,105,800	5,377,000	3,991,500	5,370,200
Total	\$3,836,257	\$5,283,100	\$6,159,000	\$4,867,700	\$5,940,300
Other Data					
Total FTE	0.0	0.0	0.0	0.3	0.0

Table 4-11

LOCAL SUBSTANCE ABUSE SERVICES

Function

By statute, county governing bodies are designated as “local substance abuse authorities” and are authorized to deliver community substance abuse services to people in their counties. The State Board and the Division of Substance Abuse and Mental Health set policy and provide statewide administration. The Division contracts with local authorities and passes state and federal SAPT funds through to the local substance abuse authorities based upon locally developed plans. Counties may join together to provide or contract for services including prevention, intervention, and treatment. The substance abuse authorities are required to provide a minimum 20 percent match for state funds received. There are currently 13 substance abuse centers in the State: Bear River, Weber, Davis, Salt Lake, Wasatch, Central Utah, Southwest, Four Corners, San Juan, Uintah, Summit, Utah and Tooele.

Funding Detail

These funds passed through to local mental health centers consists of federal funds (about 61 percent) and State funds (about 39 percent).

Local Substance Abuse Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	9,363,583	9,404,600	9,380,100	9,098,200	9,166,400
General Fund, One-time	0	0	0	0	68,200
Federal Funds	12,170,773	12,846,000	14,183,400	13,932,200	14,461,600
Total	\$21,534,356	\$22,250,600	\$23,563,500	\$23,030,400	\$23,696,200
Categories of Expenditure					
Other Charges/Pass Thru	21,534,356	22,250,600	23,563,500	23,030,400	23,696,200
Total	\$21,534,356	\$22,250,600	\$23,563,500	\$23,030,400	\$23,696,200

Table 4-12

DUI FINES

Function

The Division oversees the Intoxicated Driver Rehabilitation Account. The Account receives 7.5 percent of the surcharges levied on persons convicted of a felony, class A, or class B misdemeanor. These fees on fines are appropriated to the Division and then distributed to the 13 local substance abuse authorities by formula to support education, intervention and treatment services for drivers convicted of driving under the influence. The formula is driven by overall population figures.

Funding Detail

This budget is funded 100 percent from the Intoxicated Driver Rehabilitation Account (General Fund Restricted).

Drivers Under the Influence					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
GFR - Intoxicated Driver Rehab	950,000	1,050,000	1,200,000	1,200,000	1,200,000
Total	\$950,000	\$1,050,000	\$1,200,000	\$1,200,000	\$1,200,000
Categories of Expenditure					
Other Charges/Pass Thru	950,000	1,050,000	1,200,000	1,200,000	1,200,000
Total	\$950,000	\$1,050,000	\$1,200,000	\$1,200,000	\$1,200,000

Table 4-13

CHAPTER 5 DIVISION OF SERVICES FOR PEOPLE WITH DISABILITIES

Function	The Division of Services for People with Disabilities (DSPD) is responsible for providing residential, day services, family support services and attendant care for people with mental retardation and other developmental disabilities. To receive services, people must have substantial functional limitations in three or more of the following life activities: self care, receptive and expressive language, learning, mobility, self direction, capacity for independent living, and economic self-sufficiency. The services provided range from limited family support to a full array of 24-hour services both in the community and at the Utah State Developmental Center. Services are also available in private Intermediate Care Facilities for people with Mental Retardation (ICFs/MR) with funding through the Department of Health.
Statutory Authority	Utah Code Title 62A, Chapters 5, 5a and 6 describes the State's program of services for people with disabilities. Chapter 5: <ul style="list-style-type: none"> ➤ Part 1: Creation and duties of State Board and the Division ➤ Part 2: Utah State Developmental Center ➤ Part 3: Admission to Mental Retardation Facility ➤ Part 4: Support to Families for Home-based Services Chapter 5a creates the Coordinating Council for Persons with Disabilities. Chapter 6 deals with sterilization of handicapped persons.
Intent Language	The 2004 Legislature approved the following intent language applicable to the Division of Services for People with Disabilities:
<i>Prevailing labor market conditions</i>	<i>“It is the intent of the Legislature that in renewing contracts with private providers, the Division of Services for People with Disabilities shall consider prevailing labor market conditions.”</i> This is a continual consideration by the Division during contract development with service providers. The Division considers market conditions in the rate setting process. It negotiates contracts within the boundaries of the department-approved rates for the services purchased.
<i>Rent and costs of operating state-owned group homes</i>	<i>“It is the intent of the Legislature that rent collected from individuals who occupy state owned group homes be applied to the cost of maintaining these facilities. It is also the intent of the Legislature that the Division of Services for People with Disabilities provide an accounting of state owned group home rents and costs to the Legislature or Office of Legislative Fiscal Analyst.”</i> The Legislative Analyst has reviewed the FY 2004 statements showing total rental receipts of \$ 104,500. After food charges and maintenance expenses are deducted, there is a net loss of \$ 18,500. The private providers who

operate these homes hold these funds for future major repairs of the facilities. As of June 30, 2004, these accumulated funds total about \$ 84,000 for the five homes.

Use of one-time carry-forward balance

“It is the intent of the Legislature that the Division of Services for People with Disabilities use non-lapsing funds carried over from FY 2004 to provide services for people needing emergency services, aging out of state custody, child welfare service and juvenile justice services, or being court ordered into DSPD services. It is further the intent of the Legislature that the Division will use generated budget savings to continue funding services for these people by FY 2006. The Division will report regularly to the Office of Legislative Fiscal Analyst on progress in the efforts to generate these cost savings.”

Similar language was also included in the FY 2004 Supplemental Appropriation (H.B. 1) passed by the 2004 Legislature. The Division has reported that it will spend about \$500,000 of the carry forward amount during FY 2005 and will report in more detail to the subcommittee during the 2005 General Legislative Session.

Use of funds appropriated for the waiting list

“It is the intent of the Legislature that funds appropriated for the home and community based services waiting list for people with disabilities be used exclusively for direct services and related support.”

The Fiscal Analyst has received this information and, along with the Division, will provide the subcommittee further information on the use of waiting list funds for direct services and related supports during the budget hearing.

Private provider employee cost of living funds

“It is the intent of the Legislature that funds appropriated for cost of living increases for employees of private service providers contracting with the Division of Services for People with Disabilities and the Division of Child and Family Services be used exclusively for that purpose. It is further the intent of the Legislature that these divisions report to the Health and Human Services Appropriation Subcommittee during the 2005 General Session on the use of such funds, based on reports from providers, regarding its distribution and impact on salaries of various categories of staff, including but not limited to, administrators, supervisors and direct care workers.”

The divisions are prepared to report to the appropriations subcommittee during the 2005 General Session.

Accountability

The following Table 5-1 indicates the Division is making efforts to provide services for children allowing them to live in their homes or in a home-like setting whenever possible. Also, the Division is providing community employment to adults in services. Client satisfaction with services and service providers is provided through consumer surveys. In FY 2004, the Division distributed a revised and more comprehensive survey in the *self-administered model* survey. The new survey offered more detailed questions, different

response options and anonymity for the respondents. Appropriate targets for these measures are yet to be determined.

Performance Data Summary (Div. of Services for People with Disabilities)					
Goal	Measure	Type	Target	FY 2003	FY 2004
To serve children with disabilities in the most home-like setting possible.	% of children with disabilities receiving services while living at home	Outcome		83%	84%
Provide integrated community employment opportunities for adults receiving services.	% of adults receiving services that are participating in integrated community employment.	Outcome		36%	34%
Client satisfaction with services	% clients satisfied with their direct care staff	Outcome		93%	95%
<i>(Provider Model: DD/MR and Brain Injury)</i>	% clients satisfied with their support coordinators			95%	93%
Client satisfaction with services	% clients satisfied with their direct care staff	Outcome		100%	89%
<i>(Self Administered Model)</i>	% clients satisfied with their support coordinators			98%	93%
Client satisfaction with services	% clients satisfied with their direct care staff	Outcome		100%	100%
<i>(Physical Disabilities Model)</i>	% clients satisfied with their support coordinators			91%	100%

Table 5-1

Service Budgets Have Grown Faster Than the Number of People Served

The following Figure 5-1 and Table 5-2 compare nine-year changes in service budgets with increases in the number of people receiving services. The Analyst has adjusted budgets by annual changes in the Consumer Price Index. Budgets show significantly greater percentage increase than the percentage increase in the number of people served. Community-based services’ budgets have grown by over 152 percent (102.6 percent adjusted for inflation) over the past nine years; however, the number of people receiving services has only increased about 55 percent. The Developmental Center has seen a 30 percent decrease in the number of residents, while its inflation-adjusted budget has declined by 2.9 percent. The inflation-adjusted budget for administration and service delivery staff has grown by 55 percent, while the growth in the overall population served has increased by 48.4 percent. The budget figures and actual numbers of people served are shown in the next figure and table.

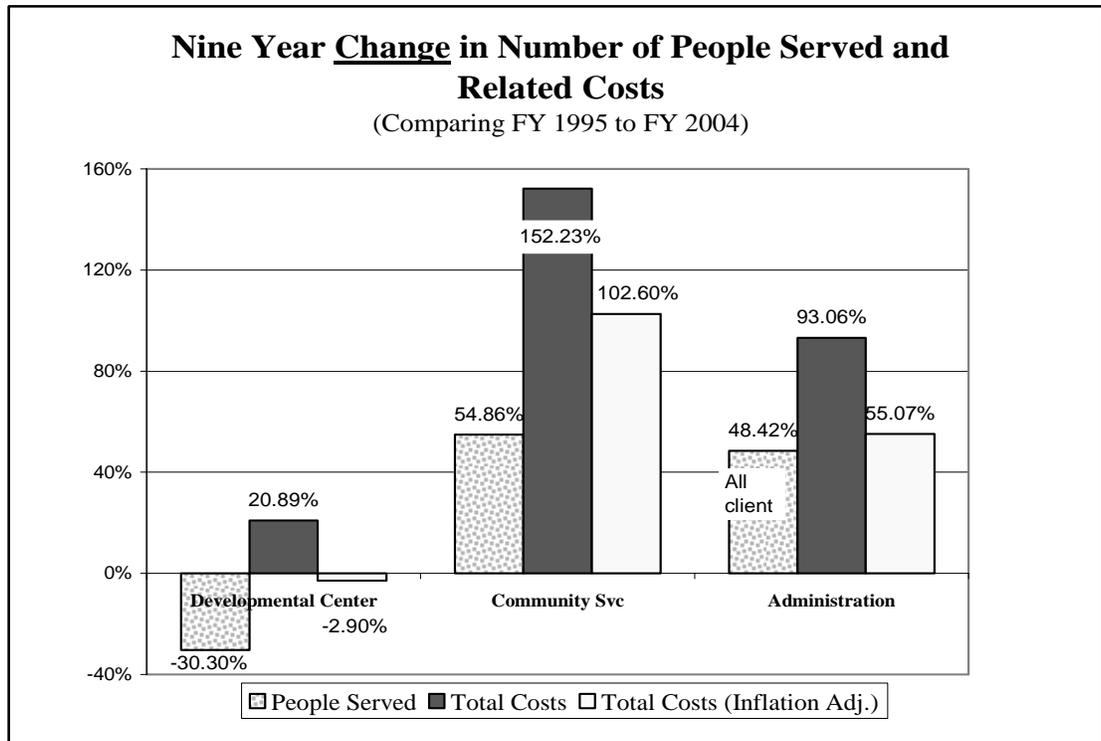


Figure 5-1

DIVISION OF SERVICES FOR PEOPLE WITH DISABILITIES HISTORY OF GROWTH IN SERVICES COMPARED TO GROWTH IN BUDGETS (FY 1995 TO FY 2004)						
	Developmental Ctr		Cummunity Based Svc		Admin & Svc Delivery**	
	Adjusted* Expenditures	Clients Served	Adjusted* Expenditures	Clients Served ***	Adjusted* Expenditures	Tot.Clients Served
FY 1995	\$ 27,566,500	330	\$ 41,529,600	4,034	\$ 8,001,900	4,364
FY 1996	27,605,500	307	47,635,700	4,394	8,741,300	4,701
FY 1997	26,451,700	284	56,002,700	4,595	9,447,300	4,879
FY 1998	26,970,700	261	62,074,500	4,704	9,612,600	4,965
FY 1999	26,985,800	237	67,147,700	4,865	9,966,700	5,102
FY 2000	27,352,700	236	72,739,800	5,210	11,276,800	5,446
FY 2001	27,203,400	234	75,955,900	5,718	12,283,300	5,952
FY 2002	27,117,700	234	81,493,800	5,952	12,503,600	6,186
FY 2003	25,543,300	234	83,814,800	6,411	12,091,000	6,645
FY 2004	26,767,700	230	84,137,100	6,247	12,408,200	6,477
8-Yr % Chg	-2.90%	-30.30%	102.60%	54.86%	55.07%	48.42%

* Actual expenditures adjusted for inflation.
 ** Includes support coordinators & other support staff
 *** Includes duplicate counts where one person is receiving more than one service.
 Sources: Legislative Fiscal Analyst and DSPD

Table 5-2

Funding Detail

The majority of funding (about 70 percent) for disability services comes from federal grant and Medicaid funds. About 27 percent comes from the State General Fund and the balance comes from dedicated credits and other agency

transfers. The Division has statutory authority not to lapse funds at the end of a fiscal year and will typically have an amount of "Beginning Non-lapsing Fund" balance available. The statute restricts use of non-lapsing funds for one-time purposes unless authorized by the Legislature.

Svcs for People w/Disabilities					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	39,000,600	40,244,700	44,579,500	42,429,400	42,941,300
General Fund, One-time	0	0	0	0	397,600
Federal Funds	5,331,200	3,445,200	2,000,000	2,031,200	2,004,200
Dedicated Credits Revenue	1,471,700	1,301,900	1,397,100	1,246,700	1,461,700
General Fund Restricted	0	0	0	11,000	0
GFR - IT Innovation Fund	39,300	0	0	0	0
GFR - Trust for People with Disabilities	0	200,000	200,000	235,000	0
Transfers - H - Medical Assistance	87,293,800	94,890,500	101,586,400	107,358,900	108,772,300
Transfers - Other Agencies	1,027,500	3,831,800	820,500	395,000	351,800
Beginning Nonlapsing	0	500	40,300	3,389,600	2,874,000
Closing Nonlapsing	0	(31,500)	(3,389,600)	(3,903,300)	(1,209,200)
Lapsing Balance	0	(8,800)	(150,000)	0	0
Total	\$134,164,100	\$143,874,300	\$147,084,200	\$153,193,500	\$157,593,700
Programs					
Administration	2,710,700	2,577,200	2,357,500	2,514,600	2,616,500
Service Delivery	11,564,600	12,276,000	12,285,600	12,603,600	12,951,400
State Developmental Center	31,615,000	32,213,500	30,934,900	33,325,500	33,026,800
DD/MR Waiver Services	0	87,500,800	94,716,300	98,475,700	102,682,300
Residential Services	60,459,100	0	0	0	0
Brain Injury Waiver Services	0	1,486,700	1,953,700	2,167,500	2,033,600
Day Services	12,242,700	0	0	0	0
Physical Disability Waiver Services	0	1,819,700	1,752,600	1,712,100	1,670,200
Supported Employment	5,760,400	0	0	0	0
Non-waiver Services	0	6,000,400	3,083,600	2,394,500	2,612,900
Family Support	6,473,300	0	0	0	0
Services for Individuals with Physical Disal	1,353,400	0	0	0	0
Transportation Services	1,984,900	0	0	0	0
Total	\$134,164,100	\$143,874,300	\$147,084,200	\$153,193,500	\$157,593,700
Categories of Expenditure					
Personal Services	36,421,000	38,137,000	38,385,800	39,651,500	40,623,000
In-State Travel	203,100	193,200	173,400	164,600	186,400
Out of State Travel	32,100	8,100	2,900	4,300	21,700
Current Expense	7,336,200	7,231,300	5,799,900	6,986,900	6,308,400
DP Current Expense	1,392,100	1,246,500	1,105,100	1,287,200	1,196,300
DP Capital Outlay	41,000	40,100	0	0	6,000
Capital Outlay	309,400	180,200	78,600	211,300	105,600
Other Charges/Pass Thru	88,429,200	96,837,900	101,538,500	104,887,700	109,146,300
Total	\$134,164,100	\$143,874,300	\$147,084,200	\$153,193,500	\$157,593,700
Other Data					
Total FTE	932.9	952.8	933.5	954.8	945.3
Vehicles	72	87	91	92	92

Table 5-3

<i>Health Care Financing - Medicaid</i>	Utah's Medicaid agency is the Division of Health Care Financing (HCF) in the Department of Health. This agency coordinates with DSPD in establishing rates and eligibility, in preparing revisions and renewals of Utah's Home and Community-Based Services Waiver, receiving billings and processing reimbursements of Medicaid dollars, and in compliance training and monitoring. HCF also contracts with and provides administrative oversight for private Intermediate Care Facilities for people with Mental Retardation (ICFs/MR).
<i>Intermediate Care Facilities for People with Mental Retardation (ICFs/MR)</i>	The other system of providing Medicaid supported services for people with disabilities is the mix of private and publicly owned and operated ICFs/MR. Private institutions range in size from 15 beds to more than 80. The ICF/MR system is funded through the Division of Health Care Finance (HCF) in the State Department of Health. The Utah State Developmental Center in American Fork, with its current population of 230 residents, is a state operated ICF/MR and is funded through DSPD. The ICF/MR system is approximately 70 percent funded with Medicaid transfer payments. If qualified, patients have a right to be admitted to an ICF/MR, there cannot be a waiting list.
<i>Home and Community Based Services (HCBS)</i>	The State has also chosen to provide an alternative to the ICF/MR system, which is the Home and Community Based Services (HCBS) system. The HCBS includes a range of services and supports for people in homes and apartments, including full residential placements, located in community settings throughout the State. This system is also 70 percent funded by Medicaid transfers through its waiver program. This service is not an entitlement to eligible people, but can be used only as far as resources permit. Therefore, most states have waiting lists for services in the HCBS alternative program. The HCBS system is funded through DSPD, which determines eligibility for services in both the ICF/MR and the HCBS systems and serves as the "gatekeeper" for both systems.
<i>Waiting List for Home and Community Based Services</i>	Since there are more eligible people desiring home and community based services under the Medicaid Waiver than there are resources available, the State has a waiting list for these services. This list has grown from about 500 people to nearly 2,000 today. Over the years, the Legislature has attempted to reduce this list, but the list still grows. Since 1995, the Legislature has increased the base service budgets by nearly \$40 million in new funding (including both state and federal funds) to provide services for people on the waiting list and for emergency service needs. The following Figure 5-2 shows the growth in the number of people served and the number of people on the waiting list since FY 1990. It shows only people receiving no services, not those in service waiting for additional services. Since 1990, the number of people in service has grown by 2,150 (108 percent), and the waiting list has grown by 1,395 (280 percent).

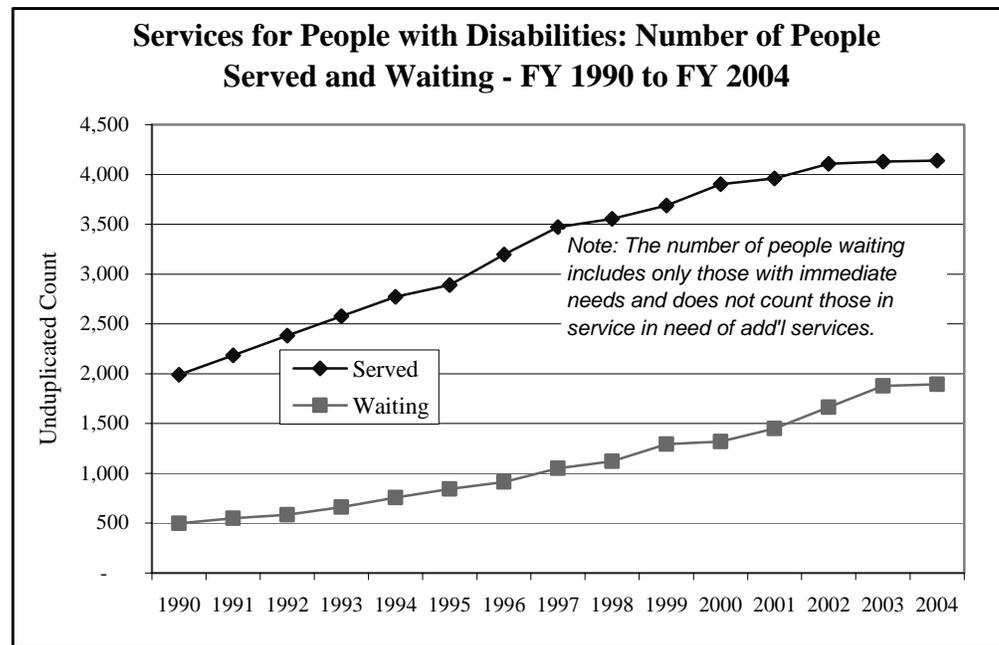


Figure 5-2

Supreme Court Decision Regarding ADA “Integration Rule” – Olmstead Case

The U.S. Supreme Court ruled in 1999 (*Olmstead vs. I.C., et al*) on an appeal of a lower court decision alleging that the state of Georgia violated the “integration rule” of the Americans with Disabilities Act (ADA). The suit charged that Georgia was in violation of the ADA because it had denied community-based services to two mentally ill residents in a psychiatric hospital. Basically, the Supreme Court said that states must place institutionalized people with disabilities in community settings, if appropriate, and if desired by the affected individual, and if “the placement can be reasonably accommodated, taking into account the resources available to the state and the needs of others with mental disabilities.” The Court did not say that ADA provides individuals in an institution with an entitlement to community-based services. Justice Ginsberg, in the majority opinion, specifically allowed that states could maintain a well-ordered waiting list for services as long as the list moved at a “reasonable pace” and there was a “comprehensive, effective working plan for placing qualified persons with mental disabilities in less restrictive settings.” In Utah, the Departments of Health and Human Services, allied agencies, service providers and consumers are currently developing the working plan through a collaborative effort.

Waiting Lists Under Attack – Lawsuits Filed in 25 States

In large part due to various interpretations of the Supreme Court *Olmstead* decision, the practice of maintaining waiting lists for HCBS services is under attack in many states by advocates for people with disabilities. Waiting list lawsuits challenge the States’ discretion to limit availability of Medicaid long-term waiver services. Plaintiffs charge that provisions of the Federal Medicaid law and Americans with Disabilities Act create an obligation for states to furnish Medicaid home and community services on an as need basis. As of October, 2004, such lawsuits have been filed in 25 states, including Colorado, Montana, New Mexico, Oregon, and Washington. Settlement agreements have been reached in seven of these cases where state and local

agencies have typically agreed to significantly increase funding for HCBS services over a period of time. However, recent revenue problems and budget cuts have cast doubt as to some states' abilities to comply with the settlement requirements. Currently, ten waiting list lawsuits are active, one is pending court action, one is in the process of being withdrawn, four have been dismissed and two are in the process of being appealed. (More details may be obtained from: <http://www.hsri.org/docs/litigation100404.PDF>)

*Utah Sued Over Its
Waiting List*

In December 2002, the Disability Law Center, on behalf of the ARC of Utah and individuals who have been waiting for community services, filed a class-action lawsuit in the U.S. District Court. The suit claims the State has unlawfully failed to provide services to individuals on the waiting list in violation of Medicaid law and the "Americans with Disabilities Act." The suit does not include a specific funding demand but it does ask the State to eliminate the waiting list by creating a plan to provide services to all eligible individuals. On August 26, 2003, the U.S. District Court dismissed the Medicaid claims of the lawsuit. The lawsuit is still progressing on the other claims. The Court has set a trial date for March, 2005.

Emergency Services

Each year, there are emergencies requiring immediate assistance from the Division. Crises arise when children grow older and/or become too behaviorally difficult and when caretakers become ill or die. It also includes cases where individuals are committed to Division services by the courts. Children "aging" out of State services in the Divisions of Child and Family Services and Youth Corrections are also required to be served by DSPD. The Division typically spends between \$500,000 and \$800,000 each year for these emergency services needs.

*Non-Lapsing Carry-
Forward Funds*

The 2003 Legislature passed HB 211 which authorized all appropriations to DSPD as non-lapsing, to be used only for one-time expenditures unless otherwise authorized by the Legislature. At the end of FY 2003, the Division carried forward a non-lapsing balance of \$3,389,600 into FY 2004. The Division intends to use these funds for emergency services for new clients coming into service in FY 2004 and FY 2005. The 2004 Legislature approved a plan to use one-time carry forward funds for these new clients with the understanding that internal savings will generate the on-going base funds needed to continue their services in future years.

*Division Cost Savings
Project*

The Division has completed a top to bottom review of its budgeting practices, controls, management of provider contracts, and is reviewing its service packages to individuals and how they are determined. The Division's plan to bring their existing budget into "equilibrium" includes various cost reduction and cost control plans. At first, the Division projected an operating deficit of about \$500,000 for FY 2004 due to expected unavoidable emergency services. Carry-forward funds were to be used for the expected over-expenditure. However, cost savings provided an FY 2004 year end "surplus" of about \$500,000. During FY 2005, the Division will use about \$500,000 of the \$3.9 million non-lapse balance carried forward from last year for services included in the legislative intent language. This includes such as emergency services,

aging out of state custody (child welfare and juvenile justice services) or for individuals ordered by the courts into DSPD services.

*Portability Between
ICFs/MR and
Community Services*

In 1998, legislation set in motion a process where individuals with developmental disabilities and/or mental retardation who are receiving state services could move from institutional care (ICFs/MR) to Home and Community Based Services (HCBS), or the reverse. Approximately 80 people since FY 2000 have moved from the ICF/MR to services in the community. It was agreed that to facilitate these moves, state funds would also be transferred from the Department of Health, which funds ICFs/MR clients, to DSPD, which funds the community services program. Under contract, \$277,200 of General Funds was transferred in FY 2001 and FY 2002, which represent the equivalent ICF/MR costs, for the individuals who moved out in the first year, FY 2000. For the FY 2003 budget, the Legislature transferred this amount from the Health Department's base budget to the DSPD budget. DSPD has absorbed the costs of people moved since then.

As individuals transferred out of ICFs/MR, other clients entered the system and "back-filled" the vacated beds. This prevented the Health Department from transferring any additional funds for clients transferred to the DSPD community waiver services. DSPD was able to absorb the service costs of transferees in the FY 2001 and FY 2002 budget years. However, both Health and DSPD are unable to absorb the cost of further transfers. Therefore, was placed on further portability transfers in FY 2003 and FY 2004. The Department of Health currently has funds available for some portability moves in this year. They estimate that up to ten people may be moved with these funds from their ICFs/MR to the HCBS program in FY 2005.

*Trust Fund for People
with Disabilities –
General Fund
Restricted*

In 1995, the Legislature created a Trust Fund for People with Disabilities (63A-5-220, UCA) consisting of proceeds from the sale or lease of lands and facilities at the Utah State Developmental Center (USDC) at American Fork. By statute, the Legislature may only appropriate interest earned on the fund, lease and rental receipts. After approval by the Board of Services for People with Disabilities, these funds may be used for programs described in Title 62A, Chapter 5, which is the DSPD section of the code. The FY 2004 year end balance in the fund was \$2,979,475, of which \$252,166 is from interest and lease payments.

ADMINISTRATION

Function

The State Administration Office provides policy development, quality assurance, general management, and budget and fiscal oversight for the state operated support coordination (case management) system, contracts for private and public service providers, and the Utah State Developmental Center at American Fork. The Office also develops policy recommendations for the Board of Services for People with Disabilities.

Funding Detail

The Administration budget is funded with State General Funds (about 53 percent), federal Medicaid funds (about 45 percent) and a small amount of dedicated credits.

Administration					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,090,900	1,110,800	936,600	1,338,900	1,367,900
General Fund, One-time	0	0	0	0	8,300
Federal Funds	0	0	100,000	0	0
Dedicated Credits Revenue	121,000	3,900	19,800	20,900	55,500
Transfers - H - Medical Assistance	1,424,500	1,211,400	3,462,200	1,061,800	1,184,800
Transfers - Other Agencies	74,300	259,400	177,400	109,700	0
Beginning Nonlapsing	0	500	40,300	0	0
Closing Nonlapsing	0	0	(2,378,800)	(16,700)	0
Lapsing Balance	0	(8,800)	0	0	0
Total	\$2,710,700	\$2,577,200	\$2,357,500	\$2,514,600	\$2,616,500
Categories of Expenditure					
Personal Services	1,727,300	1,942,500	1,800,600	1,766,500	1,876,600
In-State Travel	35,200	40,700	32,700	27,400	43,300
Out of State Travel	19,200	5,300	2,900	4,100	11,200
Current Expense	617,300	416,300	362,500	453,900	393,100
DP Current Expense	157,600	143,700	128,800	215,900	147,300
Other Charges/Pass Thru	154,100	28,700	30,000	46,800	145,000
Total	\$2,710,700	\$2,577,200	\$2,357,500	\$2,514,600	\$2,616,500
Other Data					
Total FTE	30.8	34.5	31.2	28.7	30.3

Table 5-4

SERVICE DELIVERY**Function**

The Division has divided the state into four regions for service delivery, which is the same regional structure used by several other divisions in the Department. The regional service delivery staff provides service coordination for service recipients and is the point of entry for people seeking services from the Division. The regions contract for services with local private providers, and oversee and evaluate the quality of services delivered.

Funding Details

This budget is funded from State funds (about 39 percent), and from federal grant and Medicaid funds (about 61 percent).

Service Delivery					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	5,556,000	5,110,900	5,463,200	4,925,800	5,002,700
General Fund, One-time	0	0	0	0	43,400
Federal Funds	0	0	400,000	184,000	157,000
General Fund Restricted	0	0	0	11,000	0
Transfers - H - Medical Assistance	5,807,500	7,019,500	6,500,000	7,560,000	7,748,300
Transfers - Other Agencies	201,100	150,000	0	0	0
Closing Nonlapsing	0	(4,400)	(77,600)	(77,200)	0
Total	\$11,564,600	\$12,276,000	\$12,285,600	\$12,603,600	\$12,951,400
Categories of Expenditure					
Personal Services	9,648,200	10,370,400	10,572,600	10,814,600	11,102,300
In-State Travel	163,000	147,600	136,300	134,500	136,300
Out of State Travel	8,000	900	0	200	3,300
Current Expense	1,204,400	1,305,400	1,174,800	1,175,500	1,259,800
DP Current Expense	539,700	448,800	394,000	469,900	441,800
Capital Outlay	0	0	5,600	0	5,600
Other Charges/Pass Thru	1,300	2,900	2,300	8,900	2,300
Total	\$11,564,600	\$12,276,000	\$12,285,600	\$12,603,600	\$12,951,400
Other Data					
Total FTE	207.3	219.3	215.7	215.8	216.3
Vehicles	20	25	28	28	28

Table 5-5

UTAH STATE DEVELOPMENTAL CENTER

Function

The Utah State Developmental Center (USDC), (formerly known as the Utah State Training School), is a publicly funded and managed Intermediate Care Facility (for persons who have) Mental Retardation (ICF/MR). The Center provides 24-hour residential services and active treatment services. Specialized services include medical and dental services, physical, occupational, speech, and recreation therapy; psychological services, social work, and day training.

The Center has seen its population decrease from about 425 in 1991 to 230 today, largely due to the out movement of clients to community placements mandated by the early 1990s lawsuit settlement, known by the name “Lisa P.” The Center has restructured its delivery system, remodeling many of its dormitory type housing units into apartments with one to three bedrooms, providing more independence and privacy. This has altered the care delivery system at the Center, requiring a greater staff-to-client ratio. This has served to decrease problem behaviors of residents and improved their quality of life.

Funding Detail

About two-thirds of the USDC budget comes from federal Medicaid funds. The State provides about 26 percent of its budget. Dedicated credits and other agency transfers make up the balance of the funding mix.

State Developmental Center					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	7,381,800	7,960,300	8,301,300	8,301,300	8,593,400
General Fund, One-time	0	0	0	0	97,200
Dedicated Credits Revenue	1,350,700	1,298,000	1,377,300	1,225,800	1,406,200
GFR - IT Innovation Fund	39,300	0	0	0	0
GFR - Trust for People with Disabilities	0	100,000	200,000	235,000	0
Transfers - H - Medical Assistance	22,150,900	22,449,600	21,122,400	23,370,000	22,603,600
Transfers - Other Agencies	692,300	408,300	97,900	246,300	326,400
Closing Nonlapsing	0	(2,700)	(14,000)	(52,900)	0
Lapsing Balance	0	0	(150,000)	0	0
Total	\$31,615,000	\$32,213,500	\$30,934,900	\$33,325,500	\$33,026,800
Categories of Expenditure					
Personal Services	25,045,500	25,824,100	26,012,600	27,070,400	27,644,100
In-State Travel	4,900	4,900	4,400	2,700	6,800
Out of State Travel	4,900	1,900	0	0	7,200
Current Expense	5,514,500	5,508,300	4,262,600	5,357,500	4,655,500
DP Current Expense	694,800	654,000	582,300	601,400	607,200
DP Capital Outlay	41,000	40,100	0	0	6,000
Capital Outlay	309,400	180,200	73,000	211,300	100,000
Other Charges/Pass Thru	0	0	0	82,200	0
Total	\$31,615,000	\$32,213,500	\$30,934,900	\$33,325,500	\$33,026,800
Other Data					
Total FTE	694.8	699.1	686.6	710.3	698.7
Vehicles	52	62	63	64	64

Table 5-6

DD/MR WAIVER SERVICES**Function**

The DD/MR Waiver allows states to provide services to people with DD/MR (developmental disabilities / mental retardation) using Medicaid funds outside of standard institutional programs. Participants must be qualified for admission to an institution like an ICF/MR (Intermediate Care Facility for people with Mental Retardation). Services that may be provided under the waiver program includes a multitude of services, from family support to 24-hour residential services.

RESIDENTIAL SERVICES include five basic models, which fall into two broad categories of supported living and supervised living:

a. Supported Living – Trained staff available to provide support services as needed, but less than 24 hours a day. There are two forms of supported living services:

1. Supported living arrangements: Consumers live independently in their own homes or apartments and receive periodic assistance and training with money management and other skills necessary for independent living.
2. Supervised apartments: Consumers live in apartments for two or three people. Apartment supervisors are available to provide whatever assistance may be needed.

b. Supervised Living – Trained staff available to provide supervision and support 24 hours a day. There are three forms of supervised living services:

1. Professional parent homes: These are family homes in which one or two children with disabilities live with 24-hour support in a very intensive therapeutic family arrangement. The families are supported by trainers and consultants and also receive respite care.
2. Host homes: These are provided for individuals who have been living in professional parent homes when that person turns 18 years of age and wishes to continue to live in that family home with other adults. The professional parent assumes more of a peer role with the individual and the individual works with the trainer in the acquisition of skills that allow independence as an adult. The person may receive support and/or supervision up to 24 hours per day.
3. Group homes: These are the oldest models of community residential living. Although up to eight people may live in a group home, five or fewer people share most homes. In most cases, the group home staff works shifts to provide support throughout the time consumers are at home (typically 18 hours on weekdays and 24 hours on weekends and holidays). Training and assistance is provided to meet the needs identified in their individual person-centered plans.

DAY SERVICES programs take place in the community or in workshops and are designed to maintain skills in post-school years and provide work opportunities.

a. Day programs - are designed to promote the ongoing development and maintenance of skills. The services may be provided in a variety of settings, including natural workplace settings throughout the community or at sheltered sites. Many participants in these programs receive federal funding through the Medicaid program. Care must be taken that the goals and objectives for each individual are not directed at teaching specific job skills. Medicaid will not pay for vocational training that is part of a day training program. The average daily cost for day services is approximately \$51.

b. Supported retirement - is designed for people who are age 55 or older or whose health prevents their continued participation in employment or day training. This program utilizes Senior Citizen Centers, Adult Day Centers, and other community programs that provide a variety of activities for seniors.

SUPPORTED EMPLOYMENT programs place people with disabilities in jobs in regular work environments. A job coach is assigned to each person to provide training on the job and to help solve problems that may arise. The cost of supported employment is approximately \$26 per job coach hour. In some cases, individuals are able to reduce the need for a job coach and may eventually handle a job on their own. For most individuals who enter this service, the Office of Rehabilitative Services in the State Office of Education funds the first 170 hours of training and the Division of Services for People with Disabilities provides the ongoing funding.

FAMILY SUPPORT provides services to families that enable them to care for their children with disabilities at home. These services are provided through contract providers or by staff hired directly by parents. The individualized nature of the program does not allow for fixed rates or funding allocations. Annual average expenditure per family is about \$7,872.

TRANSPORTATION SERVICES helps people with disabilities in getting from their homes to day programs, jobs, and other activities. The need for assistance with the means or cost of transporting people is one of the most frequently mentioned issues when public hearings are held on services for people with disabilities. This is especially true in the rural areas of the state. In 2004, 1,789 people received transportation services.

Funding Detail

Nearly three-fourths (73 percent) of the DD/MR waiver program is funded by federal Medicaid funds. The State General Fund provides about 26 percent, with the balance from non-lapsing carry-forward funds. The Division has statutory authority to not lapse funds at the end of a fiscal year and will typically have an amount of “Beginning Non-lapsing Fund” balance available. The statute restricts use of non-lapsing funds for one-time purposes unless authorized by the Legislature. The Division’s budget structure, prior to FY 2002, distributed this budget among various specific service programs.

DD/MR Waiver Services					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	0	22,310,200	27,408,200	26,056,500	26,186,400
General Fund, One-time	0	0	0	0	248,700
GFR - Trust for People with Disabilities	0	100,000	0	0	0
Transfers - H - Medical Assistance	0	62,100,800	68,163,800	72,532,100	74,557,000
Transfers - Other Agencies	0	3,014,100	25,400	0	25,400
Beginning Nonlapsing	0	0	0	3,389,600	2,874,000
Closing Nonlapsing	0	(24,300)	(881,100)	(3,502,500)	(1,209,200)
Total	\$0	\$87,500,800	\$94,716,300	\$98,475,700	\$102,682,300
Categories of Expenditure					
Other Charges/Pass Thru	0	87,500,800	94,716,300	98,475,700	102,682,300
Total	\$0	\$87,500,800	\$94,716,300	\$98,475,700	\$102,682,300

Table 5-7

BRAIN INJURY WAIVER

Function

The Brain Injury Home and Community-Based Waiver is for people who have a documented brain injury, are 18 years of age or older, and require the level of care provided in a nursing facility. The waiver allows the use of Medicaid funds outside of institutional settings. Services provided under this waiver include:

- *Case Management*: Assists people in gaining access to needed services;
- *Respite Care Services*: Gives regular caregivers a break on a short-term basis;
- *Supported Employment*: Helps pay wages to persons who require assistance on the job;
- *Specialized Medical Equipment*: Includes special equipment designed to help individuals move around and communicate with others;
- *Chore Services*: Helps keep the home clean, sanitary and safe;
- *Emergency Response System*: A device that lets high-risk individuals call for help in case of emergency;

- *Companion Services*: Non-medical care, supervision, and social activities given to adults who have a hard time functioning;
- *Family Training*: Offers training and counseling services to families to help them care for the person receiving waiver services;
- *Structured Day Programs*: Supervised activities to help maintain independence.
- *Community Living Supports*: Intensive to intermittent residential services in host homes, supervised apartments and supported living.

Funding Detail

The Brain Injury Waiver program is funded nearly three-fourths with federal Medicaid funds (74 percent) with the balance coming from the State General Fund. The Division’s budget structure, prior to FY 2002, distributed this budget among various specific service programs.

Brain Injury Waiver Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	0	399,700	568,200	547,000	538,100
Transfers - H - Medical Assistance	0	1,087,000	1,388,000	1,645,000	1,495,500
Closing Nonlapsing	0	0	(2,500)	(24,500)	0
Total	\$0	\$1,486,700	\$1,953,700	\$2,167,500	\$2,033,600
Categories of Expenditure					
Other Charges/Pass Thru	0	1,486,700	1,953,700	2,167,500	2,033,600
Total	\$0	\$1,486,700	\$1,953,700	\$2,167,500	\$2,033,600

Table 5-8

PHYSICAL DISABILITIES WAIVER

Function The Physical Disabilities Waiver is another Medicaid waiver program allowing the use of Medicaid funds outside of the standard institutional setting of the Medicaid services program. Along with the state-funded Personal Assistance Services program provide monthly expenditure allocations between \$250 and \$2,600 to people with severe physical disabilities who can live independently with the aid of a personal attendant. Without this assistance, they would likely be in nursing homes. The grants are based on the level of care required by the person. The person is responsible for the hiring, training and supervising the attendant. An intermediate organization handles payment and other payroll functions for the individuals hired by the service recipients.

Funding Detail Again, the majority (71 percent) of funds for this waiver program comes from federal Medicaid funds. State funds make up the balance and provide the required matching funds. The Division’s budget structure, prior to FY 2002, distributed this budget among various specific service programs.

Physical Disability Waiver Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	0	797,600	827,000	494,200	487,100
Transfers - H - Medical Assistance	0	1,022,200	950,000	1,190,000	1,183,100
Transfers - Other Agencies	0	0	0	39,000	0
Closing Nonlapsing	0	(100)	(24,400)	(11,100)	0
Total	\$0	\$1,819,700	\$1,752,600	\$1,712,100	\$1,670,200
Categories of Expenditure					
Other Charges/Pass Thru	0	1,819,700	1,752,600	1,712,100	1,670,200
Total	\$0	\$1,819,700	\$1,752,600	\$1,712,100	\$1,670,200

Table 5-9

NON-WAIVER SERVICES

Function

The Non-waiver services include services provided individuals who are not eligible for the Medicaid waivers due to resources of the individual or due to the nature of the disability. It also includes non-Medicaid eligible services provided to individuals in the waiver program, such as psychological assessments used to determine eligibility, residential start-up costs, housing assistance and special needs funding. These expenditures do not draw down matching Medicaid funds.

Efforts to Limit Expenditures in this Service Category

There has been a concerted effort to bring people from this state-funded program over to the Medicaid waiver program. Since 1999, over 700 people have moved from non-waiver to waiver (Medicaid) funding. As of October, 2004, there were 221 people remaining in this program. People receiving services in this program who could become Medicaid waiver eligible, but refuse to apply or “spend down” their income and assets, have had their service funding reduced to that which the State would provide under the waiver program. People who do not meet the Waiver level of care requirements must submit a “Graduated Fee Assessment Form” to the Division. During FY 2004, the Division required 79 non-waiver individuals to complete this form. As a result, 11 non-waiver individuals are now required to pay the Division a monthly fee.

Funding Detail

While this program does not draw down matching federal Medicaid funds, it does use a portion of the federal Social Services Block Grant (about 71 percent of the budget). State General Funds make up the balance. The Division’s budget structure, prior to FY 2002, distributed this budget among various specific service programs.

Non-waiver Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	0	2,555,200	1,075,000	765,700	765,700
Federal Funds	0	3,445,200	1,500,000	1,847,200	1,847,200
Transfers - Other Agencies	0	0	519,800	0	0
Closing Nonlapsing	0	0	(11,200)	(218,400)	0
Total	\$0	\$6,000,400	\$3,083,600	\$2,394,500	\$2,612,900
Categories of Expenditure					
Current Expense	0	1,300	0	0	0
Other Charges/Pass Thru	0	5,999,100	3,083,600	2,394,500	2,612,900
Total	\$0	\$6,000,400	\$3,083,600	\$2,394,500	\$2,612,900

Table 5-10

CHAPTER 6 OFFICE OF RECOVERY SERVICES

Function	The Office of Recovery Services (ORS) is responsible for collecting funds owed to the State in the Human Services and Medical Assistance areas. ORS also is charged with collecting support payments from non-custodial parents for the custodial parents. If the custodial parent is receiving public assistance, the child support payments are used to reimburse the State and Federal Government for their assistance. If the State has custody of the child, the non-custodial parents are still required to pay child support to the State. Federal law also requires the Office to provide child support collection services to families not receiving public assistance. The Department of Health also contracts with ORS to provide insurance identification and third party collection services for medical assistance programs.
Statutory Authority	<p>Utah Code Title 62A, Chapter 11 describes the State’s Office of Recovery Services programs and administration:</p> <ul style="list-style-type: none">Part 1: Creation and duties of State Office of Recovery ServicesPart 3: Child Support Services ActPart 4: Requires income withholding in Title IV-D cases <p>Utah Code Title 78:</p> <ul style="list-style-type: none">Chapter 45: Uniform Civil Liability for Support ActChapter 45a: Uniform Act On PaternityChapter 45f: Uniform Interstate Family Support Act <p>Other Code Sections:</p> <ul style="list-style-type: none">62A-1-117: Assignment of support – Children in state custody78-3a-906: Child support obligation when custody of a minor is vested in an individual or institution.

Accountability

The following Table 6-1 provides some key performance indicators for the Office of Recovery Services. The cost/benefit information is further highlighted in the subsequent Table 6-2.

Performance Data Summary (Office of Recovery Services)					
Goal	Measure	Measure	Nat'l Avg	Utah - Observed	
		Type	FFY 2003	FFY 2003	FFY 2004
Maximize collections	Total collections (\$ millions)	Outcome		\$171	\$175
Maximize payments to parents	Payment to parents (\$ millions)	Outcome		\$122	\$127
Maximize payment compliance	Percentage of Current Child Support Paid on Current Support Orders	Outcome	58.1%	58.6%	59.8%
Maximize payment compliance	Percent of Child Support Cases Making Payments on Arrears	Outcome	59.8%	65.8%	65.2%
Cost / Benefit Ratio	Ratio: Collections to Expenses	Efficiency		4.11	4.20

Table 6-1

Office of Recovery Services						
History of Collections FY 1990 to FY 2004						
	Total Collections	Total Expenditures	Cost/Benefit Ratio	FTEs	Collections per FTE Actual	Collections per FTE Adj. For Inflation*
FY90	\$51,848,368	\$15,490,983	3.35	336	\$154,300	\$154,300
FY91	58,273,700	18,529,021	3.14	360	161,900	154,500
FY92	67,408,059	20,409,371	3.30	383	176,000	162,100
FY93	73,593,006	23,686,743	3.11	444	165,800	148,300
FY94	79,207,115	27,271,400	2.90	476	166,400	144,700
FY95	90,090,132	33,693,502	2.67	494	182,400	154,500
FY96	94,685,762	36,099,495	2.62	515	183,900	151,400
FY97	112,228,860	34,800,109	3.22	541	207,400	166,500
FY98	121,294,867	35,527,724	3.41	538	225,500	177,500
FY99	134,055,672	40,168,788	3.34	566	236,800	183,000
FY00	146,112,699	42,225,361	3.46	585	249,800	187,700
FY01	155,385,425	41,978,131	3.70	588	264,300	192,700
FY02	166,259,466	42,808,954	3.88	590	281,700	200,932
FY03	171,142,268	41,608,319	4.11	566	302,300	211,501
FY04	175,406,412	41,764,534	4.20	545	321,700	219,264
14 Year Percentage Increases:						
	238%	170%	25%	62%	108%	42%
<i>*Note: Inflation factor used is CPI</i>						
Sources: ORS / LFA						

Table 6-2

Funding Detail

The Office of Recovery Services is funded with State General Funds (about 24 percent), Federal Title IVD funds (66 percent), dedicated credits (about 9 percent) and the balance from other agency transfers.

Office of Recovery Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	12,306,900	11,992,862	11,057,600	10,019,000	10,617,000
General Fund, One-time	0	0	0	0	72,300
Federal Funds	25,492,395	26,390,103	25,884,515	27,552,600	29,930,700
Dedicated Credits Revenue	1,378,014	1,636,795	2,356,386	2,340,600	4,353,900
Transfers - H - Medical Assistance	1,762,780	1,839,410	1,775,907	1,777,900	0
Transfers - Other Agencies	1,041,037	1,029,484	791,860	121,100	99,100
Closing Nonlapsing	0	0	0	(45,500)	0
Lapsing Balance	(2,995)	(79,754)	(257,949)	(1,200)	0
Total	\$41,978,131	\$42,808,900	\$41,608,320	\$41,764,500	\$45,073,000
Programs					
Administration	1,070,357	1,126,100	1,157,088	1,222,700	1,473,700
Financial Services	5,506,381	5,246,800	5,208,096	5,020,700	5,453,200
Electronic Technology	7,910,854	7,915,000	6,992,938	7,660,300	7,687,000
Child Support Services	19,362,974	20,161,600	20,202,898	20,774,800	22,797,200
Investigations and Collections	1,723,244	1,730,200	1,172,153	0	0
Children in Care Collections	1,686,861	1,731,900	1,754,037	1,797,600	1,975,900
Attorney General Contract	3,057,660	3,150,800	3,278,165	3,287,500	3,481,200
Medical Collections	1,659,800	1,746,500	1,842,944	2,000,900	2,204,800
Total	\$41,978,131	\$42,808,900	\$41,608,320	\$41,764,500	\$45,073,000
Categories of Expenditure					
Personal Services	27,143,499	28,043,257	27,638,966	27,096,300	29,761,500
In-State Travel	30,853	34,820	36,399	13,000	31,800
Out of State Travel	17,931	6,653	574	2,000	3,000
Current Expense	8,418,400	8,540,959	8,596,607	8,654,300	9,158,600
DP Current Expense	6,276,844	6,161,637	5,324,879	5,988,700	6,086,000
DP Capital Outlay	77,564	9,549	10,894	10,200	32,100
Capital Outlay	13,040	12,025	0	0	0
Total	\$41,978,131	\$42,808,900	\$41,608,319	\$41,764,500	\$45,073,000
Other Data					
Total FTE	587.9	590.0	566.4	544.5	550.1
Vehicles	6	8	9	9	9

Table 6-3

ADMINISTRATION

Function The Administration Bureau is responsible for managerial oversight and leadership of the Office of Recovery Services and its programs. This Bureau includes the ORS Director and staff, clerical support, personnel management, central training, management auditing, contract management, planning and resource development, public information and constituent affairs.

Funding Detail About 75 percent of this budget comes from federal Title IVD funds. State General Funds make up about 19 percent and the rest comes from dedicated credits.

Administration					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	357,700	350,769	294,848	205,700	282,100
General Fund, One-time	0	0	0	0	1,700
Federal Funds	642,600	695,019	761,245	909,500	1,104,600
Dedicated Credits Revenue	0	0	0	0	85,300
Transfers - H - Medical Assistance	56,809	65,493	67,238	78,700	0
Transfers - Other Agencies	13,248	16,885	39,546	28,800	0
Lapsing Balance	0	(2,066)	(5,789)	0	0
Total	\$1,070,357	\$1,126,100	\$1,157,088	\$1,222,700	\$1,473,700
Categories of Expenditure					
Personal Services	933,118	979,004	1,040,055	1,111,600	1,178,700
In-State Travel	3,898	1,943	3,424	1,700	3,400
Out of State Travel	3,126	577	0	0	0
Current Expense	130,215	144,426	113,320	109,300	290,900
DP Current Expense	0	150	290	100	700
Total	\$1,070,357	\$1,126,100	\$1,157,088	\$1,222,700	\$1,473,700
Other Data					
Total FTE	17.7	17.4	16.7	17.3	17.7

Table 6-4

FINANCIAL SERVICES

Function

Financial Services has responsibility for budgetary and financial services for the Division, including check processing and other financial transactions, federal reporting requirements, budget development, purchasing, agency services, facilities, and accounting. The largest section of the staff is responsible for researching, posting, distributing, and disbursing funds collected. Last year, the accounting unit processed more than \$175.4 million in collections and issued over 800,000 support payments. About one-third of the payments are made through direct deposit to the custodial parents.

Funding Detail

Federal Title IVD funds make up about 76 percent of this budget with the State General Fund contributing about 20 percent with the balance coming from dedicated credits.

Financial Services					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	1,354,100	1,318,185	1,195,114	1,080,400	1,081,600
General Fund, One-time	0	0	0	0	3,300
Federal Funds	3,850,904	3,604,634	3,737,124	3,669,600	4,154,900
Dedicated Credits Revenue	(1,820)	0	0	(400)	213,400
Transfers - H - Medical Assistance	222,819	221,763	223,094	272,300	0
Transfers - Other Agencies	83,373	113,162	75,419	0	0
Lapsing Balance	(2,995)	(10,944)	(22,655)	(1,200)	0
Total	\$5,506,381	\$5,246,800	\$5,208,096	\$5,020,700	\$5,453,200
Categories of Expenditure					
Personal Services	1,484,049	1,350,814	1,354,033	1,346,400	1,480,100
In-State Travel	1,210	1,569	270	500	300
Current Expense	4,008,082	3,882,392	3,853,792	3,673,800	3,972,800
Capital Outlay	13,040	12,025	0	0	0
Total	\$5,506,381	\$5,246,800	\$5,208,096	\$5,020,700	\$5,453,200
Other Data					
Total FTE	36.2	32.5	31.8	30.8	31.8
Vehicles	6	8	9	9	9

Table 6-5

ELECTRONIC TECHNOLOGY

Function This bureau is responsible for the operation and maintenance of the Office of Recovery Services Information System (ORSIS), client server subsystems and LAN support. It is responsible for coordinating efforts with the Department of Human Services Bureau of Information Technology and the State Information Technology Office. Electronic Services is also responsible for the telecommunications needs of ORS. This includes operation of the ORS Automated Information System, which provides an automated method for both custodial and non-custodial parents to check on status of payments. In FY 2004, it handled over 1.4 million telephone calls (equivalent of 20 FTEs).

ORSIS Data System Changes Modifications to existing Department of Human Services’ data systems are required to enable them to communicate with the Department of Workforce Services’ (DWS) new data system, electronic Resource and Eligibility Product (“eREP”), which will replace PACMIS (Public Assistance Case Management Information System). The Office of Recovery Services’ ORSIS system uses DWS’ data system for timely referrals for child support services, medical support enforcement and establishment of Medicaid third party liability. The 2004 Legislature made a one-time FY 2005 appropriation of \$241,700 (\$45,500 General Fund) for contracted programming services. The funds are non-lapsing.

Funding Detail Funding comes from federal Title IVD funds (about 78 percent), State General Funds (about 17 percent) and dedicated credits (5 percent).

Electronic Technology					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,173,200	1,981,345	1,593,498	1,315,500	1,285,800
General Fund, One-time	0	0	0	0	2,000
Federal Funds	5,203,598	5,429,862	5,013,006	6,032,400	6,024,800
Dedicated Credits Revenue	0	0	0	0	374,400
Transfers - H - Medical Assistance	339,950	338,307	299,796	357,900	0
Transfers - Other Agencies	194,106	181,980	116,847	0	0
Closing Nonlapsing	0	0	0	(45,500)	0
Lapsing Balance	0	(16,494)	(30,209)	0	0
Total	\$7,910,854	\$7,915,000	\$6,992,938	\$7,660,300	\$7,687,000
Categories of Expenditure					
Personal Services	1,415,227	1,567,737	1,546,008	1,529,300	1,534,600
In-State Travel	553	1,841	762	500	800
Out of State Travel	2,791	0	0	1,400	0
Current Expense	210,649	201,766	210,808	175,500	69,100
DP Current Expense	6,204,070	6,134,107	5,224,466	5,943,400	6,050,400
DP Capital Outlay	77,564	9,549	10,894	10,200	32,100
Total	\$7,910,854	\$7,915,000	\$6,992,938	\$7,660,300	\$7,687,000
Other Data					
Total FTE	23.6	24.3	24.0	22.5	22.7

Table 6-6

CHILD SUPPORT SERVICES

Function

Child Support Enforcement is the largest activity in the Office of Recovery Services. It is responsible for the management of the Federal Title IV-D Child Support Enforcement program for the State that is required by Federal law for the State to receive the Title IV-A (TANF – Temporary Assistance for Needy Families) block grant. The primary purpose of the program is to increase family income through collection of child support. Combined with other income, this will assist families to become self-sufficient or prevent the need for public assistance.

Funding Detail

Again, the major source of funds for this budget is the federal Title IVD funds (about 64 percent). The State General Fund makes up about 24 percent and dedicated credits provide about 10 percent. There is also a small amount from other agency transfers.

Child Support Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	5,507,274	5,257,140	4,973,431	5,069,600	5,462,800
General Fund, One-time	0	0	0	0	49,100
Federal Funds	12,431,338	13,243,905	12,879,539	13,346,900	14,680,800
Dedicated Credits Revenue	1,379,834	1,636,795	2,356,386	2,266,000	2,505,400
Transfers - Other Agencies	44,528	63,675	87,827	92,300	99,100
Lapsing Balance	0	(39,915)	(94,285)	0	0
Total	\$19,362,974	\$20,161,600	\$20,202,898	\$20,774,800	\$22,797,200
Categories of Expenditure					
Personal Services	18,326,780	19,006,256	18,984,630	19,336,100	21,314,900
In-State Travel	19,420	18,474	15,509	9,700	15,500
Out of State Travel	8,286	296	0	600	3,000
Current Expense	1,007,700	1,135,842	1,202,115	1,428,200	1,463,800
DP Current Expense	788	732	644	200	0
Total	\$19,362,974	\$20,161,600	\$20,202,898	\$20,774,800	\$22,797,200
Other Data					
Total FTE	400.9	404.9	395.2	393.9	397.3

Table 6-7

INVESTIGATIONS AND COLLECTIONS

Function This office has been responsible for the investigation of alleged public assistance fraud, calculations of public assistance overpayments and collection of public assistance overpayments for the Department of Workforce Services (DWS) and the Department of Health. When DWS was created, this function was left temporarily with ORS. This transfer had been planned when DWS was created to better align responsibility and accountability for these functions.

Funding Detail This Office was transferred to DWS in FY 2004.

Investigations and Collections					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	723,321	740,136	653,518	0	0
Federal Funds	190,381	164,299	5,033	0	0
Transfers - H - Medical Assistance	166,713	211,853	117,665	0	0
Transfers - Other Agencies	642,829	614,458	433,076	0	0
Lapsing Balance	0	(546)	(37,139)	0	0
Total	\$1,723,244	\$1,730,200	\$1,172,153	\$0	\$0
Categories of Expenditure					
Personal Services	1,681,879	1,693,034	1,148,873	0	0
In-State Travel	3,397	3,598	3,652	0	0
Out of State Travel	3,728	1,928	574	0	0
Current Expense	34,160	31,477	19,025	0	0
DP Current Expense	80	163	29	0	0
Total	\$1,723,244	\$1,730,200	\$1,172,153	\$0	\$0
Other Data					
Total FTE	36.4	34.7	22.8	0.0	0.0

Table 6-8

CHILDREN IN CARE COLLECTIONS

Function

This bureau is responsible for collection of child support in behalf of children who are in state custody or 24-hour care. Federal law requires collection of child/medical support for children receiving Title XIX and/or Title IV-E funds. State law (62A-1-117, 78-3a-906) also mandates this collection program. This bureau is also responsible for third party insurance collections for the Utah State Hospital, SSI (Supplemental Security Income) interim assistance for the Department of Work Force Services. It also provides non IV-D child support services for families not receiving public assistance in the form of central accounting for income withholding authorized by the courts.

Funding Detail

Funding for this Office is largely (about 71 percent) from federal Title IVD funds. The balance comes from State funds (about 26 percent) and from dedicated credits (3 percent).

Children in Care Collections					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	504,826	517,122	494,007	468,900	508,200
General Fund, One-time	0	0	0	0	5,000
Federal Funds	1,130,847	1,163,321	1,211,982	1,261,800	1,395,100
Dedicated Credits Revenue	0	0	0	0	67,600
Transfers - H - Medical Assistance	51,188	54,935	57,413	66,900	0
Transfers - Other Agencies	0	45	0	0	0
Lapsing Balance	0	(3,523)	(9,365)	0	0
Total	\$1,686,861	\$1,731,900	\$1,754,037	\$1,797,600	\$1,975,900
Categories of Expenditure					
Personal Services	1,664,478	1,712,926	1,735,387	1,772,600	1,955,800
In-State Travel	723	1,325	1,161	300	1,200
Current Expense	21,660	17,649	17,490	24,700	18,900
Total	\$1,686,861	\$1,731,900	\$1,754,037	\$1,797,600	\$1,975,900
Other Data					
Total FTE	35.3	36.5	36.6	36.9	37.0

Table 6-9

ATTORNEY GENERAL CONTRACT

Function ORS contracts with the Attorney General’s Office for legal services to enforce efforts in the areas of child support and other collections. While on the Attorney General’s staff and payroll, these attorneys and related staff (56 employees) are housed in ORS offices. The AG Office bills ORS monthly based on the actual number of attorneys at ORS and time they spend on ORS matters. The contract with the Attorney General’s office is adjusted annually to match compensation increases given other state employees.

Funding Detail This budget consists of federal Title IVD funds (about 74 percent), State funds (about 26 percent), plus a small amount from dedicated credits.

Attorney General Contract					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	928,600	954,900	917,768	878,500	905,300
Federal Funds	1,997,411	2,089,063	2,276,586	2,332,400	2,570,500
Dedicated Credits Revenue	0	0	0	0	5,400
Transfers - H - Medical Assistance	69,154	73,793	61,865	76,600	0
Transfers - Other Agencies	62,495	39,310	39,145	0	0
Lapsing Balance	0	(6,266)	(17,199)	0	0
Total	\$3,057,660	\$3,150,800	\$3,278,165	\$3,287,500	\$3,481,200
Categories of Expenditure					
Personal Services	0	0	0	13,300	114,500
In-State Travel	1,211	5,506	10,656	0	2,300
Out of State Travel	0	3,852	0	0	0
Current Expense	2,984,543	3,114,957	3,168,059	3,229,200	3,329,500
DP Current Expense	71,906	26,485	99,450	45,000	34,900
Total	\$3,057,660	\$3,150,800	\$3,278,165	\$3,287,500	\$3,481,200

Table 6-10

MEDICAL COLLECTIONS

Function This bureau is responsible to provide insurance identification, collection, and cost avoidance services to the Department of Health for the Medicaid, CHIP (Children’s Health Insurance Program), and PCM (Primary Care Network) programs. The bureau works to identify medical insurance recipients and coordinates benefits and recovery. Additionally, the bureau pursues collections from liable third parties in personal injury cases, administers the Medicaid Estate Recovery program and collects overpayments from providers.

Funding Detail Funding for this bureau is split between State funds (51 percent), Medicaid Title XIX (45 percent), and dedicated credits (4 percent).

Medical Collections					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	757,879	873,265	935,416	1,000,400	1,091,200
General Fund, One-time	0	0	0	0	11,200
Federal Funds	45,316	0	0	0	0
Dedicated Credits Revenue	0	0	0	75,000	1,102,400
Transfers - H - Medical Assistance	856,147	873,266	948,836	925,500	0
Transfers - Other Agencies	458	(31)	0	0	0
Lapsing Balance	0	0	(41,308)	0	0
Total	\$1,659,800	\$1,746,500	\$1,842,944	\$2,000,900	\$2,204,800
Categories of Expenditure					
Personal Services	1,637,968	1,733,486	1,829,981	1,987,000	2,182,900
In-State Travel	441	564	965	300	8,300
Current Expense	21,391	12,450	11,998	13,600	13,600
Total	\$1,659,800	\$1,746,500	\$1,842,944	\$2,000,900	\$2,204,800
Other Data					
Total FTE	38.0	39.7	39.3	43.1	43.7

Table 6-11

CHAPTER 7 DIVISION OF CHILD AND FAMILY SERVICES**Function**

The Division of Child and Family Services' primary purpose is to provide child welfare services and to protect children from abuse and neglect. This includes child abuse and neglect investigations, child abuse prevention services, family preservation services, child protective services, shelter care, foster care, residential treatment care, adoption services, independent living programs, and domestic violence related services. Child and Family Services is a state-administered agency with headquarters in Salt Lake City and five regional administrative centers.

State law (62A-4a-103) states that "the division is the child, youth, and family services authority of the state" and defines its primary purpose as providing child welfare services. The Division shall also, "... when possible and appropriate, provide preventive services and family preservation services...." Furthermore, the Division shall "provide domestic violence services in accordance with federal law." By statute, the Division must provide child abuse prevention services, child protective services, shelter care, foster care, residential care, adoption, health care for children in DCFS custody, family preservation, protective supervision, independent living, and domestic violence preventive services.

Statutory Authority

The Utah Code Title 62A, Chapters 4a authorizes and describes the programs of the Division of Child and Family Services:

- Part 1: Creation and duties of Division, its State Board, and the case management information system and database.
- Part 2: Describes the rights of parents and children and the State's interest and responsibilities and details the various child welfare programs.
- Part 3: Child abuse and neglect prevention and treatment
- Part 4: Child abuse and neglect reporting requirements
- Part 5: Providing shelter and services to runaways
- Part 6: Discusses child placing agencies
- Part 7: Interstate Compact on Placement of Children
- Part 8: Describes the process for "Safe Relinquishment of a Newborn Child"
- Part 9: Details the Division's child adoption assistance plan

Utah Code Title 78 (Judicial Code) has several sections that apply to the Division of Child and Family Services:

- Part 3: Abuse, Neglect and Dependency Proceedings
- Part 3a: Minors in Custody on Grounds Other Than Abuse or Neglect

- Part 4: Termination of Parental Rights Act
- Part 9: (Paragraphs 911-912): Guardian Ad Litem Program

Intent Language

The 2004 Legislature approved the following legislative intent language for DCFS:

Use of non-lapsing funds from FY 2005

- *“It is the intent of the Legislature that funds appropriated for the Adoption Assistance program and the Out of Home Care program in the Division of Child and Family Services not lapse at the end of FY 2005. It is further the intent of the Legislature that these funds be used for Adoption Assistance and Out of Home Care programs.”*

The Division has previously had non-lapsing authority for the Adoption Assistance program. This expands that authority to include the Out-of-Home Care program.

Funds appropriated for private provider employee cost of living

- *“It is the intent of the Legislature that funds appropriated for cost of living increases for employees of private service providers contracting with the Division of Services for People with Disabilities and the Division of Child and Family Services be used exclusively for that purpose. It is further the intent of the Legislature that these divisions report to the Health and Human Services Appropriation Subcommittee during the 2005 General Session on the use of such funds, based on reports from providers, regarding its distribution and impact on salaries of various categories of staff, including but not limited to, administrators, supervisors and direct care workers.”*

The divisions are prepared to report to the appropriations subcommittee during this General Session.

Accountability

The following Table 7-1 highlights some performance measures used by the Division of Child and Family Services indicating compliance with policy and legal requirements.

Performance Data Summary (Div. of Child and Family Services)					
Goal	Measure	Measure Type	Target	Observed	
				4th Qtr FY 2003	4th Qtr FY 2004
Timely response to abuse reports	% of Priority 1 cases seen within 1 hour	Outcome		81.0%	88.0%
	% of Priority 2 cases seen within 24 hours	Outcome		90.0%	90.0%
	% of Priority 3 cases seen within 72 hours	Outcome		75.0%	76.0%
Reduce number of children returning to State custody	% readmissions within 6 months	Outcome		4.0%	9.0%
	% readmissions within 12 months	Outcome		6.0%	11.5%
	% readmissions within 18 months	Outcome		8.0%	11.5%
Provide timely permanency for children in custody	% children in custody with a permanent placement within 12 months	Outcome		63.0%	
				FY 2003	FY 2004
Reduce number of placements while in state custody	Avg # of placements in custody (age 0 - 4)	Outcome		2.0	2.0
	Avg # of placements in custody (age 5 - 9)	Outcome		2.2	2.3
	Avg # of placements in custody (age 10 - 14)	Outcome		2.8	2.6
	Avg # of placements in custody (age 15 - 18)	Outcome		4.8	4.9
	Avg # of placements in custody (age 19+)	Outcome		7.5	5.7

Table 7-1

Funding Detail

The Division is largely financed from the State General Fund (about 50 percent) and from federal grants and Medicaid funds (about 48 percent). The balance comes from dedicated credits and other agency fund transfers. Two General Fund restricted accounts (Domestic Violence Services and Children's Trust) provide \$1.1 million.

Child and Family Services					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	62,886,900	64,798,500	59,488,100	62,905,400	64,596,500
General Fund, One-time	0	0	0	0	434,200
Federal Funds	37,515,624	39,167,800	39,198,800	45,852,000	45,948,300
Dedicated Credits Revenue	2,340,174	2,267,800	1,663,200	1,726,400	1,401,600
GFR - Children's Trust	350,000	350,000	350,000	350,000	400,000
GFR - Domestic Violence	550,000	650,000	650,000	650,000	700,000
Transfers - H - Medical Assistance	17,379,438	18,931,900	18,292,500	19,388,500	17,333,300
Transfers - Other Agencies	1,164,179	1,307,500	390,200	183,800	105,000
Beginning Nonlapsing	0	994,600	2,013,400	763,000	238,700
Closing Nonlapsing	(994,600)	(2,013,400)	(763,000)	(2,161,800)	0
Lapsing Balance	(5,196,384)	(1,776,600)	(853,300)	(1,950,000)	0
Total	\$115,995,331	\$124,678,100	\$120,429,900	\$127,707,300	\$131,157,600
Programs					
Administration	4,000,945	3,317,200	3,424,100	2,861,300	3,477,200
Service Delivery	54,571,813	57,153,900	54,270,400	57,475,600	59,965,200
In-Home Services	1,725,543	1,889,100	1,724,000	2,000,500	1,925,700
Out-of-Home Care	28,155,837	29,922,900	28,983,300	30,410,100	29,831,300
Facility Based Services	5,194,240	5,584,000	3,647,900	3,743,300	3,606,500
Minor Grants	2,924,937	4,109,300	4,206,600	4,647,400	4,706,300
Selected Programs	3,103,550	3,952,700	2,247,700	2,558,400	3,563,000
Special Needs	1,536,625	1,764,000	1,904,400	1,853,600	1,752,300
Domestic Violence Services	4,281,092	4,842,300	4,892,900	5,051,700	5,179,400
Children's Trust Fund	315,829	320,000	327,300	301,000	400,000
Adoption Assistance	8,036,735	9,148,800	10,389,300	11,242,500	11,897,100
Child Welfare Management Information Sy	2,148,185	2,673,900	4,412,000	5,561,900	4,853,600
Total	\$115,995,331	\$124,678,100	\$120,429,900	\$127,707,300	\$131,157,600
Categories of Expenditure					
Personal Services	46,427,131	48,374,200	48,459,200	51,198,300	53,468,200
In-State Travel	617,352	689,100	623,800	705,800	683,800
Out of State Travel	113,367	51,500	46,500	43,500	43,400
Current Expense	14,003,703	17,350,300	15,630,900	16,183,200	16,455,500
DP Current Expense	4,054,627	3,813,900	3,477,200	4,697,100	3,835,900
DP Capital Outlay	0	78,500	5,200	47,400	0
Capital Outlay	0	174,400	0	0	0
Other Charges/Pass Thru	50,779,151	54,146,200	52,187,100	54,832,000	56,670,800
Total	\$115,995,331	\$124,678,100	\$120,429,900	\$127,707,300	\$131,157,600
Other Data					
Total FTE	1,004.1	1,040.4	1,002.2	1,043.4	1,072.3
Vehicles	139	161	189	189	189

Table 7-2

*Court Oversight of
DCFS Continues*

In February 1993, the National Center for Youth Law (NCYL) filed a civil rights complaint in U.S. District Court on behalf of all children reported as abused and neglected and all foster children in Utah. A four-year settlement was signed by Governor Leavitt and approved by the Court in 1994.

In August 1998, the Court allowed the four-year settlement to expire. Not being satisfied with progress made, the Judge required the Division to prepare a comprehensive plan to improve child protective services to a level satisfactory to both the court and the NCYL. The plan, known as "The Performance Milestone Plan," was completed collaboratively with the Child Welfare Policy and Practice Group (CWPPG) of Montgomery, Alabama. The Court accepted it in 1999, directed DCFS to regularly report on compliance and appointed the CWPPG to be the Court's monitor.

The State appealed the court's decision to continue its oversight of the Division to the 10th Circuit Court of Appeals in Denver. In March 2001, the Appeals Court decided DCFS must remain under the scrutiny of the federal courts and continue to meet compliance and reporting requirements. The State appealed to the U.S. Supreme Court, but in October 2001 it refused to consider the appeal. In 2002, the Court, the plaintiffs and DCFS attempted to identify resources needed to bring DCFS closer to realizing the goals of the Milestone Plan. It was decided that the Division needed to substantially increase the number of caseworkers and its training process. The 2003 Legislature appropriated \$1.9 million in additional state funds to DCFS for 51 additional caseworkers and trainers. To date, all have been hired by the Division and have completed initial, formal training.

*Current Status of
Lawsuit*

The State continues to meet with the judge and the plaintiffs in attempts to make the requirements of the Milestone Plan more reasonable and attainable with the object of eventually discontinuing the court's oversight. On December 8, 2003, another meeting was held with Judge Campbell and the plaintiffs. The judge requested DCFS within two years to either complete the items in the Milestone Plan, with any agreed stipulations for trimming the plan, or to bring reasons why it is not possible. In June 2004, Judge Campbell reiterated her demand that DCFS and the Plaintiffs review the problem areas of the agreement and come to an agreement of items that are not needed or cannot be complied with. The next status conference is scheduled for December 2004.

*Payments to plaintiff
attorneys and costs of
court monitoring*

In 2002, the Federal Court ordered the Division to pay over \$1.1 million for attorney fees to the National Center for Youth Law, the original plaintiff in the David C. lawsuit. Another \$234,507 was paid in FY 2003. Starting in FY 2004, these costs were paid by the Attorney General's Office, with funds appropriated for that purpose to the AG's Office. Court monitors and related costs come to another \$2.5 million. There was an additional \$332,742 paid by the Division in FY 2004. To date, the State has paid out over \$4.8 million for costs related to the David C. lawsuit, as shown in the following Table 7-3.

PAYMENTS FOR PLAINTIFF ATTORNEY FEES, LEGAL AND COURT COMPLIANCE COSTS					
(Does not include legal defense costs through Attorney General's Office)					
<u>Fiscal</u> <u>Year</u>	<u>Plaintiff</u> <u>Attorney</u>	<u>Court</u> <u>Monitor *</u>	<u>Monitoring</u> <u>Panel</u>	<u>Milestone**</u> <u>Coordination</u>	<u>TOTAL</u>
1995	\$636,000		\$59,765		\$695,765
1996			195,973		195,973
1997			121,252		121,252
1998			447,547		447,547
1999		162,812			162,812
2000		284,948			284,948
2001		407,903			407,903
2002	1,118,996	334,929			1,453,925
2003	234,507	264,582		262,711	761,800
2004		332,742			332,742
Totals	\$1,989,503	\$1,787,916	\$824,537	\$262,711	\$4,864,667

* Does not include cost of developing the Practice Model training. This would be an additional \$362,038 paid to the CWPPG.

** Cost of DCFS staff hired to monitor Milestone Plan compliance. After FY 2003, these costs were not purely Milestone Plan, but included the Federal Child and Family Services Review. Requirements for the two plans have been blended into one compliance plan.

Source: Department of Human Services

Table 7-3

ADMINISTRATION

Function

The Division's State Administrative Office directs the service delivery system for Child Welfare and Domestic Violence programs across the state. The State Office oversees the division's budgetary procedures and controls; secures federal, state and other funds; monitors and evaluates service delivery; and develops plans.

Funding Detail

The Division State Administrative Office is largely funded by federal grants and Medicaid funds (about 76 percent) and State funds (about 24 percent).

Administration					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	1,822,174	1,002,800	706,900	734,600	808,700
General Fund, One-time	0	0	0	0	12,100
Federal Funds	2,184,879	2,280,200	2,572,300	2,605,700	2,618,000
Dedicated Credits Revenue	2,555	0	107,400	0	0
Transfers - H - Medical Assistance	37,318	33,900	37,500	42,200	38,400
Transfers - Other Agencies	230	500	0	(24,000)	0
Closing Nonlapsing	(46,000)	0	0	(50,000)	0
Lapsing Balance	(211)	(200)	0	(447,200)	0
Total	\$4,000,945	\$3,317,200	\$3,424,100	\$2,861,300	\$3,477,200
Categories of Expenditure					
Personal Services	2,236,435	2,166,200	2,125,900	2,129,300	2,353,300
In-State Travel	23,909	41,800	19,000	14,500	27,000
Out of State Travel	81,897	18,200	27,000	16,100	25,200
Current Expense	1,401,675	877,500	1,144,900	574,700	1,059,300
DP Current Expense	257,029	213,500	107,300	126,700	12,400
Total	\$4,000,945	\$3,317,200	\$3,424,100	\$2,861,300	\$3,477,200
Other Data					
Total FTE	37.4	39.0	38.3	35.0	39.2

Table 7-4

SERVICE DELIVERY

Function The regional offices of the division direct and deliver child welfare, youth, and domestic violence services. This budget includes funding for caseworkers, related staff, regional administrative personnel, and training. There are five regions: Northern, Eastern, Western, Southwestern, and Central (Salt Lake County). Each region analyzes the services needed by its clients and organizes resources to uniquely provide the services.

Funding Detail The Service Delivery Budget is funded from State funds (about 48 percent), and federal grants and Medicaid funds (about 52 percent). There is also a small amount of dedicated credits.

Service Delivery					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	29,273,326	29,803,600	25,994,900	26,688,900	28,464,300
General Fund, One-time	0	0	0	0	240,300
Federal Funds	19,003,328	17,127,500	18,482,900	22,188,100	22,794,700
Dedicated Credits Revenue	6,444	5,300	7,500	11,100	9,600
Transfers - H - Medical Assistance	9,351,709	9,618,600	8,441,300	9,915,800	8,456,300
Transfers - Other Agencies	1,073,988	785,900	0	0	0
Beginning Nonlapsing	0	50,000	0	0	0
Lapsing Balance	(4,136,982)	(237,000)	1,343,800	(1,328,300)	0
Total	\$54,571,813	\$57,153,900	\$54,270,400	\$57,475,600	\$59,965,200
Categories of Expenditure					
Personal Services	40,076,743	41,306,600	41,425,900	43,951,300	45,872,200
In-State Travel	554,478	596,200	558,200	639,700	618,200
Out of State Travel	26,941	11,300	6,800	10,200	13,700
Current Expense	11,224,383	12,961,900	11,220,000	11,773,800	12,209,000
DP Current Expense	2,248,400	1,746,500	86,100	201,200	131,100
Other Charges/Pass Thru	440,868	531,400	973,400	899,400	1,121,000
Total	\$54,571,813	\$57,153,900	\$54,270,400	\$57,475,600	\$59,965,200
Other Data					
Total FTE	863.2	890.2	855.0	895.9	916.8
Vehicles	139	160	186	186	186

Table 7-5

IN-HOME SERVICES

Function

This program provides various services focusing on protecting children while supporting, strengthening and preserving their families. These services are designed to allow children to stay in their homes or facilitate their return to their natural families. In FY 2004, the Division provided services to 6,839 children in their homes. Services include:

- *Homemaker Services:* Provides short-term assistance to parents unable to provide basic care and homemaking needed for the well being of a child.
- *Youth Advocate Program:* Works one-on-one with youth who have been neglected or abused, and who are at risk of becoming delinquent or ungovernable.
- *In-Home Services:* Makes resources available to a family when less structured intervention is needed to prevent disruption of the family.
- *Parenting Skills Training:* Provides classes that teach appropriate communication and discipline skills.
- *Protective Day Care:* Provides day care for children at risk of abuse or neglect if left at home during the day.
- *Sexual Abuse Treatment Services:* Provides assessment and treatment to sexually abused children and their families. Also provides treatment for sexually reactive children and juvenile perpetrators who have been identified by DCFS as sex abuse victims.
- *Day Treatment Services:* This program provides therapeutic management services for emotionally and behavioral disturbed children and adolescents. Services include education, therapy, crisis management, social skills training, recreational services, and daily living skills.

Funding Detail

“In-Home Services” is funded entirely with State General Funds.

In-Home Services					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	1,827,300	1,971,400	1,925,700	1,978,700	1,925,700
Lapsing Balance	(101,757)	(82,300)	(201,700)	21,800	0
Total	\$1,725,543	\$1,889,100	\$1,724,000	\$2,000,500	\$1,925,700
Categories of Expenditure					
In-State Travel	0	0	1,400	600	0
Current Expense	121,658	164,900	277,900	443,100	157,800
Other Charges/Pass Thru	1,603,885	1,724,200	1,444,700	1,556,800	1,767,900
Total	\$1,725,543	\$1,889,100	\$1,724,000	\$2,000,500	\$1,925,700

Table 7-6

OUT-OF-HOME CARE

Function

This program provides care for children placed in foster care and other residential programs. Placements in out-of-home services are made according to the child’s behavioral needs and include basic, specialized, structured and residential care with therapy and wrap around services. The program includes care and maintenance costs such as board and room, personal care, clothing, and allowance. In FY 2004, the Division provided foster care and institutional care to 3,761 children. As of December, 2004, there were 2,088 children in foster care.

Funding Detail

This program’s major funding source is the State General Fund (about 54 percent), with federal grants and Medicaid funds providing about 42 percent. The balance comes from dedicated credits (about 4 percent).

Out-of-Home Care					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	15,066,400	15,644,100	15,503,100	15,990,800	15,862,500
General Fund, One-time	0	0	0	0	143,800
Federal Funds	3,359,063	3,188,900	3,109,400	4,253,200	3,164,000
Dedicated Credits Revenue	2,318,312	2,253,700	1,520,200	1,609,900	1,368,000
Transfers - H - Medical Assistance	8,238,211	9,546,300	10,073,700	10,375,700	9,293,000
Transfers - Other Agencies	(8,212)	25,000	213,600	74,700	0
Closing Nonlapsing	0	0	0	(1,894,200)	0
Lapsing Balance	(817,937)	(735,100)	(1,436,700)	0	0
Total	\$28,155,837	\$29,922,900	\$28,983,300	\$30,410,100	\$29,831,300
Categories of Expenditure					
Out of State Travel	635	1,600	700	0	0
Current Expense	111,158	119,100	53,900	72,800	64,600
Other Charges/Pass Thru	28,044,044	29,802,200	28,928,700	30,337,300	29,766,700
Total	\$28,155,837	\$29,922,900	\$28,983,300	\$30,410,100	\$29,831,300

Table 7-7

FACILITY BASED SERVICES

Function

Facility Based services include short-term shelter services, crisis host homes, and other short-term shelter services for abused, neglected, and dependent children and youth, such as the Christmas Box House in Salt Lake County. This program covers the cost of such services provided directly by the Region or through contracts with private providers. The “Youth Services” function and budgets were transferred to the Division of Youth Corrections in FY 2003 as a result of SB12 (2002 General Session).

Ten crisis nurseries, in part funded through contracts with DCFS, are found statewide and allow parents, who feel that they might injure a child due to a crisis, to place the child at the center while the parents resolve the crisis. These centers are available 24 hours a day, 7 days a week. Centers are currently operating in Logan, Midvale, Salt Lake City (Sugarhouse), Ogden, Clearfield, Orem, Brigham City, Roosevelt, Cedar City and St. George.

Funding Detail

The major funding source for this program is the State General Fund (about 71 percent) with federal funds making up most of the balance, with a small amount of dedicated credits.

Facility Based Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	3,450,400	3,442,600	2,606,600	2,706,400	2,559,300
General Fund, One-time	0	0	0	0	13,300
Federal Funds	1,642,354	2,018,800	1,036,900	1,078,100	1,030,400
Dedicated Credits Revenue	7,524	4,900	4,500	600	3,500
Transfers - Other Agencies	98,173	353,500	0	30,700	0
Closing Nonlapsing	(4,000)	0	0	0	0
Lapsing Balance	(211)	(235,800)	(100)	(72,500)	0
Total	\$5,194,240	\$5,584,000	\$3,647,900	\$3,743,300	\$3,606,500
Categories of Expenditure					
Personal Services	775,679	826,200	710,900	745,000	708,300
In-State Travel	1,692	1,500	1,100	1,000	1,900
Current Expense	202,145	179,200	101,100	206,300	112,800
DP Current Expense	8,158	10,600	200	800	0
Capital Outlay	0	174,400	0	0	0
Other Charges/Pass Thru	4,206,566	4,392,100	2,834,600	2,790,200	2,783,500
Total	\$5,194,240	\$5,584,000	\$3,647,900	\$3,743,300	\$3,606,500
Other Data					
Total FTE	32.4	34.1	26.6	26.0	26.0
Vehicles	0	1	2	2	2

Table 7-8

MINOR GRANTS**Function**

Minor Grants refer to the small grants awarded DCFS, as opposed to the major grants such as Titles IV-E, IV-B, XIX, and SSBG. These minor grants are usually administered by the program manager at the state office, rather than by the regions. Currently, this program includes the following grants:

- *Child Abuse Prevention and Treatment Act (CAPTA) Grants:* The purpose of the CAPTA basic state grant is to assist the State in improving the child protective services system. Nine areas of improvement are identified in the Act, from which the State must select one or more to target specific grant activities. There is also the Community-Based Family Resource and Support Program Grant authorized through CAPTA - Title II. The purpose of this grant is to support state efforts to develop, operate, expand, and enhance a network of community-based, prevention-focused, family resource and support programs. These programs coordinate resources among existing public and private organizations. Current grant funding provides for community development positions and supports a statewide conference on child abuse and neglect.
- *Safe and Stable Family Grants (Authorized through Title IV-B, Part II, of the Social Security Act):* These funds provide family preservation, family support, time-limited family reunification efforts, and adoption promotion and support services. Ten family support projects have been funded in communities throughout the state. DCFS regions provide family preservation, reunification, and adoption support services.
- *Independent Living:* The Independent Living program assists youth 16 years and older to learn self-sufficiency skills. Some funds are used for stipends to help youth support themselves while living on their own and participating in the independent living program.

Funding Detail

Federal grants make up about 70 percent of this budget. The State General Fund provides matching funds (about 30 percent).

Minor Grants					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	711,600	1,092,700	1,292,200	1,428,200	1,417,000
General Fund, One-time	0	0	0	0	5,400
Federal Funds	2,045,272	3,035,200	3,026,600	3,247,500	3,283,900
Dedicated Credits Revenue	0	0	0	89,600	0
Lapsing Balance	168,065	(18,600)	(112,200)	(117,900)	0
Total	\$2,924,937	\$4,109,300	\$4,206,600	\$4,647,400	\$4,706,300
Categories of Expenditure					
Personal Services	1,082,434	1,570,900	1,431,200	1,446,300	1,636,700
In-State Travel	10,943	18,900	18,900	25,700	14,300
Out of State Travel	1,786	11,900	8,500	8,200	800
Current Expense	195,135	528,800	491,700	706,000	387,400
DP Current Expense	19,709	37,900	15,200	22,400	9,600
Other Charges/Pass Thru	1,614,930	1,940,900	2,241,100	2,438,800	2,657,500
Total	\$2,924,937	\$4,109,300	\$4,206,600	\$4,647,400	\$4,706,300
Other Data					
Total FTE	23.5	26.8	30.4	30.8	35.2

Table 7-9

SELECTED PROGRAMS

Function

Some services previously funded in this program have been shifted to other programs in DCFS. The selected programs remaining in this budget include:

- *Masters of Social Work (U of U):* The Division has a contract with the University of Utah whereby the U of U provides the State funding match and the Division draws down the Title IV-E federal funds for some salaries and costs associated with the U of U MSW (Master of Social Work) program. This also includes a number of student stipends.
- *Attorney General Services:* The Division has an agreement with the State Attorney General to pay for legal costs incurred in behalf of children in DCFS service. The AG’s Office (Child Protection Division) provides the state match for the federal Title IV-E share that comes through the Division budget.
- *Drug Court Grant:* In FY 2001, the Central Region (Salt Lake County) of DCFS received a \$105,000 grant from the Division of Substance Abuse for a local dependency drug court program. The grant will continue through FY2005 and into FY 2006. The funds are used for direct treatment, testing and case management of individuals who are also involved with DCFS.

Funding Detail

The majority of funds in this budget item come from federal grants (about 96 percent) with smaller amounts of other agency transfers and dedicated credits.

Selected Programs					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Federal Funds	3,103,550	3,874,900	2,142,900	2,441,800	3,437,500
Dedicated Credits Revenue	0	800	20,600	13,800	20,500
Transfers - Other Agencies	0	103,800	105,000	102,400	105,000
Lapsing Balance	0	(26,800)	(20,800)	400	0
Total	\$3,103,550	\$3,952,700	\$2,247,700	\$2,558,400	\$3,563,000
Categories of Expenditure					
In-State Travel	0	300	300	0	0
Out of State Travel	0	3,700	1,100	800	0
Current Expense	0	1,661,700	1,179,900	1,407,900	1,528,500
Other Charges/Pass Thru	3,103,550	2,287,000	1,066,400	1,149,700	2,034,500
Total	\$3,103,550	\$3,952,700	\$2,247,700	\$2,558,400	\$3,563,000

Table 7-10

SPECIAL NEEDS

Function

This program provides for special needs of children placed in foster homes and other out-of-home care situations. Special needs might include transportation, special clothing allowances, music lessons, special equipment, baby needs, additional clothing allowance (usually for teens), Christmas gifts, recreation needs, and school expenses (such as yearbook, locker fees, school pictures, tutors, etc). It also includes miscellaneous expenses that DCFS is ordered by the courts to pay for foster children or their parents' needs. This includes interpreter services, long-distance phone calls to facilitate reunification, drug/alcohol screening and treatment for parents, and psychological evaluations of parents. State appropriated funds allow approximately \$491 per child per year for these purposes. Federal Title IV-E funds pay for some transportation costs of eligible children in custody and for some special needs categories.

Funding Detail

“Special Needs” are mostly funded with State funds (89%) with the balance coming from federal Title IVE funds.

Special Needs					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,340,900	1,537,900	1,594,500	1,749,800	1,563,700
Federal Funds	196,250	129,800	448,500	243,400	188,600
Transfers - Other Agencies	0	0	35,000	0	0
Lapsing Balance	(525)	96,300	(173,600)	(139,600)	0
Total	\$1,536,625	\$1,764,000	\$1,904,400	\$1,853,600	\$1,752,300
Categories of Expenditure					
In-State Travel	0	0	6,900	0	0
Out of State Travel	0	4,600	0	5,400	0
Current Expense	526,984	564,500	799,300	661,100	619,700
Other Charges/Pass Thru	1,009,641	1,194,900	1,098,200	1,187,100	1,132,600
Total	\$1,536,625	\$1,764,000	\$1,904,400	\$1,853,600	\$1,752,300

Table 7-11

DOMESTIC VIOLENCE**Function**

The Division provides services which aid victims and perpetrators of domestic violence. This program includes:

- *Domestic Violence Case Workers* provide other DCFS workers with information about domestic violence as it relates to child abuse, assist in risk determination, and provide resources and referrals to assist DCFS workers in keeping adult and child victims safe.
- *Domestic Violence Outpatient Services* provide treatment to court- ordered and voluntary domestic violence perpetrators, victims of domestic violence and child witnesses of domestic violence. This program is funded in part from the Victims of Domestic Violence Services Account, which revenues come from surcharges on criminal fines, penalties and forfeitures imposed by the courts.
- *Family Violence Shelters* provide abused adults and their children with a safe short-term refuge. While there, shelter staff can help victims assess their situation and evaluate available options to end the abuse. They are also given an opportunity to participate in groups with other battered individuals and to deal with issues of self-esteem and self-sufficiency. There are 16 domestic violence shelters operating in a little over half of the State's 29 counties. Available services vary from shelter to shelter. Some of the services provided include a 24-hour crisis hot line, a 24-hour mobile crisis team, adult and child support groups, rape crisis intervention, education and training, assistance with protective orders, court advocacy, household goods assistance, bilingual services, transportation, child care and information and referral. While the State does not itself operate any shelters, DCFS contracts for services with shelters such as Salt Lake's YWCA program.

Funding Detail

The State provides about 58 percent of funding for domestic violence programs. Another 13.5 percent (\$700,000) comes from the Domestic Violence Services Account (General Fund Restricted) and the balance comes from various federal grants and funds.

Domestic Violence Services					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	3,036,500	3,200,300	3,012,700	2,952,000	2,984,200
General Fund, One-time	0	0	0	0	13,600
Federal Funds	779,409	1,386,700	1,456,400	1,680,900	1,481,600
Dedicated Credits Revenue	5,339	3,100	3,000	1,400	0
GFR - Domestic Violence	550,000	650,000	650,000	650,000	700,000
Lapsing Balance	(90,156)	(397,800)	(229,200)	(232,600)	0
Total	\$4,281,092	\$4,842,300	\$4,892,900	\$5,051,700	\$5,179,400
Categories of Expenditure					
Personal Services	1,752,232	1,873,400	1,859,700	1,972,500	1,896,500
In-State Travel	24,236	26,100	16,100	19,500	20,400
Out of State Travel	798	200	1,300	700	1,200
Current Expense	87,058	126,100	129,300	122,700	145,300
DP Current Expense	11,339	2,800	1,300	7,100	6,000
Other Charges/Pass Thru	2,405,429	2,813,700	2,885,200	2,929,200	3,110,000
Total	\$4,281,092	\$4,842,300	\$4,892,900	\$5,051,700	\$5,179,400
Other Data					
Total FTE	39.1	40.3	39.0	40.5	39.5
Vehicles	0	0	1	1	1

Table 7-12

*Victims of Domestic
Violence Services
Account*

This General Fund Restricted Account receives four percent of surcharges paid on all criminal fines, penalties and forfeitures. A portion of collections goes to the Attorney General's Office for training. The majority of funds go to DCFS for services to victims of domestic violence. DCFS share of collections in FY 2004 totaled \$634,044, resulting in a year end balance of \$605,150, after expenditures of \$417,364.

CHILDREN’S TRUST ACCOUNT

Function

The Children’s Trust Account was established by the Legislature in 1986. The legislation placed a \$3.00 surcharge on birth certificates to be used for child abuse prevention programs. Each year, the Child Abuse and Neglect Council receives proposals and awards grants which require a dollar for dollar match by the sponsoring organizations (schools, church groups, communities, etc). Actual collections for FY 2004 totaled \$348,867, with an ending balance of \$338,557 after expenditures of \$301,022.

Funding Detail

This program budget consists entirely of appropriations from the Children’s Trust Account (General Fund Restricted).

Children's Trust Fund					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
GFR - Children's Trust	350,000	350,000	350,000	350,000	400,000
Lapsing Balance	(34,171)	(30,000)	(22,700)	(49,000)	0
Total	\$315,829	\$320,000	\$327,300	\$301,000	\$400,000
Categories of Expenditure					
Current Expense	0	9,000	1,500	0	0
Other Charges/Pass Thru	315,829	311,000	325,800	301,000	400,000
Total	\$315,829	\$320,000	\$327,300	\$301,000	\$400,000

Table 7-13

ADOPTION ASSISTANCE

Function

The State makes available several forms of financial assistance to families adopting children from State custody: 1) One-time assistance for legal costs; 2) Medicaid card for the child; 3) Monthly adoption subsidies; and 4) Supplemental, special needs subsidies, for out-of-home placement care, specialized therapy, dental and medical care not covered by the Medicaid card, and other occasional needs. Subsidies are also available for guardianship cases.

Funding Detail

A little over half (55 percent) for this budget comes from the State General Fund, and another 43 percent comes from federal funds. Funds for adoption subsidies are usually given non-lapsing status and there are usually some carry-forward funds from the previous year.

Adoption Assistance					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	5,328,300	5,870,900	4,414,500	6,168,900	6,588,400
Federal Funds	4,082,725	4,563,900	5,034,400	5,473,500	5,524,400
Transfers - H - Medical Assistance	(247,800)	(266,900)	(260,000)	(945,200)	(454,400)
Beginning Nonlapsing	0	944,600	1,963,400	763,000	238,700
Closing Nonlapsing	(944,600)	(1,963,400)	(763,000)	(217,600)	0
Lapsing Balance	(181,890)	(300)	0	(100)	0
Total	\$8,036,735	\$9,148,800	\$10,389,300	\$11,242,500	\$11,897,100
Categories of Expenditure					
Current Expense	2,326	0	300	0	0
Other Charges/Pass Thru	8,034,409	9,148,800	10,389,000	11,242,500	11,897,100
Total	\$8,036,735	\$9,148,800	\$10,389,300	\$11,242,500	\$11,897,100

Table 7-14

CHILD WELFARE MANAGEMENT INFORMATION SYSTEM

Function

The "SAFE" management information system provides statewide electronic case management. The system automatically develops service need lists, develops documents needed for foster care placements, maintains education and other case histories, electronically notifies caseworker of required actions and related time frames, and facilitates report creation. It also electronically connects with other systems such as ORSIS (Office of Recovery Services Information System) and USSDS (Unified Social Services Delivery System). It is the document of record for all child protective service cases. It also provides data for division management and federal reports.

Funding Detail

Approximately half of this program's budget comes from the State General Fund and half from federal funds.

Child Welfare Management Information System					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,030,000	1,232,200	2,437,000	2,507,100	2,422,700
General Fund, One-time	0	0	0	0	5,700
Federal Funds	1,118,794	1,561,900	1,888,500	2,639,800	2,425,200
Transfers - Other Agencies	0	38,800	36,600	0	0
Beginning Nonlapsing	0	0	50,000	0	0
Closing Nonlapsing	0	(50,000)	0	0	0
Lapsing Balance	(609)	(109,000)	(100)	415,000	0
Total	\$2,148,185	\$2,673,900	\$4,412,000	\$5,561,900	\$4,853,600
Categories of Expenditure					
Personal Services	503,608	630,900	905,600	953,900	1,001,200
In-State Travel	2,094	4,300	1,900	4,800	2,000
Out of State Travel	1,310	0	1,100	2,100	2,500
Current Expense	131,181	157,600	231,100	214,800	171,100
DP Current Expense	1,509,992	1,802,600	3,267,100	4,338,900	3,676,800
DP Capital Outlay	0	78,500	5,200	47,400	0
Total	\$2,148,185	\$2,673,900	\$4,412,000	\$5,561,900	\$4,853,600
Other Data					
Total FTE	8.5	9.9	12.9	15.3	15.7

Table 7-15

CHAPTER 8 DIVISION OF AGING AND ADULT SERVICES

Function The Division of Aging and Adult Services (DAAS) is the designated state agency authorized to coordinate all state activities related to the Older Americans Act of 1965 (amended in the year 2000). It advocates for the elderly, contracts for services, and administers State and federal programs for the elderly. Programs funded through the Older Americans Act must be distributed to the State’s 12 local county Area Agencies on Aging (AAA’s) through an approved funding formula. The Division is also responsible for the protection of abused, neglected and exploited adults and elderly, through the Adult Protective Services (APS) program.

Statutory Authority The Utah Code Title 62A, Chapter 3 authorizes and describes the programs of the Division of Aging and Adult Services:

- Part 1: Creation and duties of Division, its State Board, and functions of the local Area Agencies on Aging.
- Part 2: Long Term Ombudsman Program.
- Part 3: Abuse, Neglect, or Exploitation of Vulnerable Adults

Utah Code 76-5-111 describes abuse, neglect or exploitation of adults and penalties.

Accountability The following Table 8-1 shows measures indicating success of elder abuse prevention programs and results of the efforts of the local Area Agencies on Aging to provide services to as many clients as possible.

Performance Data Summary (Div. of Aging and Adult Services)					
Goal	Measure	Measure Type	Target*	Observed	
				FY 2003	FY 2004
Reduce rate of elder abuse	Reports of abuse per 1,000 population	Outcome		11.6	11.6
Reduce repeat reports of elder abuse	% of substantiated referrals that receive a 2nd referral within 6 months	Outcome		13.0%	13.5%
Maximize number of clients served	% elderly served of those waiting - Alternative Services	Output		67%	79%
	% elderly served of those waiting - Waiver Services	Output		98%	95%
	% elderly served of those waiting - Caregiver Support	Output		57%	62%

** Note: Target values for the first two measures should obviously be zero. National average data is not available. For the last three measure, these percentages are largely driven by available resources.*

Table 8-1

Funding Detail

The Division receives about 57 percent of its budget from the State General Fund. Most of the balance comes from federal grants and Medicaid funds. There is also a small amount of dedicated credits.

Aging and Adult Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	11,621,400	12,151,185	11,520,100	11,520,900	12,073,900
General Fund, One-time	0	0	0	0	271,700
Federal Funds	6,771,807	7,079,287	8,283,779	8,789,700	8,923,500
Dedicated Credits Revenue	54,382	104,448	35,169	5,400	52,500
Transfers - H - Medical Assistance	314,066	300,261	333,332	331,200	339,400
Transfers - Other Agencies	0	64,170	0	0	0
Pass-through	0	0	0	2,200	0
Beginning Nonlapsing	0	344,394	25,000	0	0
Closing Nonlapsing	(344,394)	(25,000)	0	0	0
Lapsing Balance	0	(32,745)	(117,214)	(5,400)	0
Total	\$18,417,261	\$19,986,000	\$20,080,166	\$20,644,000	\$21,661,000
Programs					
Administration	1,311,402	1,397,100	1,340,524	1,369,100	1,394,300
Local Government Grants	12,121,695	13,594,600	13,626,824	13,884,200	14,456,300
Non-Formula Funds	1,986,443	1,975,200	2,066,960	2,368,800	2,722,100
Adult Protective Services	2,997,721	3,019,100	3,045,858	3,021,900	3,088,300
Total	\$18,417,261	\$19,986,000	\$20,080,166	\$20,644,000	\$21,661,000
Categories of Expenditure					
Personal Services	3,435,894	3,531,540	3,585,457	3,555,500	3,738,200
In-State Travel	66,155	63,068	63,617	66,000	67,500
Out of State Travel	12,503	8,136	4,849	9,000	9,000
Current Expense	439,718	434,243	408,397	457,300	486,800
DP Current Expense	232,855	262,871	287,916	315,000	151,700
Other Charges/Pass Thru	14,230,136	15,686,142	15,729,931	16,241,200	17,207,800
Total	\$18,417,261	\$19,986,000	\$20,080,166	\$20,644,000	\$21,661,000
Other Data					
Total FTE	64.1	63.9	64.5	64.0	65.3
Vehicles	5	7	9	9	9

Table 8-2

*“Out and About
Transportation
Assistance Fund”*

The Legislature, in the 2002 General Session, passed HB 310, “Mobility Assistance Fund.” This legislation created a voluntary \$1 check-off on driver license applications and renewals. It also created a special revenue fund known as the “Out and About” Homebound Transportation Assistance Fund which receives these check-off funds, as well as private contributions, donations, grants and interest earned on the fund. The purpose of the Fund is to provide public transportation for seniors or people with disabilities. The Division of Aging and Adult Services administers the distribution of the funds and makes rules (in accordance with the Utah Rulemaking Act). The legislation also directed DAAS to make an annual report on the Fund to the Health and Human Services Appropriations Subcommittee.

The Division of Aging and Adult Services provided a brief report to the Office of Legislative Fiscal Analyst on October 20, 2004. That report is quoted below:

“As of September 30, 2004, the Driver License Division of the Department of Public Safety has collected \$61,606. The Driver’s License Division has retained \$6,161 for administrative purposes and \$22,932 as a partial payment for programming costs in setting up the check-off process (total programming contract to be reimbursed from collections is \$40,000). The Division of Aging and Adult Services has received \$32,513. This money has been deposited in the Public Treasurer’s Investment Fund. Interest of \$549 has been accrued in the account. The total amount in the Fund available for distribution is \$33,062.”

ADMINISTRATION**Function**

The State DAAS Administrative Office develops and monitors programs for older citizens. The Office is responsible for the implementation of the Older American's Act and related State programs. It receives federal funds, distributes them to local agencies, and provides required oversight, technical assistance, training, data collection, reporting and monitoring. The Office contracts with local “Area Agencies on Aging” (AAAs) for delivery of services. It also administers the Medicaid Home and Community based Waiver, State Alternatives and Caregiver Respite programs, Adult Protective Services, and the Long Term Care Ombudsman Program.

Funding Detail

The Division’s State administrative office is funded with federal grants and Medicaid funds (59%) and State funds (41%).

Administration					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	644,390	648,489	588,300	557,700	567,800
General Fund, One-time	0	0	0	0	3,600
Federal Funds	510,392	558,000	649,904	713,000	727,400
Dedicated Credits Revenue	48,567	44,513	12,915	3,400	0
Transfers - H - Medical Assistance	108,053	81,928	89,467	94,200	95,500
Transfers - Other Agencies	0	64,170	0	0	0
Pass-through	0	0	0	2,200	0
Lapsing Balance	0	0	(62)	(1,400)	0
Total	\$1,311,402	\$1,397,100	\$1,340,524	\$1,369,100	\$1,394,300
Categories of Expenditure					
Personal Services	1,051,467	1,119,816	1,134,493	1,123,000	1,176,500
In-State Travel	20,389	25,941	22,437	21,400	24,100
Out of State Travel	9,055	7,967	4,255	9,000	8,300
Current Expense	170,685	149,087	130,238	155,800	128,700
DP Current Expense	59,806	63,289	49,101	59,900	56,700
Other Charges/Pass Thru	0	31,000	0	0	0
Total	\$1,311,402	\$1,397,100	\$1,340,524	\$1,369,100	\$1,394,300
Other Data					
Total FTE	18.0	18.1	18.5	18.1	18.2

Table 8-3

LOCAL GOVERNMENT GRANTS – FORMULA FUNDS

Function

The Programs funded through the Older Americans Act must be distributed to Area Agencies on Aging (AAAs) through an approved funding formula. In Utah, there are twelve AAAs (local government units) under contract with the State Division. Five counties are separate service providers (Salt Lake, Davis, Tooele, San Juan and Uintah). One provider is a cooperative venture between Weber and Morgan Counties. The other six providers are associations of county governments:

Mountainland (Utah, Summit, Wasatch), Five County Assoc. (Kane, Iron, Washington, Garfield, Beaver), Six County Association (Juab, Millard, Sevier, Wayne, Piute, Sanpete), Southeast Association (Carbon, Emery, Grand), Uintah Basin (Daggett, Duchesne), Bear River Association (Cache, Box Elder, Rich)

Grants are distributed by formulas developed by the State Board of Aging and Adult Services. The Board has developed separate formulas for the distribution of Older American Act Funds, General Fund appropriated for In Home Services, and funds for the Ombudsman Program. Some of the services and programs operated by the AAAs are listed below.

- *Support Services:* This includes outreach, transportation, friendly visitor, telephone reassurance services and other services designed

to provide support to individuals in their own homes. For FY 2004, there were 1,553,394 units of service provided.

- *Nutrition:* The Area Agencies on Aging provide both group (congregate) and home-delivered meals. Approximately 33,127 people participate in the meals program. Recipients contribute approximately 25 percent of the cost of the meals. Many rural communities do not have meal programs available. Most existing programs have waiting lists for home-delivered meals.
- *Cash In-lieu of Commodities:* During FY 2003, Congress transferred the Nutrition Services Incentive Program from the Department of Agriculture to the Administration on Aging. This grant reimburses nutrition providers for a portion of the cost of the food.
- *Elder Abuse Prevention:* Abuse prevention consists of a public relations campaign promoting awareness and the need to report abuse, neglect and exploitation of the elderly.
- *Preventive Health:* Preventive Health is an outreach and educational program designed to promote healthy life styles among the elderly.
- *Long Term Care Ombudsman:* An Ombudsman program is established in Section 62A 3 201 (UCA 1953) to assist the elderly in “asserting their civil and human rights as patients, residents, and clients of long term care facilities” There are currently 6.7 FTE’s distributed statewide in the AAA’s to handle investigations. There are also 28 volunteers who serve as ombudsmen. The Ombudsman program handled about 4,000 complaints in FY 2004, an increase of over 12 percent from FY 2000.
- *Caregiver Support Program:* The caregiver support program is a State and federally funded program designed to provide assistance and respite to caregivers of adults suffering from long-term chronic illness. Support services aimed at reducing stress associated with care giving include counseling, training, organized support groups, respite care and other limited supplemental services. During FY2004, the program provided support to 572 caregivers.
- *Home and Community-based Alternatives:* This program makes available a wide variety of in-home services, personal care, home health aides, respite, day care, transportation, etc. Clients must meet income and eligibility guidelines to receive services and fees are assessed based on ability to pay. During 2004, 1,790 Utah seniors received services under this program that enabled them to remain in their own homes.

Funding Detail

The budget for this program is split between federal funds (about 44 percent) and State General Funds (about 56 percent).

Local Government Grants					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	6,817,172	7,366,813	7,416,700	7,544,600	7,841,500
General Fund, One-time	0	0	0	0	251,600
Federal Funds	5,304,523	5,883,393	6,185,124	6,339,600	6,363,200
Beginning Nonlapsing	0	344,394	25,000	0	0
Total	\$12,121,695	\$13,594,600	\$13,626,824	\$13,884,200	\$14,456,300
Categories of Expenditure					
Current Expense	0	0	7,097	0	1,600
Other Charges/Pass Thru	12,121,695	13,594,600	13,619,727	13,884,200	14,454,700
Total	\$12,121,695	\$13,594,600	\$13,626,824	\$13,884,200	\$14,456,300

Table 8-4

NON-FORMULA FUNDS

Function

The Division administers programs that have different funding sources and which do not use the Title III Older American Act funding formula. Each program has its own funds distribution method for the Area Agencies and other subcontractors. These programs include:

- *National Senior Services Corps:* This is a federally funded program to provide volunteer opportunities for senior citizens, including socialization for seniors that are homebound or in nursing homes, tutoring school children, working with juvenile offenders, and staffing service agencies. The State office provides funds to assist volunteers with their transportation costs.
- *Health Insurance Information Program:* This federal program operates in every county in Utah and assists seniors in understanding the complexities of the Medicare/Medicaid and supplemental insurance programs. During FY 2004, this program received 5,492 requests for information.
- *Employment Services:* This federally funded program subsidizes part-time employment and training for low-income seniors. Last year, this program served 188 elderly citizens.
- *Advocacy Information:* The Division provides information for inclusion into newsletters specifically targeted to the senior population, such as “Utah Spirit Magazine.” These publications provide information on available services and senior issues.
- *Home and Community Based Waiver:* This waiver program permits Medicaid funding for services to the elderly in non-institutional settings. These services often allow seniors to maintain their independence and postpone the need for an institutional placement. Medicaid restricts the cost of services to

not exceed the cost of nursing homes. Currently, this program serves about 825 Utahns enabling them to continue residing in their own homes.

Funding Detail

This program is financed with State General Fund (55%), federal grants and Medicaid funds (43%). There is also a small amount of dedicated credits.

Non-Formula Funds					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
General Fund	1,417,932	1,119,478	1,229,692	1,291,500	1,496,200
Federal Funds	706,892	637,894	690,751	844,300	932,000
Dedicated Credits Revenue	0	57,240	19,804	0	50,000
Transfers - H - Medical Assistance	206,013	218,333	243,866	237,000	243,900
Closing Nonlapsing	(344,394)	(25,000)	0	0	0
Lapsing Balance	0	(32,745)	(117,152)	(4,000)	0
Total	\$1,986,443	\$1,975,200	\$2,066,960	\$2,368,800	\$2,722,100
Categories of Expenditure					
In-State Travel	0	18	0	200	0
Current Expense	7,861	13,130	0	17,200	0
Other Charges/Pass Thru	1,978,582	1,962,052	2,066,960	2,351,400	2,722,100
Total	\$1,986,443	\$1,975,200	\$2,066,960	\$2,368,800	\$2,722,100

Table 8-5

ADULT PROTECTIVE SERVICES

Function Adult Protective Services (APS) is both a State and federally mandated program to protect vulnerable and elderly adults, age 18 and over, from abuse, neglect and exploitation. The State has a mandatory reporting law requiring all citizens to report suspected cases of abuse, neglect and exploitation. APS investigates these referrals and takes action to protect the individual from further harm. Victims are referred to other agencies for services.

Funding Detail This program’s main funding source is the State General Fund (about 71 percent) with the balance coming from the federal Social Services Block grant (29 percent) and a small amount of dedicated credits..

Adult Protective Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,741,906	3,016,405	2,285,408	2,127,100	2,168,400
General Fund, One-time	0	0	0	0	16,500
Federal Funds	250,000	0	758,000	892,800	900,900
Dedicated Credits Revenue	5,815	2,695	2,450	2,000	2,500
Total	\$2,997,721	\$3,019,100	\$3,045,858	\$3,021,900	\$3,088,300
Categories of Expenditure					
Personal Services	2,384,427	2,411,724	2,450,964	2,432,500	2,561,700
In-State Travel	45,766	37,109	41,180	44,400	43,400
Out of State Travel	3,448	169	593	0	700
Current Expense	261,172	272,026	271,062	284,300	356,500
DP Current Expense	173,049	199,582	238,815	255,100	95,000
Other Charges/Pass Thru	129,859	98,490	43,244	5,600	31,000
Total	\$2,997,721	\$3,019,100	\$3,045,858	\$3,021,900	\$3,088,300
Other Data					
Total FTE	46.2	45.7	46.0	45.9	47.0
Vehicles	5	7	9	9	9

Table 8-6

CHAPTER 9 DEPARTMENT OF HUMAN SERVICES INTERNAL SERVICE FUNDS

Function	The Department of Human Services operates two internal service funds (ISF) that provide shared services to the divisions and bureaus of the Department. These include General Services and Data Processing. General Services collects funds from department divisions for building maintenance and rent for the Department’s main office in Salt Lake City. Data Processing provides programming services for the Department.
Statutory Authority	<p>While the two departmental internal service funds are not listed specifically in statute, they function under an agreement with the State Department of Administrative Services. Utah Code, Section 63-38-3.5 places the following legislative controls on the operation of Internal Service Funds:</p> <ol style="list-style-type: none">1. All Internal Service Fund budgets must be approved by the Legislature.2. The number of full time equivalent (FTE) positions must be approved for each Internal Service Fund.3. The Legislature must approve all capital acquisitions made by an Internal Service Fund.4. No capital assets can be transferred to an Internal Service Fund without Legislative approval.5. Rate structures must be approved by the Legislature.6. Working capital must be acquired in the following order: First from operating revenues, second from long-term debt, and last from appropriation.7. Borrowing from the General Fund (long term debt) is allowed as long as: <p style="margin-left: 40px;">The debt is repaid over the useful life of the asset and borrowing does not exceed 90 percent of the net value of its capital asset.</p>
Accountability	Performance measures used in these two internal services funds are included with measures used by the “Information Technology” and “Administrative Support” bureaus of the Executive Director’s Office.

Funding Detail

The Department’s internal service funds are funded by “Dedicated Credits – Intra-governmental Revenues.”

ISF - DHS Internal Service Funds					
Sources of Finance	2001 Actual	2002 Actual	2003 Actual	2004 Actual	2005 Appropriated
Dedicated Credits - Intragvt Rev	3,579,209	3,804,665	3,806,789	3,817,686	4,029,500
Total	\$3,579,209	\$3,804,665	\$3,806,789	\$3,817,686	\$4,029,500
Programs					
ISF - DHS General Services	1,460,209	1,469,995	1,441,387	1,352,249	1,440,000
ISF - DHS Data Processing	2,119,000	2,334,670	2,365,402	2,465,437	2,589,500
Total	\$3,579,209	\$3,804,665	\$3,806,789	\$3,817,686	\$4,029,500
Categories of Expenditure					
Personal Services	2,044,299	2,143,269	2,205,711	2,279,761	2,382,800
In-State Travel	16,393	6,086	5,019	522	16,600
Current Expense	1,755,665	1,479,021	1,429,359	1,447,591	1,477,200
DP Current Expense	120,821	96,711	116,645	112,242	122,500
Other Charges/Pass Thru	16,529	17,991	10,429	11,108	19,400
Depreciation	1,198	1,198	1,198	449	0
	\$3,954,905	\$3,744,276	\$3,768,361	\$3,851,673	\$4,018,500
Profit/Loss	(\$375,696)	\$60,389	\$38,428	(\$33,987)	\$11,000
Other Data					
Total FTE	34.0	33.0	30.1	29.8	31.5
Retained Earnings	77,619	138,007	176,436	142,449	84,440
Vehicles	0.0	0.0	1.0	1.0	1.0

Table 9-1

GENERAL SERVICES INTERNAL SERVICE FUND

Function

The Division of Facilities, Construction and Management (DFCM) provides operation and maintenance services for the Human Services administration building in Salt Lake City and charges a per square foot rate. The General Services ISF collects funds from the Department's divisions occupying that building according to their share of space occupied. The rate of \$13.44 per square foot has remained the same for the past ten years.

Funding Detail

The Department's General Services ISF is funded by "Dedicated Credits – Intra-governmental Revenues."

ISF - DHS General Services					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Dedicated Credits - Intragvt Rev	1,460,209	1,469,995	1,441,387	1,352,249	1,440,000
Total	\$1,460,209	\$1,469,995	\$1,441,387	\$1,352,249	\$1,440,000
Categories of Expenditure					
Personal Services	25,482	42,078	31,943	26,276	49,600
In-State Travel	40	0	0	0	0
Current Expense	1,674,712	1,403,979	1,363,224	1,381,070	1,375,000
DP Current Expense	45,427	10,080	4,404	4,644	12,500
Depreciation	1,198	1,198	1,198	449	0
Total	\$1,746,859	\$1,457,335	\$1,400,769	\$1,412,439	\$1,437,100
Profit/Loss	(\$286,650)	\$12,660	\$40,618	(\$60,190)	\$2,900
Other Data					
Total FTE	1.0	2.0	1.3	1.0	2.0
Retained Earnings	57,348	70,007	110,627	50,437	1,431
Vehicles	0	0	1	1	1

Table 9-2

DATA PROCESSING INTERNAL SERVICE FUND

Function The Data Processing Internal Service Fund provides new applications development and programming services to various divisions and agencies in the department. The rate of \$52.00 per hour has remained the same since FY 2002.

Funding Detail The Department’s Data Processing ISF is funded by “Dedicated Credits – Intra-governmental Revenues.”

ISF - DHS Data Processing					
	2001	2002	2003	2004	2005
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Dedicated Credits - Intragvt Rev	2,119,000	2,334,670	2,365,402	2,465,437	2,589,500
Total	\$2,119,000	\$2,334,670	\$2,365,402	\$2,465,437	\$2,589,500
Categories of Expenditure					
Personal Services	2,018,817	2,101,191	2,173,768	2,253,485	2,333,200
In-State Travel	16,353	6,086	5,019	522	16,600
Current Expense	80,953	75,042	66,135	66,521	102,200
DP Current Expense	75,394	86,631	112,241	107,598	110,000
Other Charges/Pass Thru	16,529	17,991	10,429	11,108	19,400
Total	\$2,208,046	\$2,286,941	\$2,367,592	\$2,439,234	\$2,581,400
Profit/Loss	(\$89,046)	\$47,729	(\$2,190)	\$26,203	\$8,100
Other Data					
Total FTE	33.0	31.0	28.8	28.8	29.5
Retained Earnings	20,271	68,000	65,809	92,012	83,009

Table 9-3

GLOSSARY

Finance categories used by the state are:

<i>General Fund</i>	This is one of the state's most important sources of income. The primary revenue source is the sales tax, although there are other taxes and fees which are deposited into this fund. General Funds may be spent at the discretion of the Legislature, as the Constitution allows. Personal income taxes and corporate franchise taxes are not deposited into the General Fund, but into the Uniform School Fund.
<i>School Funds</i>	This is another of the state's most important sources of income. Revenues come primarily from personal income taxes and corporate franchise taxes. Funds are constitutionally restricted to public and higher education. In the Capital Facilities subcommittee, these funds are used for debt service and capital improvements (alteration, repair and improvements).
<i>Transportation Funds</i>	Transportation funds are derived primarily from the gas tax and are constitutionally restricted to road and highway related issues. In the Capital Facilities subcommittee, these funds are used for debt service on highway bonds, especially for Centennial Highway Fund projects.
<i>Federal Funds</i>	Federal agencies often make funds available to the state for programs that are consistent with the needs and goals of the state and its citizens and are not prohibited by law. Generally, federal funds are accompanied by certain requirements. A common requirement is some form of state match in order to receive the federal dollars. The Legislature must review and approve most large federal grants before state agencies may receive and expend them.
<i>Dedicated Credits</i>	Dedicated Credits are funds that are paid to an agency for specific services and are dedicated to financing that service. For example, fees collected by an internal service fund agency from another state agency are dedicated credits. By law, these funds must be spent before other appropriated state funds are spent. An agency must estimate the level of its service for the following fiscal year, and thus its level of dedicated credits.
<i>Restricted Funds</i>	Restricted funds are statutorily restricted to designated purposes. The restricted funds usually receive money from specific sources, with the understanding that those funds will then be used for related purposes.
<i>Lapsing/Non-lapsing</i>	Several other small funds are used by certain agencies. These will be discussed in further detail as the budgets are presented. Lapsing funds, however, should be addressed. Funds lapse, or revert back to the state, if the full appropriation is not spent by the end of the fiscal year. Since it is against the law to spend more than the Legislature has appropriated, all programs will either spend all the money or have some left over. The funds left over lapse to the state, unless specifically exempted. Those exceptions include funds that are setup as non-lapsing in their enabling legislation, or appropriations designated non-lapsing by annual intent language per UCA 63-38-8.1. In these cases, left over funds do not lapse back to the state, but remain with the agency in a special non-lapsing balance, for use in the next fiscal year. In the

budgets, the Beginning Non-lapsing balance is the balance on July 1, while the balance on the next June 30 is termed the Closing Non-lapsing balance. The Closing Non-lapsing balance from one fiscal year becomes the Beginning Non-lapsing balance of the following fiscal year. The reasoning behind non-lapsing funds is that a specific task may take an indeterminate amount of time, or span more than one fiscal year. By allowing departments to keep their unexpended funds, the state not only eliminates the rush to spend money at the end of a fiscal year, but also encourages managers to save money.

Expenditure categories used by the state are:

<i>Personal Services</i>	Includes employee compensation and benefits such as health insurance, retirement, and employer taxes.
<i>Current Expenses</i>	Includes general expenses such as utilities, subscriptions, communications, postage, professional and technical services, maintenance, laundry, office supplies, small tools, etc. that cost less than \$5,000 or are consumed in less than one year.
<i>Data Processing Current Expense</i>	Includes items such as small computer hardware and software, port charges, programming, training, supplies, etc.
<i>Capital Outlays</i>	Includes items that cost over \$5,000 and have a useful life greater than one year.
<i>Pass Through</i>	Includes funds passed on to other non-state entities for use by those entities, such as grants to local governments.

Other budgeting terms and concepts that the Legislature will encounter include the following:

<i>Performance Measures</i>	<p>In recent years, performance based budgeting has received more attention as citizens and decision-makers demand evidence of improved results from the use of tax dollars.</p> <p>Care must be exercised in crafting performance measures to avoid misdirected results. Moving to performance based budgeting is a long term commitment. The Analyst has drafted some ideas for performance measures in the write-up, however, it is recognized that the measures are a work in progress and that long-term tracking of measures would require a statewide commitment in both the executive and legislative branches.</p>
<i>Intent Language</i>	Intent language may be added to an appropriation bill to explain or put conditions on the use of the funds in the line item. Intent language may restrict usage, require reporting, or impose other conditions within the item of appropriation. However, intent language cannot contradict or change statutory language.
<i>Supplemental Appropriation</i>	The current legislative session is determining appropriations for the following fiscal year. However, it may be determined that unexpected circumstances have arisen which require additional funding for the current year. The appropriations subcommittee can recommend to the Executive Appropriations

Committee that a supplemental appropriation be made for the current fiscal year.

FTE

An abbreviation for Full Time Equivalent, this is a method of standardizing personnel counts. A full time equivalent is equal to one employee working 40 hours per week. Four employees each working ten hours per week would also count as 1 FTE.

Line Item

This is a term that applies to an appropriation bill. A line number in the appropriations bill identifies each appropriated sum. Generally, each line item may contain several programs. Once the appropriation becomes law, the money may be moved from program to program within the line item, but cannot be moved to another line item of appropriation.

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