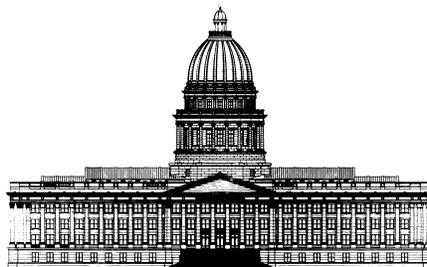

COMPENDIUM OF BUDGET INFORMATION
FOR THE
2006 GENERAL SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE FOR
HEALTH AND HUMAN SERVICES
DEPARTMENT OF HUMAN SERVICES

OFFICE OF THE LEGISLATIVE FISCAL ANALYST
DEBBIE HEADDEN
NOVEMBER 17, 2005

UTAH STATE LEGISLATURE
COMPENDIUM OF BUDGET INFORMATION
FOR THE
2006 GENERAL SESSION

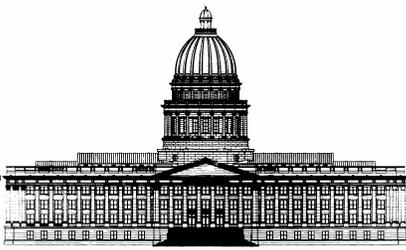


JOHN E. MASSEY, DIRECTOR

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November 17, 2005

Members of the Health and Human Services Appropriations Subcommittee
House Building
Utah State Capitol Complex
Salt Lake City, UT 84114

Dear Legislators:

Please find attached the second edition of the Utah Legislature's Compendium of Budget Information (COBI). COBI is one part of a three-pronged approach to staff budget analysis. 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 2006 General Session.

Parts two and three of the Legislature's budget analysis – Budget Briefs and Issue Briefs – will be available throughout the 2006 General Session beginning in January. Both are succinct, decision oriented papers that build on COBI, presenting future budget options rather than COBI's *status quo*. Budget Briefs follow the structure of state government documenting proposals for current year supplemental and future year budget action. Issue Briefs cut across "silos" to discuss subjects that impact state appropriations independent of program structure.

As you know, a rebounding state economy afforded Utah's Legislature nearly \$400 million in new ongoing sales and income tax revenue last General Session. You appropriated \$385 million (10.3 percent increase) of new ongoing funds to state programs, including an additional \$90 million for transportation infrastructure. On top of this, you invested \$300 million in one-time money for buildings, transportation, and to shore up the state's rainy day funds. Detail on these appropriations, as they relate to your subcommittee, are included in the "2006 Appropriated" column of the budget tables herein. Utah's total budget, by funding source, subcommittee, and category of expenditure, is summarized in the table on the following page.

If I or my staff can assist you further regarding this document or any other budget matter, please do not hesitate to contact me at (801) 538-1034.

Sincerely,

John E. Massey
Legislative Fiscal Analyst

Budget History - State of Utah

	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,797,274,980	1,795,120,600	1,745,496,800	1,767,478,150	1,910,800,000
General Fund, One-time	(4,874,000)	28,962,750	(241,600)	117,058,700	79,762,800
Uniform School Fund	1,782,091,660	1,684,266,694	1,734,161,174	1,815,156,111	1,917,934,675
Uniform School Fund, One-time	32,191,400	10,436,000	5,891,000	34,800,900	43,725,000
Income Tax	103,415,500	4,908,000	112,000,000	200,520,900	235,260,900
Income Tax, One-time	3,703,100	1,935,100	(23,200,000)	52,073,500	14,296,600
Transportation Fund	406,266,600	389,538,000	391,891,100	478,251,000	401,191,400
Transportation Fund, One-time	0	0	0	277,100	1,457,000
Centennial Highway Fund	106,621,200	103,848,200	117,531,900	145,761,800	126,393,400
Centennial Highway Fund, One-time	0	0	1,796,800	0	0
General Fund Restricted	119,497,400	132,317,200	154,215,300	164,259,200	201,644,700
Uniform School Fund Restricted	75,800	78,400	72,000	0	10,092,000
Transportation Fund Restricted	28,683,000	27,573,800	29,813,200	30,720,100	36,617,300
Federal Funds	1,822,267,628	1,941,960,562	2,175,010,878	2,263,215,345	2,260,243,100
Dedicated Credits	957,433,182	774,058,339	614,539,099	713,225,687	645,533,100
Land Grant	1,148,200	771,000	804,700	740,435	1,058,500
Federal Mineral Lease	34,909,500	43,612,900	64,176,600	64,785,719	69,322,600
Restricted Revenue	2,850,000	9,606,100	2,944,000	22,184,000	0
Trust and Agency Funds	446,988,660	377,644,015	406,862,037	507,463,577	572,099,102
Transfers	278,521,804	310,161,147	312,380,022	308,684,973	310,564,600
Repayments/Reimbursements	7,999,200	12,260,800	15,206,500	11,107,200	11,816,900
Pass-through	0	69,500	994,900	1,503,200	548,500
Beginning Balance	229,021,456	478,431,169	508,794,041	170,693,093	177,445,900
Closing Balance	(460,900,376)	(508,666,242)	(408,796,598)	(227,354,702)	(53,978,100)
Lapsing Balance	(45,866,873)	(88,457,656)	(56,071,454)	(21,154,000)	(1,906,900)
Total	\$7,649,319,021	\$7,530,436,379	\$7,906,272,399	\$8,621,451,988	\$8,971,923,077
Subcommittees					
Executive Offices & Criminal Justice	598,175,900	544,478,400	582,590,000	618,377,000	623,649,000
Capital Facilities & Administrative Services	388,444,700	398,725,500	280,034,100	463,363,300	400,866,900
Commerce & Revenue	374,926,700	412,165,900	430,821,500	445,443,400	488,524,700
Economic Development	117,071,100	124,236,700	136,126,100	113,442,800	213,273,300
Health & Human Services	1,690,730,621	1,796,226,868	1,988,592,616	2,145,033,300	2,340,844,700
Higher Education	885,927,200	888,515,400	933,836,500	991,420,900	1,036,469,800
Natural Resources	158,000,800	176,375,400	165,264,800	168,919,200	180,119,200
Public Education	2,372,451,200	2,330,739,161	2,438,357,683	2,593,642,788	2,706,441,977
Transportation & Environmental Quality	1,049,369,700	844,949,400	935,857,900	1,066,809,300	965,171,100
Legislature	14,221,100	14,023,650	14,791,200	15,000,000	16,562,400
Total	\$7,649,319,021	\$7,530,436,379	\$7,906,272,399	\$8,621,451,988	\$8,971,923,077
Categories of Expenditure					
Personal Services	1,756,403,885	1,736,353,103	1,807,103,694	1,898,810,498	1,982,373,727
In-State Travel	15,244,440	14,134,072	14,501,946	16,907,709	15,461,900
Out of State Travel	5,198,254	4,523,469	4,889,409	5,479,600	5,405,050
Current Expense	794,148,050	1,004,437,498	854,643,304	954,479,191	982,337,123
DP Current Expense	81,528,870	77,976,393	82,210,862	84,165,900	74,900,900
DP Capital Outlay	14,199,185	178,550,753	12,440,919	12,629,500	16,665,300
Capital Outlay	583,087,452	62,307,914	483,855,565	439,775,216	480,814,900
Other Charges/Pass Thru	4,397,869,985	4,452,009,276	4,646,415,400	5,078,915,674	5,412,522,177
Cost of Goods Sold	315,800	(299,600)	(129,500)	(135,800)	(37,400)
Cost Accounts	0	4,600	(24,500)	0	700
Operating Transfers	1,216,500	182,600	144,300	172,900	96,400
Trust & Agency Disbursements	106,600	256,300	221,000	130,251,600	1,382,300
Total	\$7,649,319,021	\$7,530,436,378	\$7,906,272,399	\$8,621,451,988	\$8,971,923,077
Other Data					
Budgeted FTE	32,439.9	32,094.4	34,063.3	34,314.5	34,652.2

Note: FY 2005 Nonlapsing Balances are still under review as of date of publication.

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INTRODUCTION

Format

Staff budget analysis consists of three parts:

- Compendium of Budget Information (COBI). The document you are currently reading, the COBI provides comprehensive information on state agencies, institutions, and programs. It is a resource for decision-makers desiring further detail or background information beyond the summary provided in a Budget or Issue Brief. It is useful for reviewing base budgets, but does not contain staff recommendations.
- Issue Briefs. These relatively short documents (no more than a few pages) discuss issues that transcend line items or perhaps even departments. For example, if the Legislative Fiscal Analyst wishes 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 2006 General Session.
- Budget Briefs. Another relatively short document, the budget brief is used to present issues, recommendations, performance measures, and line item-level budget tables. The purpose of this document is to bring budgets to the forefront and to discuss the analyst's recommendations. The analyst will prepare Budget Briefs just prior to the 2006 General Session.

Process

The Office of the Legislative Fiscal Analyst (LFA) – a non-partisan office – serves both chambers of the Legislature by making independent budget 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 follows "FY" designating the calendar year in which the second six months fall. The current fiscal year is FY 2006, which will end June 30, 2006. During the 2006 General Session, the Legislature can make supplemental changes to the already established budget for FY 2006. The next fiscal year, for which the Legislature is determining a new budget, is FY 2007. FY 2007 includes the period of time from July 1, 2006 to June 30, 2007.

Sources

In allocating resources for state government use, appropriations subcommittees may use funding from several sources. The following funding sources most commonly used by the subcommittees:

- 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 for FY 2006 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.

Budget History - Department of Human Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	206,669,780	200,509,600	200,490,600	204,877,800	219,780,800
General Fund, One-time	655,200	0	0	4,298,300	2,801,200
Federal Funds	106,068,669	107,495,130	116,831,000	120,480,100	123,311,400
Dedicated Credits Revenue	7,644,992	8,237,448	8,272,300	9,206,900	8,705,300
General Fund Restricted	0	0	11,000	0	0
GFR - Children's Trust	350,000	350,000	350,000	400,000	400,000
GFR - Domestic Violence	650,000	650,000	650,000	700,000	712,200
GFR - Intoxicated Driver Rehab	1,050,000	1,200,000	1,200,000	1,200,000	1,500,000
GFR - Tobacco Settlement	1,647,200	1,647,200	1,647,200	1,647,200	1,647,200
GFR - Trust for People with Disabilities	200,000	200,000	235,000	0	100,000
Transfers - H - Medical Assistance	125,097,527	131,700,617	139,294,600	143,129,300	142,494,000
Transfers - Other Agencies	9,031,982	4,973,040	2,983,600	2,775,600	3,322,000
Transfers - Within Agency	0	0	0	(37,500)	0
Pass-through	0	0	2,200	2,500	0
Beginning Nonlapsing	1,450,694	2,176,350	4,152,600	6,705,300	3,488,700
Closing Nonlapsing	(2,167,550)	(4,152,600)	(6,705,300)	(5,559,800)	(2,073,500)
Total	\$456,418,300	\$453,129,186	\$467,411,200	\$488,939,800	\$506,189,300
Line Items					
Executive Director Operations	19,665,200	17,620,500	18,358,400	19,170,900	21,037,600
Drug Courts/Boards	1,647,200	1,647,200	1,647,200	1,647,200	1,647,200
Substance Abuse & Mental Health	103,758,600	104,658,900	104,096,300	109,554,900	112,761,500
Svcs for People w/Disabilities	143,874,300	147,084,200	153,193,500	159,093,300	162,840,400
Office of Recovery Services	42,808,900	41,608,320	41,764,500	44,215,100	46,776,900
Child and Family Services	124,678,100	120,429,900	127,707,300	133,674,300	139,060,300
Total	\$456,418,300	\$453,129,186	\$467,411,200	\$488,939,800	\$506,189,300
Categories of Expenditure					
Personal Services	166,913,232	165,161,234	170,436,100	179,949,400	188,384,800
In-State Travel	1,148,115	1,054,995	1,099,700	1,245,700	1,167,400
Out of State Travel	140,222	117,971	125,400	174,100	188,900
Current Expense	44,950,043	40,984,848	43,626,400	44,771,100	45,348,600
DP Current Expense	13,655,988	12,394,776	14,779,400	14,039,900	15,156,600
DP Capital Outlay	284,815	21,394	112,100	136,000	120,500
Capital Outlay	372,725	340,800	204,700	239,200	138,600
Total	\$456,418,300	\$453,129,185	\$467,411,200	\$488,939,800	\$506,189,300
Other Data					
Budgeted FTE	3,704.5	3,531.5	3,600.8	3,624.7	3,807.4
Vehicles	337	377	380	340	380

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 - (Department of Human Services)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2005 Balance
Children's Trust Account	62A-4a-309	\$3 surcharge on birth certificates and private contributions	Child abuse prevention programs	\$421,976
Victims of Domestic Violence Services Account	63-63a-6	4.5% of surcharges on court fines & penalties	Domestic violence services	\$843,732
Intoxicated Drivers Rehabilitation Account	62A-15-503 & 63-63a-7	7.5% surcharge on court fines & penalties	Education, intervention & treatment of DUI drivers	\$4,743
Tobacco Settlement Account	63-97-20	Tobacco Settlement payments	For Drug Courts/Board Treatment Services	\$6,101,847
Trust Fund for People with Disabilities Account	63A-5-110	Sale and lease of real property at Utah State Developmental Center*	DSPD related programs identified in UCA 62A-5	\$3,116,274

* Only lease payment receipts and interest on the principal may be appropriated for use by DSPD.

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

For FY 2006, approximately 50 percent of the Executive Director Operations budget comes from federal grants and Medicaid funds. The balance of funding comes from State funds (39 percent), and from other agency fund transfers (about 11 percent).

Budget History - Human Services - Executive Director Operations					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	8,188,133	7,446,200	8,004,900	7,435,000	7,962,600
General Fund, One-time	655,200	0	0	54,900	315,000
Federal Funds	7,680,679	7,384,836	8,179,100	8,810,800	9,764,800
Dedicated Credits Revenue	86,249	23,192	0	0	0
Transfers - H - Medical Assistance	655,656	802,278	710,100	767,700	727,700
Transfers - Other Agencies	2,392,728	2,110,380	2,029,100	2,169,700	2,267,500
Transfers - Within Agency	0	0	0	(37,500)	0
Beginning Nonlapsing	100,000	61,150	0	517,800	0
Closing Nonlapsing	(61,150)	0	(517,800)	(539,300)	0
Total	\$19,665,200	\$17,620,500	\$18,358,400	\$19,170,900	\$21,037,600
Programs					
Executive Director's Office	1,509,000	1,390,200	1,456,500	1,806,200	1,987,700
Legal Affairs	995,500	1,068,500	1,174,500	1,230,300	1,388,600
Information Technology	4,136,200	3,941,200	4,198,000	4,323,000	4,497,400
Administrative Support	3,226,500	3,087,100	3,086,300	3,211,200	1,011,600
Fiscal Operations	2,644,500	2,637,400	2,584,300	2,654,600	2,794,800
Human Resources	1,235,400	1,188,100	2,170,500	2,215,000	2,427,400
Local Discretionary	1,498,000	1,438,400	1,332,300	1,413,900	1,492,000
Special Projects	785,200	36,400	1,300	1,500	0
Services Review	980,100	993,300	1,054,100	1,011,400	1,057,700
Office of Licensing	0	0	0	0	2,659,500
Developmental Disabilities Council	688,000	655,100	754,600	677,500	808,700
Foster Care Citizens Review Boards	1,311,600	1,184,800	546,000	626,300	597,200
Families Agencies Communities Together	655,200	0	0	0	0
Total	\$19,665,200	\$17,620,500	\$18,358,400	\$19,170,900	\$21,037,600
Categories of Expenditure					
Personal Services	12,697,689	12,413,311	12,948,300	13,468,800	14,718,800
In-State Travel	139,237	125,379	112,700	141,400	120,200
Out of State Travel	34,033	25,548	28,000	56,700	35,900
Current Expense	3,319,651	1,662,644	1,674,300	1,974,300	2,022,900
DP Current Expense	1,576,431	1,546,081	1,787,400	1,763,900	1,869,800
DP Capital Outlay	120,966	0	14,300	28,900	0
Total	\$19,665,200	\$17,620,500	\$18,358,400	\$19,170,900	\$21,037,600
Other Data					
Budgeted FTE	216.6	205.0	212.6	210.6	221.3
Vehicles	6	11	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 for FY 2006.

Budget History - Human Services - Executive Director Operations - Executive Director's Office					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	789,933	729,000	627,300	638,400	670,800
General Fund, One-time	0	0	0	3,100	0
Federal Funds	622,228	658,805	829,200	1,164,700	1,316,900
Dedicated Credits Revenue	76,839	2,395	0	0	0
Transfers - Other Agencies	20,000	0	0	0	0
Total	\$1,509,000	\$1,390,200	\$1,456,500	\$1,806,200	\$1,987,700
Categories of Expenditure					
Personal Services	1,157,905	1,137,203	1,028,900	1,116,400	1,137,500
In-State Travel	4,016	4,191	4,600	7,400	4,700
Out of State Travel	12,660	7,365	8,800	18,900	8,900
Current Expense	300,077	212,437	367,900	550,500	609,200
DP Current Expense	34,342	29,003	46,300	113,000	227,400
Total	\$1,509,000	\$1,390,200	\$1,456,500	\$1,806,200	\$1,987,700
Other Data					
Budgeted FTE	23.7	11.1	11.5	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 the 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 conservator-ship 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 case managers by organizing residential accommodations; overseeing health care needs; and managing 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

Administrative Hearings have federal and state requirements for timely disposition of hearings. The Utah Administrative Procedures Act requires the disposition of administrative hearings within 60 days while the federal regulation requires disposition within 90 days. The administrative hearings are in compliance with federal regulations but as Figure 2-1 indicates, decisions within 90 days are at 99 percent:

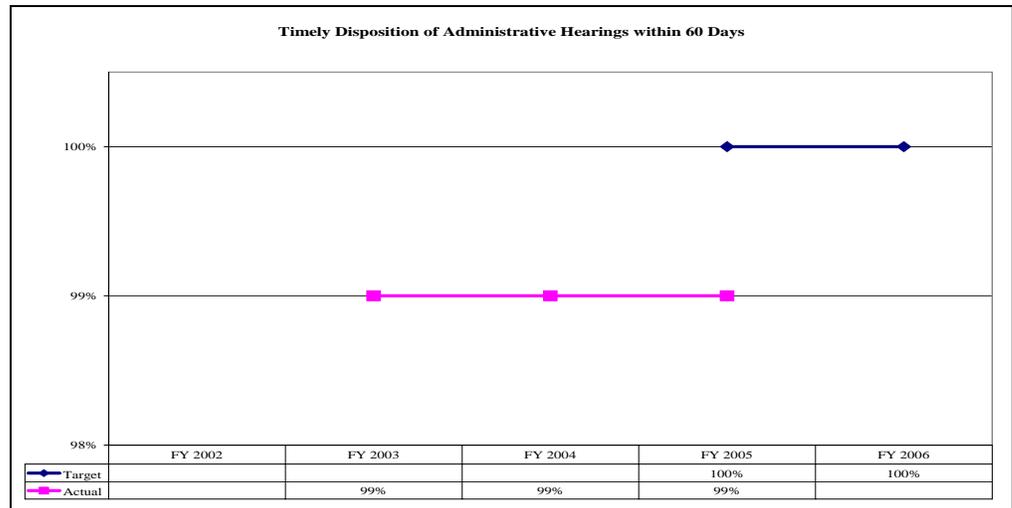


Figure 2-1

The Office of Public Guardianship strives to have public guardianship plans in place for 100 percent of the clients served. The Figure 2-2 shows the percent of plans in place:

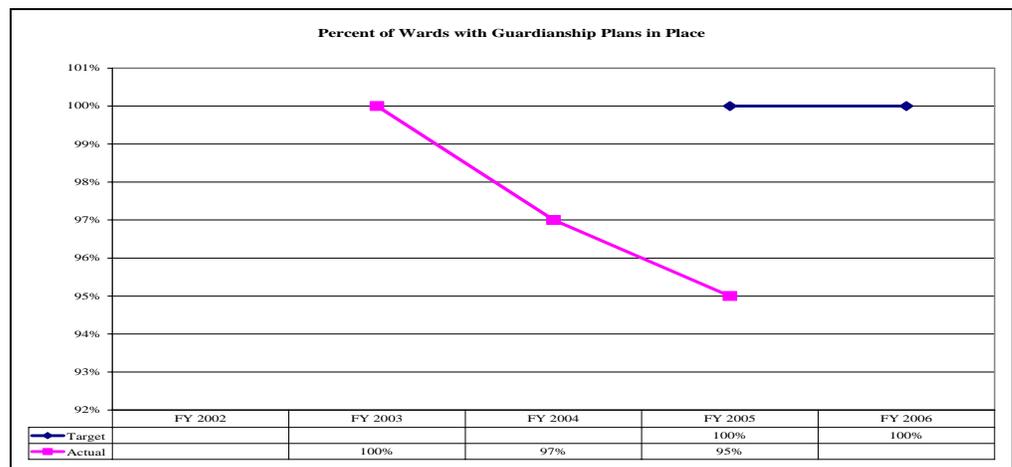


Figure 2-2

Funding Detail

The Legal Affairs Program funding for FY 2006 is about equally divided between State funds and federal funds (including Medicaid).

Budget History - Human Services - Executive Director Operations - Legal Affairs					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	437,415	629,900	659,200	669,500	703,200
General Fund, One-time	0	0	0	3,600	0
Federal Funds	415,226	127,762	256,900	261,700	361,900
Transfers - H - Medical Assistance	59,918	244,297	286,500	303,600	323,500
Transfers - Other Agencies	82,941	66,541	0	0	0
Lapsing Balance	0	0	(28,100)	(8,100)	0
Total	\$995,500	\$1,068,500	\$1,174,500	\$1,230,300	\$1,388,600
Categories of Expenditure					
Personal Services	812,887	782,854	866,400	934,600	1,034,900
In-State Travel	13,835	14,300	14,700	15,700	17,600
Out of State Travel	4,214	1,153	1,800	2,600	4,400
Current Expense	127,255	97,620	98,700	94,600	112,300
DP Current Expense	37,309	29,917	51,100	26,600	49,400
Other Charges/Pass Thru	0	142,655	141,800	156,200	170,000
Total	\$995,500	\$1,068,500	\$1,174,500	\$1,230,300	\$1,388,600
Other Data					
Budgeted FTE	14.4	13.0	12.1	11.6	12.7

Table 2-3

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 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.

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). 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). The 2004 Legislature appropriated \$660,300 (\$463,900 General Fund) as a one-time supplemental for FY 2004 for the required programming work. The Legislature adopted intent language in the 2005 General Session for prior year funding for eREP enhancements to be non-lapsing for FY 2006. The Office of Information Technology has not spent

the non-lapsing funds authorized by intent language. However, the plan is to use the non-lapsing funds for the required modifications to the existing data base to allow it to interface with Workforce Services eRep system.

Accountability

The Office of Technology has goals to complete programming service requests and resolve problems within cost estimates and on time. The following Figure 2-3 show the percent of problems resolved within two days:

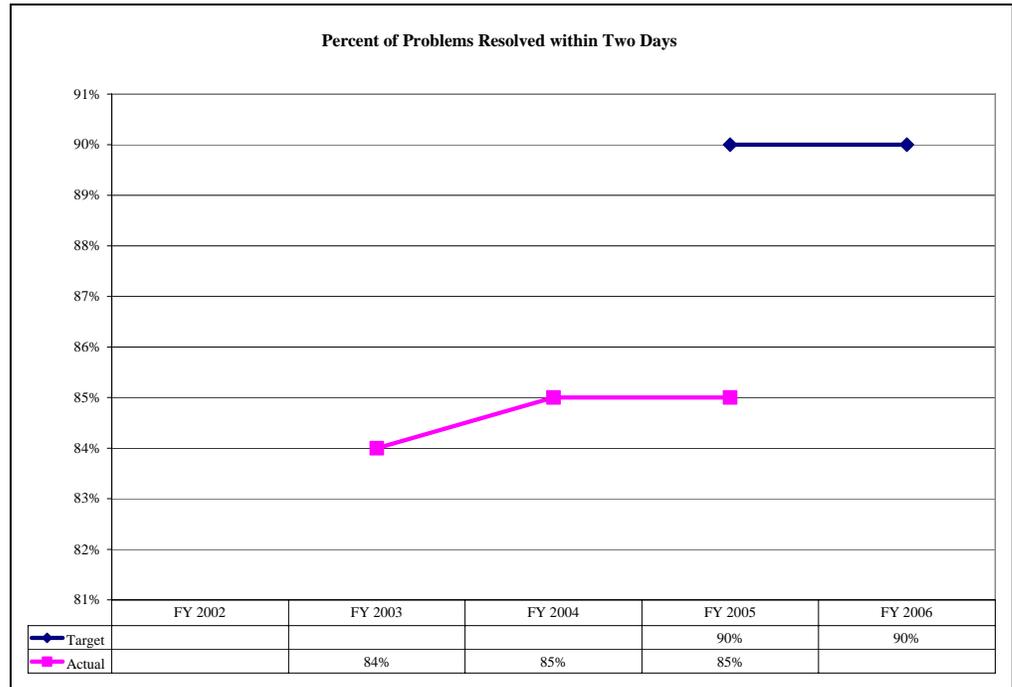


Figure 2-3

Funding Detail

The Office of Information Technology’s major sources of funding for FY 2006 are federal funds (including Medicaid) which comprise (about 33 percent) and State funds (about 21 percent) with the balance coming from transfers from other agencies (46 percent).

Budget History - Human Services - Executive Director Operations - Information Technology					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,083,157	887,097	1,311,200	881,500	933,200
General Fund, One-time	0	0	0	4,100	0
Federal Funds	783,033	958,947	1,210,800	1,220,600	1,353,200
Transfers - H - Medical Assistance	127,633	123,238	121,000	125,200	120,900
Transfers - Other Agencies	2,142,377	1,971,919	2,018,900	2,091,600	2,090,100
Beginning Nonlapsing	0	0	0	463,900	0
Closing Nonlapsing	0	0	(463,900)	(463,900)	0
Total	\$4,136,200	\$3,941,200	\$4,198,000	\$4,323,000	\$4,497,400
Categories of Expenditure					
Personal Services	2,591,666	2,565,267	2,656,300	2,751,100	3,010,800
In-State Travel	21,296	19,546	17,400	19,600	17,500
Out of State Travel	3,864	715	4,000	11,100	4,300
Current Expense	285,098	236,620	231,700	252,600	238,900
DP Current Expense	1,113,310	1,119,052	1,279,800	1,259,700	1,225,900
DP Capital Outlay	120,966	0	8,800	28,900	0
Total	\$4,136,200	\$3,941,200	\$4,198,000	\$4,323,000	\$4,497,400
Other Data					
Budgeted FTE	39.0	38.7	38.5	38.5	39.0
Vehicles	2	5	5	5	5

Table 2-4

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 the resolution of phone calls from constituents within 24 hours as indicated in Figure 2-4:

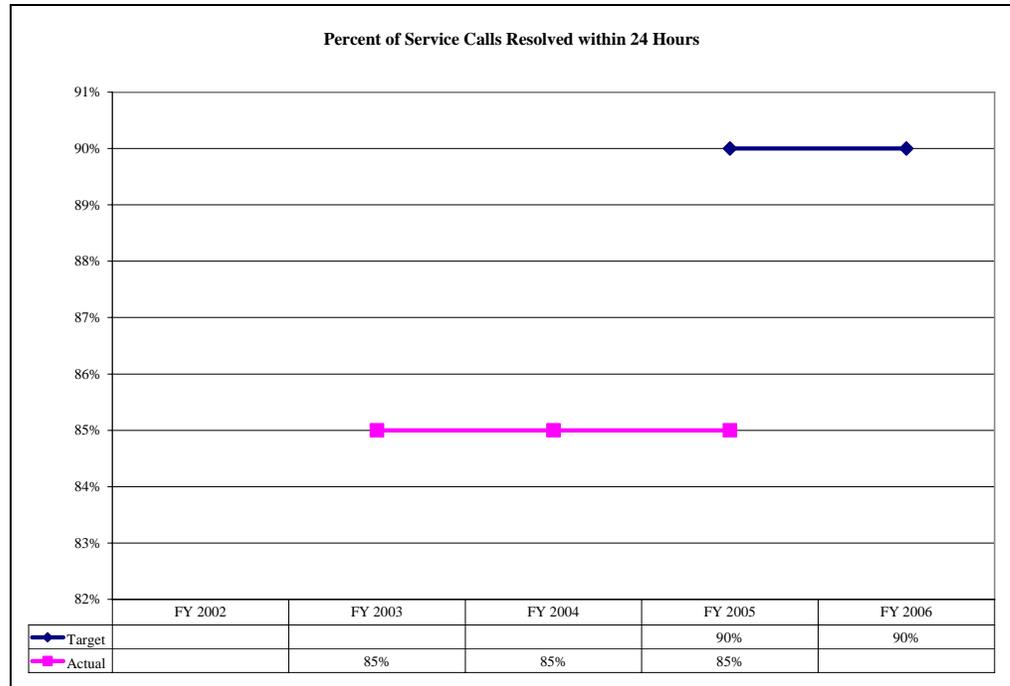


Figure 2-4

Funding Detail

Administrative Support Services is funded from state funds (49%) and federal funds (51%). The Office of Licensing was a function of Administrative Support Services until FY 2006 when a separate program was created (KAL).

	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,002,149	1,987,200	1,909,000	1,951,200	493,000
General Fund, One-time	0	0	0	15,800	0
Federal Funds	1,199,351	1,099,900	1,177,300	1,244,200	518,600
Transfers - Other Agencies	25,000	0	0	0	0
Total	\$3,226,500	\$3,087,100	\$3,086,300	\$3,211,200	\$1,011,600
Categories of Expenditure					
Personal Services	2,675,761	2,599,262	2,639,000	2,759,000	831,800
In-State Travel	46,318	39,961	35,300	38,400	8,900
Out of State Travel	95	3,285	0	3,300	1,500
Current Expense	384,445	336,174	297,600	301,100	132,400
DP Current Expense	119,881	108,418	114,400	109,400	37,000
Total	\$3,226,500	\$3,087,100	\$3,086,300	\$3,211,200	\$1,011,600
Other Data					
Budgeted FTE	54.3	50.5	50.3	50.6	13.0
Vehicles	3	5	5	5	5

Table 2-5

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 when it was changed to a separate program.

Accountability

The following Figure 2-5 shows performance measures reflecting the timeliness of resolving complaints within 30 days:

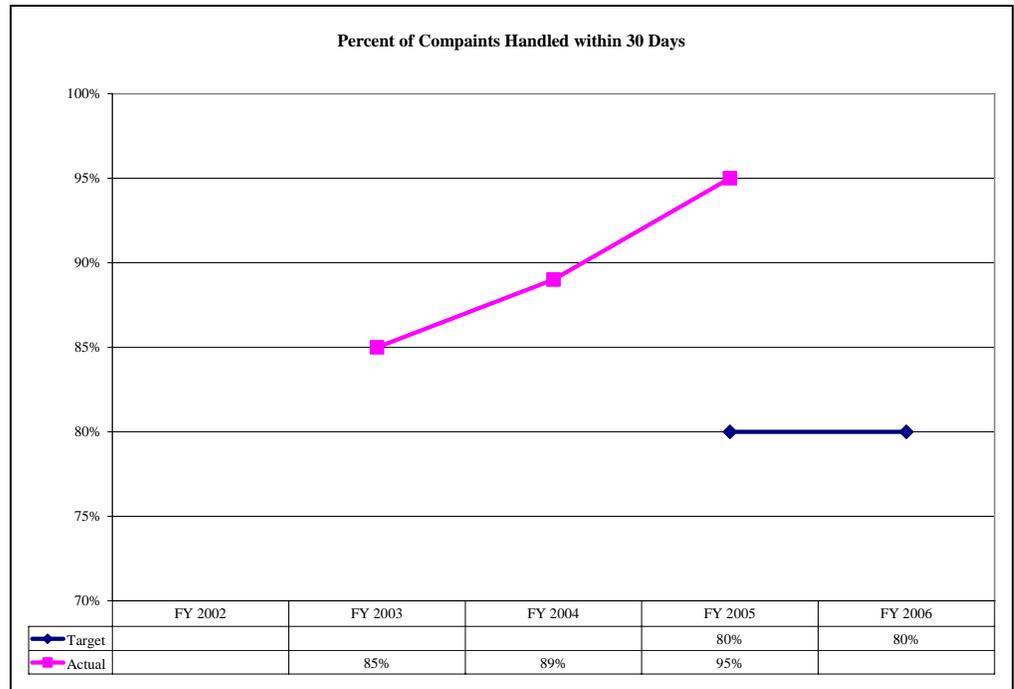


Figure 2-5

Funding Detail

This program was separated from the Administrative Support program (KAD) in FY 2006. Approximately 65 percent of the funding is from state funds with the remaining balance from federal funds and transfers from other agencies.

Budget History - Human Services - Executive Director Operations - Office of Licensing					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	0	0	0	0	1,726,100
Federal Funds	0	0	0	0	856,100
Transfers - Other Agencies	0	0	0	0	77,300
Total	\$0	\$0	\$0	\$0	\$2,659,500
Categories of Expenditure					
Personal Services	0	0	0	0	2,350,800
In-State Travel	0	0	0	0	30,200
Current Expense	0	0	0	0	204,100
DP Current Expense	0	0	0	0	74,400
Total	\$0	\$0	\$0	\$0	\$2,659,500
Other Data					
Budgeted FTE	0.0	0.0	0.0	0.0	41.0

Table 2-6

License Fees

The following Table 2-7 shows the current fee structure for the Office of License:

FY 2006 Office of License Fees Schedule			
	Current Fee	Estimated # of Licenses	Estimated Revenues
*Initial New Program	\$300.00	50	\$15,000
Adult Day Care (0-50 Consumer/Prog)	100.00	12	1,200
Adult Day Care (>50 Consumer/Prog)	200.00	1	200
Adult Day Care (Per Consumers Cap)	3.00	250	750
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
**FBI Fingerprint Check	24.00	1,000	24,000
Intermediate Secure Treatment	250.00	5	1,250
Intermediate Secure Treatment (Per Cap)	3.00	200	600
Total Estimated Revenues for FY 2006			<u>\$184,540</u>
* Except comprehensive mental health and substance abuse			
** Fees collected are passed through to the FBI			

Table 2-7

The proposed fee rates for FY 2007 are the same as the current rate with one exception based on passage of House Bill 22, "Inter-country Adoption Accreditation" during the 2005 General Session. The Legislature adopted intent language for a fee of \$15,000 for Inter-country Adoptions for an estimated 10 licenses to be issued. The Legislature also appropriated \$150,000 from the General Fund for the implementation of the provisions of the Inter-country Adoptions.

The Office of Licensing also received an appropriation of \$44,000 from the General Fund for FY 2006, based on passage of Senate Bill 107, "Licensures and Regulation of Program and Facilities." The funding was to hire 1.5 FTE to handle the increased requirements of this legislation.

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 monitoring of service contractors.

Accountability

The following Figure 2-6 shows performance measures related to preparation budget and forecasting reports to monitor the budget:

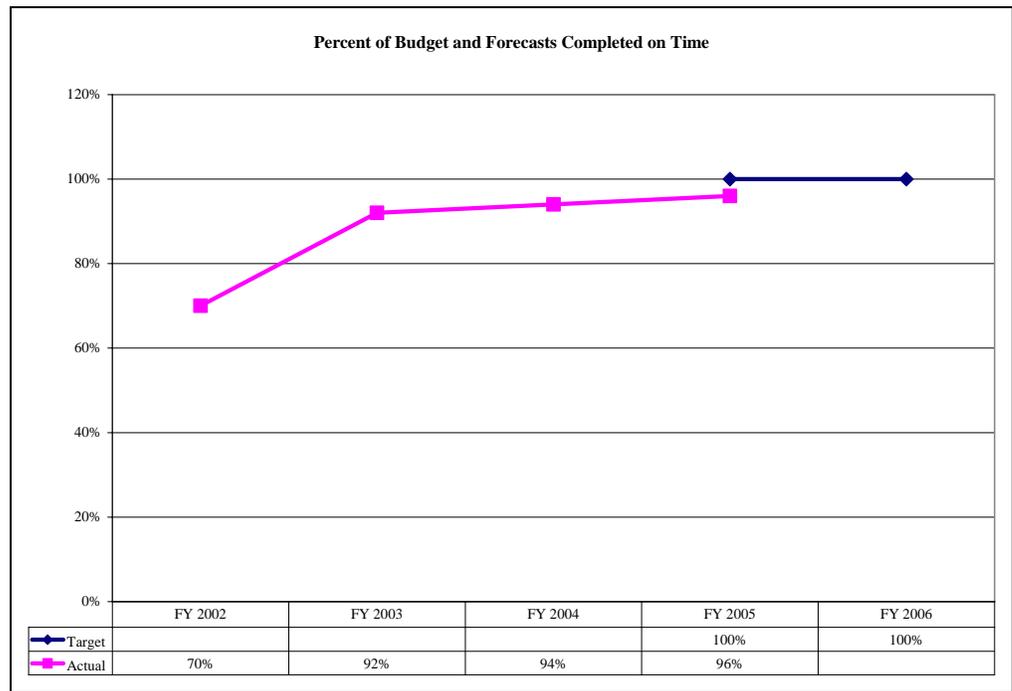


Figure 2-6

Funding Detail

This office was funded in FY 2006 from federal funds (about 60%) and State funds (about 40%).

Budget History - Human Services - Executive Director Operations - Fiscal Operations					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,164,060	1,101,600	1,013,200	1,044,200	1,110,300
General Fund, One-time	0	0	0	8,600	0
Federal Funds	1,480,440	1,535,800	1,571,100	1,601,800	1,684,500
Total	\$2,644,500	\$2,637,400	\$2,584,300	\$2,654,600	\$2,794,800
Categories of Expenditure					
Personal Services	2,308,604	2,321,945	2,246,700	2,331,500	2,479,100
In-State Travel	5,202	5,057	5,400	10,100	4,100
Out of State Travel	3,444	5,167	2,700	4,600	6,200
Current Expense	226,726	220,626	222,100	212,800	213,400
DP Current Expense	100,524	84,605	107,400	95,600	92,000
Total	\$2,644,500	\$2,637,400	\$2,584,300	\$2,654,600	\$2,794,800
Other Data					
Total FTE	35.7	35.6	32.9	34.6	33.7

Table 2-8

HUMAN RESOURCES

Function

The Office of Human Resources (OHR) administers personnel and payroll functions for the department and its approximately 5,066 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 531 new hires, plus 219 seasonal or other temporary employees during FY 2005.

During the 2003 calendar year, OHR consolidated all human resource functions in the Department. All 58 FTEs now work under direction of the Department's HR director. However, 18 of the 58 FTE's are still working at the State (6.5 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.

The Budget for Human Services for FY 2006 comes from state funds (about 56 percent) and federal funds (about 42 percent).

Budget History - Human Services - Executive Director Operations - Human Resources					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	587,359	573,374	1,275,100	1,288,000	1,365,000
General Fund, One-time	0	0	0	10,800	0
Federal Funds	648,041	614,726	868,100	888,400	1,017,300
Transfers - H - Medical Assistance	0	0	27,300	27,800	45,100
Total	\$1,235,400	\$1,188,100	\$2,170,500	\$2,215,000	\$2,427,400
Categories of Expenditure					
Personal Services	1,093,009	1,025,227	1,900,300	1,953,300	2,146,900
In-State Travel	4,834	4,039	10,000	12,100	10,100
Out of State Travel	0	0	200	0	200
Current Expense	102,246	113,530	182,800	181,300	203,600
DP Current Expense	35,311	45,303	71,700	68,300	66,600
DP Capital Outlay	0	0	5,500	0	0
Total	\$1,235,400	\$1,188,100	\$2,170,500	\$2,215,000	\$2,427,400
Other Data					
Budgeted FTE	17.9	15.8	36.9	36.4	38.3

Table 2-9

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 federal block grant has been reduced nation-wide by 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 actual revenues of \$178,500 for FY 2005. This ten-year grant has received a two-year extension with a balance of \$301,750 to be expended in FY 2006 and 2007. 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.

Budget History - Human Services - Executive Director Operations - Local Discretionary					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Federal Funds	1,498,000	1,438,400	1,332,300	1,413,900	1,492,000
Total	\$1,498,000	\$1,438,400	\$1,332,300	\$1,413,900	\$1,492,000
Categories of Expenditure					
Current Expense	12	0	0	0	0
Other Charges/Pass Thru	1,497,988	1,438,400	1,332,300	1,413,900	1,492,000
Total	\$1,498,000	\$1,438,400	\$1,332,300	\$1,413,900	\$1,492,000

Table 2-10

SPECIAL PROJECTS

Function Special Projects was not funded in FY 2006. In the past, the funding for special projects was as follows:

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 Through FY 2005, the majority of the funding was from state funds. The 2005 Legislature transferred the Carousel Project along with \$37,500 in General Funds to the Division of Child and Family Services' Out of Home Care Program.

Budget History - Human Services - Executive Director Operations - Special Projects					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	770,913	42,500	41,700	37,500	0
Federal Funds	14,242	0	600	1,500	0
Transfers - Other Agencies	32,340	0	(41,000)	0	0
Transfers - Within Agency	0	0	0	(37,500)	0
Total	\$785,200	\$36,400	\$1,300	\$1,500	\$0
Categories of Expenditure					
Personal Services	64,170	0	0	0	0
Total	\$785,200	\$36,400	\$1,300	\$1,500	\$0

Table 2-11

OFFICE 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 by 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

The Office of Service Review provides Case Process Reviews for accuracy as indicated in Figure 2-7:

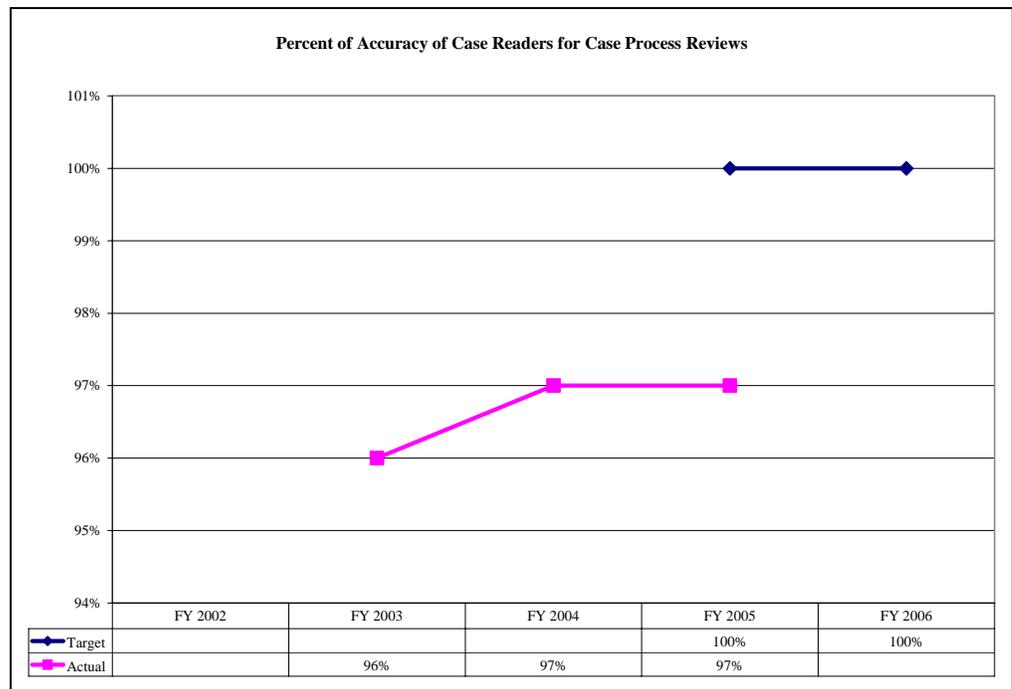


Figure 2-7

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 Figure 2-8, the vast majority of these recommendations are implemented by DCFS:

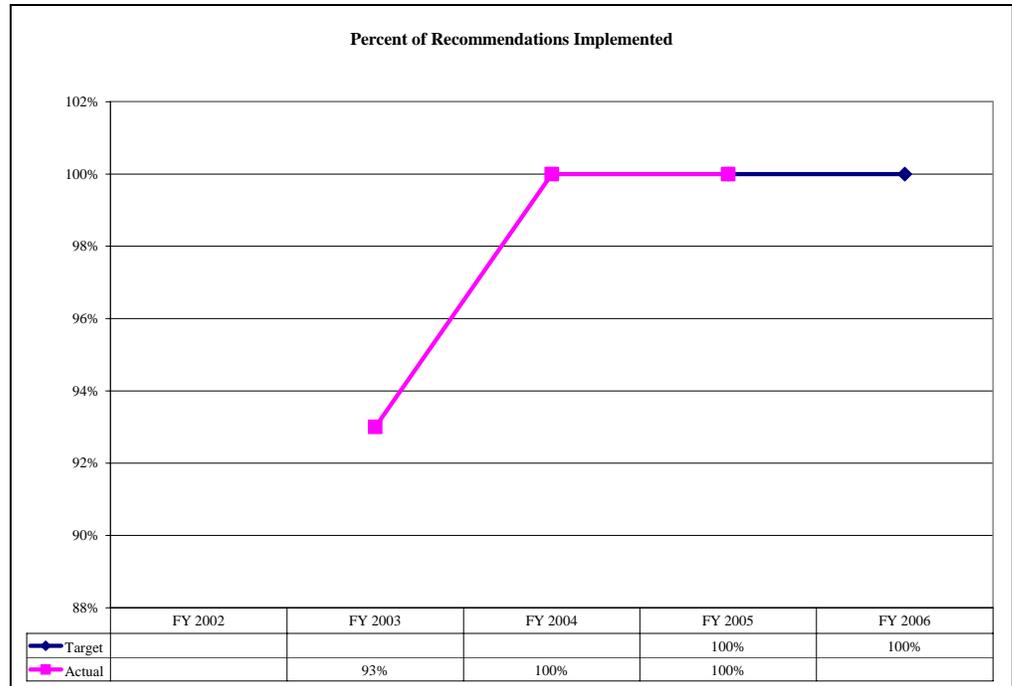


Figure 2-8

Funding Detail

Funding in FY 2006 for the Bureau of Services Review is divided between State Funds (about 49 percent) and federal grants and Medicaid (about 51 percent).

Budget History - Human Services - Executive Director Operations - Services Review					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	628,516	759,600	752,200	500,700	519,700
General Fund, One-time	0	0	0	5,200	0
Federal Funds	177,623	172,583	206,000	356,800	423,600
Dedicated Credits Revenue	9,410	20,797	0	0	0
Transfers - H - Medical Assistance	164,551	147,197	143,600	148,700	114,400
Transfers - Other Agencies	0	0	(28,800)	0	0
Lapsing Balance	0	(106,877)	(18,900)	0	0
Total	\$980,100	\$993,300	\$1,054,100	\$1,011,400	\$1,057,700
Categories of Expenditure					
Personal Services	826,190	840,802	880,100	861,900	891,500
In-State Travel	14,191	18,154	11,900	11,300	13,900
Out of State Travel	438	1,093	0	3,000	0
Current Expense	102,479	93,323	99,400	95,800	109,300
DP Current Expense	36,802	39,928	62,700	39,400	43,000
Total	\$980,100	\$993,300	\$1,054,100	\$1,011,400	\$1,057,700
Other Data					
Budgeted FTE	5.5	16.7	15.2	13.7	15.6

Table 2-12

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, 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 the Americans with Disabilities Act (ADA), including programs and services available, as well as 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 11 percent) and transfers from other agencies (about 12 percent).

Budget History - Human Services - Executive Director Operations - Developmental Disabilities Council					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	85,363	82,900	85,200	87,200	92,000
General Fund, One-time	0	0	0	800	0
Federal Funds	512,567	500,255	589,400	511,400	616,600
Transfers - Other Agencies	90,070	71,921	80,000	78,100	100,100
Lapsing Balance	0	24	0	0	0
Total	\$688,000	\$655,100	\$754,600	\$677,500	\$808,700
Categories of Expenditure					
Personal Services	297,396	280,385	304,400	339,200	387,500
In-State Travel	11,878	6,729	6,500	16,500	6,400
Out of State Travel	5,002	6,601	10,500	12,200	10,400
Current Expense	79,453	76,757	80,800	123,000	78,300
DP Current Expense	15,066	18,147	33,100	19,800	33,100
Other Charges/Pass Thru	279,205	266,481	319,300	166,800	293,000
Total	\$688,000	\$655,100	\$754,600	\$677,500	\$808,700
Other Data					
Budgeted FTE	6.3	5.5	6.0	6.8	7.3

Table 2-13

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 Office of 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 boards was reduced to 31; and the number of volunteer board members has been reduced to about 207. The number of reviews performed in FY 2004 was 850.

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 met to discuss ways to improve the FCCRB process and the timing of reviews. The subcommittee 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. In the 2005 General Session, Senate Bill 17, "Foster Care Citizen Review Board," passed amending the duties of the FCCRB based on the subcommittee's recommendations. The subcommittee agreed that focusing the FCCRB reviews on those children who have been in care longer than 12 months will be a positive step.

Intent Language

The following intent language was adopted during the 2005 General Session for FY 2005 (supplemental appropriation):

"If funds are available, the Foster Care Citizens Review Board is authorized to not lapse funds at the end of FY 2005. These funds are to be used solely for one-time development, maintenance, and upgrading of computer software and equipment and for recruitment, training and retention of volunteers."

Agency Response: The agency has not used the funds to date but intends to use the non-lapsing funds as stipulated in the intent language for development, maintenance, and upgrading of computer software and equipment and for recruitment, training and retention of volunteers.

Accountability

The following Figure 2-9 indicates the percentage of foster kids receiving citizens' reviews during their first twelve months of state custody. Enactment of Senate Bill 17 will change the review process of the FCCRB from 12 months to 18 months and will focus more on children who have been in care longer than 12 months beginning in FY 2006.

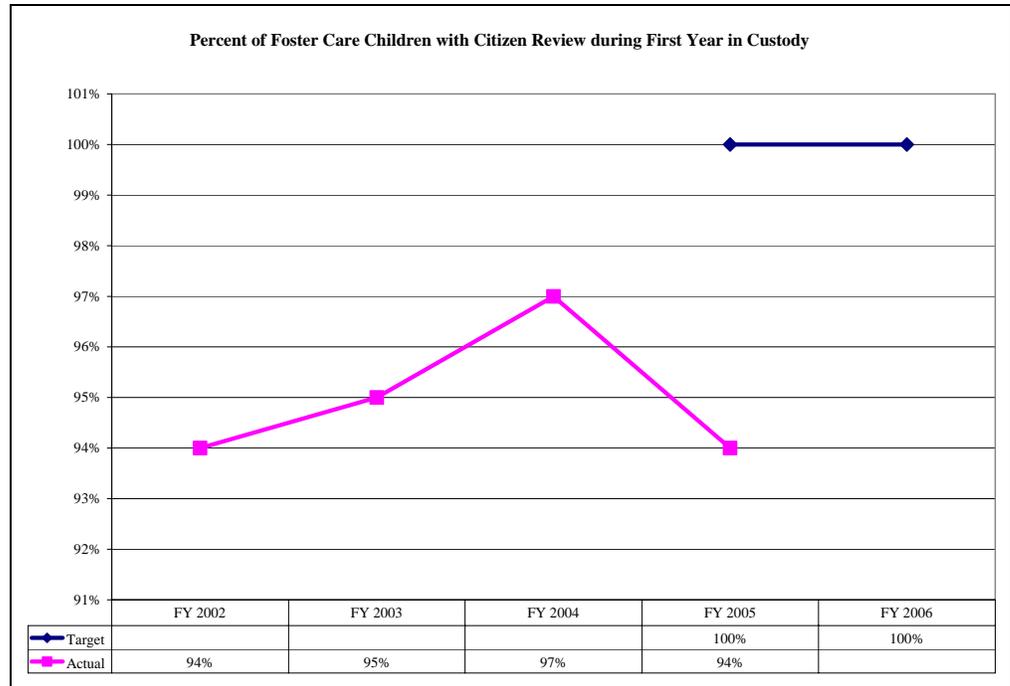


Figure 2-9

Funding Detail

The budget for the FCCRB receives the majority of the funding from state funds (about 59%) and the other funding is from federal grants and Medicaid (about 41%).

Budget History - Human Services - Executive Director Operations - Foster Care Citizens Review Boards					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	639,268	653,029	330,800	336,800	349,300
General Fund, One-time	0	0	0	2,900	0
Federal Funds	329,928	277,658	137,400	145,800	124,100
Transfers - H - Medical Assistance	303,554	287,546	131,700	162,400	123,800
Beginning Nonlapsing	100,000	61,150	0	53,900	0
Closing Nonlapsing	(61,150)	0	(53,900)	(75,400)	0
Lapsing Balance	0	(94,583)	0	(100)	0
Total	\$1,311,600	\$1,184,800	\$546,000	\$626,300	\$597,200
Categories of Expenditure					
Personal Services	870,101	860,366	426,200	421,800	448,000
In-State Travel	17,667	13,402	6,900	10,300	6,800
Out of State Travel	4,316	168	0	1,000	0
Current Expense	335,630	239,156	92,000	161,100	121,400
DP Current Expense	83,886	71,707	20,900	32,100	21,000
Total	\$1,311,600	\$1,184,800	\$546,000	\$626,300	\$597,200
Other Data					
Total FTE	19.9	18.2	9.3	9.9	9.5
Vehicles	1	1	1	1	1

Table 2-14

DRUG OFFENDERS REFORM ACT (DORA)

Function

In the 2005 1st Special Session, Senate Bill 1004, “Drug Offender Reform Act” was passed creating a three-year pilot program. DORA will offer substance abuse screening, assessment and treatment for 250 felony offenders convicted of controlled substance offenses who are sentenced to probation by the Third Judicial District Court in Salt Lake County.

The Utah Substance Abuse and Anti-Violence Coordinating Council (USAACC) shall develop an implementation plan for the pilot program and provide oversight of the plan. The Salt Lake County Substance Abuse Authority (SLCSAA) shall submit a proposal to the USAACC on the intended use of the DORA funding. Upon approval of the proposal, the Department of Human Services (DHS) will allocate the monies. The SLCSAA is required to submit a report to the USAACC and the DHS by October 1 of each year on the use of the funds and the progress of the program. The USAACC will evaluate the program and provide a written report to the Law Enforcement and Criminal Justice and the Health and Human Services Interim Committees by November 1 of each year with a final report due by November 1, 2008.

Funding Detail

The DORA program received one-time funding General Funds of \$500,000 for FY 2006 as follows: The Commission on Criminal and Juvenile Justice was appropriated \$75,000 for research and evaluation of the program; The Department of Human Services was appropriated \$315,000 for assessment, treatment, case management, and drug testing; The Judicial Council and State Court Administrator was appropriated \$10,000 for the costs of court clerks in the Third District Court in Salt Lake County; and The Utah Department of Corrections was appropriated \$100,000 for probation supervision. The appropriations are non-lapsing. The following table shows the funding of DORA for the Department of Human Services for FY 2006:

Budget History - Human Services - Executive Director Operations - Drug Offender Reform Act - Pilot					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund, One-time	0	0	0	0	315,000
Total	\$0	\$0	\$0	\$0	\$315,000
Categories of Expenditure					
Other Charges/Pass Thru	0	0	0	0	315,000
Total	\$0	\$0	\$0	\$0	\$315,000

Table 2-15

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.

Beginnings of Drug Courts in Utah 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 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 reporting requirements. It also created a coordinated disbursement process involving the Executive Directors of the Department of Human Services and the Department of Commerce and the State Court Administrator. The bill also set up a Drug Board Pilot Project in Davis and Weber Counties, outlining participation and reporting requirements.

Allocation from Tobacco Settlement Funds **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 the University of Utah 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.

	Percent of Arrests within 18 Months	
	Drug Related	Any Reason
Successful Completers of Drug Courts	15%	39%
Unsuccessful Completers	39%	55%
No Drug Court	64%	78%

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.

Budget History - Human Services - Drug Courts/Boards					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
GFR - Tobacco Settlement	1,647,200	1,647,200	1,647,200	1,647,200	1,647,200
Total	\$1,647,200	\$1,647,200	\$1,647,200	\$1,647,200	\$1,647,200
Programs					
Drug Board	350,900	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	\$1,647,200	\$1,647,200	\$1,647,200	\$1,647,200	\$1,647,200
Categories of Expenditure					
Other Charges/Pass Thru	1,647,200	1,647,200	1,647,200	1,647,200	1,647,200
Total	\$1,647,200	\$1,647,200	\$1,647,200	\$1,647,200	\$1,647,200

Table 3-2

The following table shows the statutory authority for the General Fund Restricted - Tobacco Settlement Fund:

Restricted Funds Summary - (Drug Courts/Boards)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2005 Balance
Tobacco Settlement Account	63-97-201	Tobacco Settlement Payments	For Drug Courts treatment services	\$6,101,847

Table 3-3

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 four 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 3-4 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 04 Funds	FY 05 Funds	FY 06 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	36,000	8
Wasington County	50,000	120,000	120,000	10
Weber County	250,000	250,000	250,000	50
Juvenile Drug Courts				
Third District	63,372	63,372	63,372	13
Tooele County	32,000	32,000	32,000	7
Utah County	75,000	75,000	75,000	15
Dependency Drug Courts				
Fourth District	125,000	125,000	125,000	25
Weber County	80,000	80,000	80,000	16
Third District	105,000	105,000	105,000	21
Dual Model Drug Court				
Emery County	200,000	200,000	200,000	40
TOTAL	\$ 2,025,436	\$ 2,095,436	\$ 2,095,436	417

Table 3-4

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.

Budget History - Human Services - Drug Courts/Boards - Drug Courts					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
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 3-5

DRUG BOARDS

Function

Drug Boards is a program similar to drug courts, but is offered by the correctional 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 2006.

Budget History - Human Services - Drug Courts/Boards - Drug Board					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
GFR - Tobacco Settlement	350,900	350,900	350,900	350,900	350,900
Total	\$350,900	\$350,900	\$350,900	\$350,900	\$350,900
Categories of Expenditure					
Other Charges/Pass Thru	350,900	350,900	350,900	350,900	350,900
Total	\$350,900	\$350,900	\$350,900	\$350,900	\$350,900

Table 3-6

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 treatment programs

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 2005 Legislature included the following intent language:

It is the intent of the Legislature that the Division of Substance Abuse and Mental Health, in consultation with local mental health and substance abuse authorities and their providers, the Robert G. Sanderson Community Center of the Deaf and Hard of Hearing Programs within the Utah State Office of Rehabilitation, and others, identify critical issues related to the delivery of substance abuse and mental health services to persons with a hearing disability and report on those issues to the Health and Human Services Joint Appropriations Subcommittee and the Health and Human Services Interim Committee before October 1, 2005.

Agency Response: The Analyst received a copy of the report in October of 2005 for distribution. The agency is scheduled to report to the Health and Human Services Appropriations Subcommittee at their interim meeting on December 6, 2005.

Accountability

The following Figure 4-1 shows improvements in clients of the local mental health centers symptoms within 3 months or upon completion of treatment:.

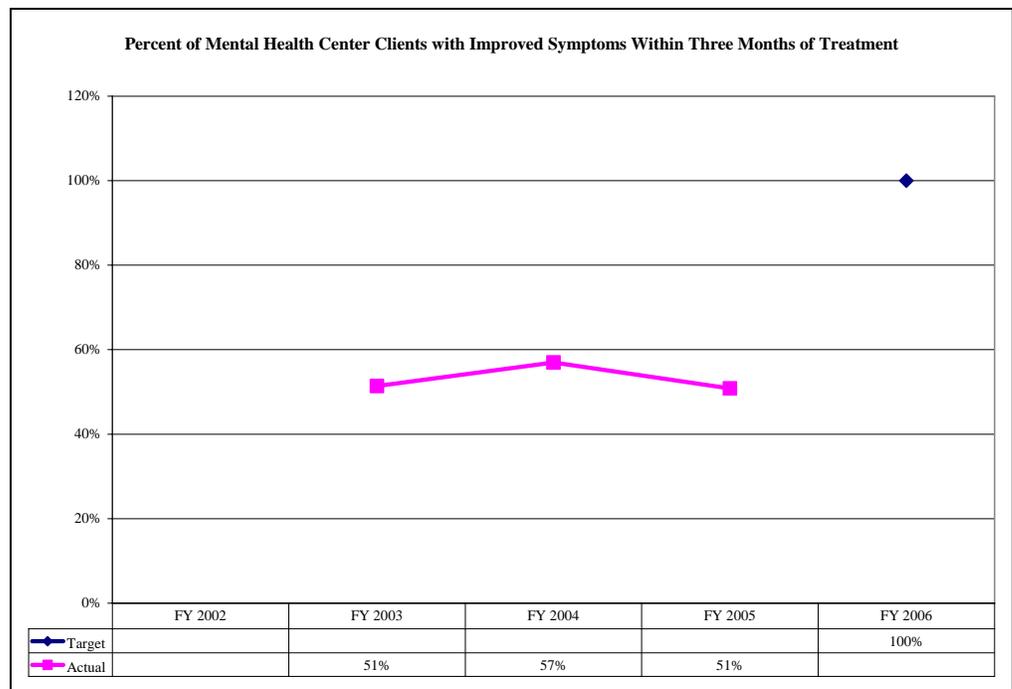


Figure 4-1

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

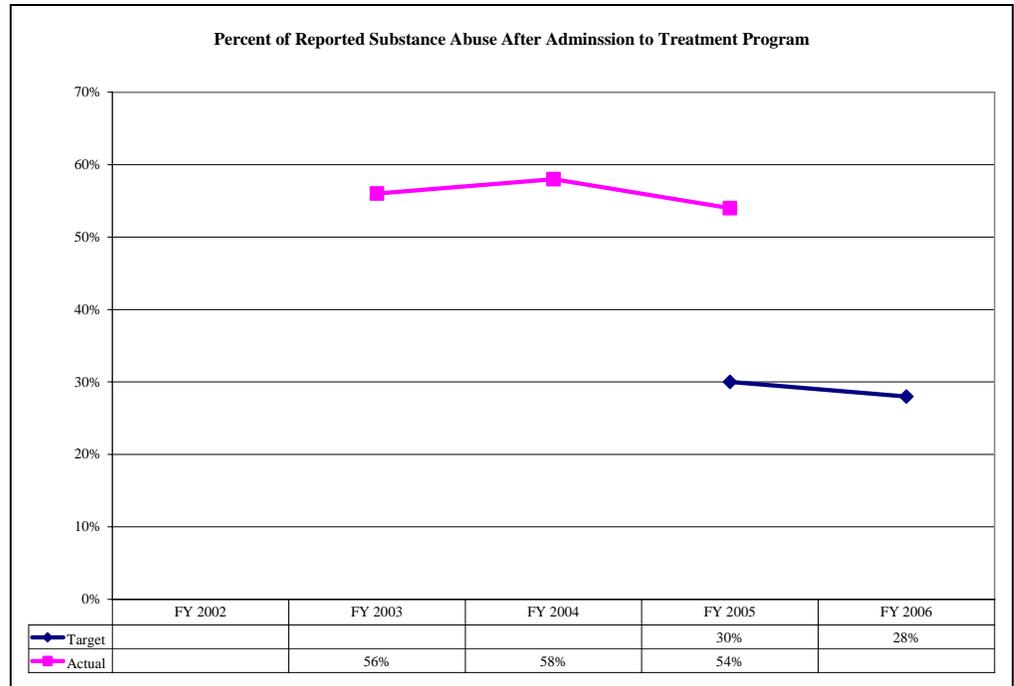


Figure 4-2

Funding Detail

The majority of funds for the FY 2006 budget for the Division of Substance Abuse and Mental Health are State General Fund (about 65 percent). Federal grants and Medicaid transfers make up about one-third of the appropriation. The Intoxicated Driver Rehabilitation Account provides \$1.5 million. There is also a small amount of fund transfers from other agencies. In FY 2005, the motor pool for the State Hospital was corrected to reflect the appropriate number of vehicles in service.

Budget History - Human Services - Substance Abuse & Mental Health					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	69,294,400	66,418,100	65,611,000	67,214,100	71,643,200
General Fund, One-time	0	0	0	2,266,400	2,000,000
Federal Funds	22,305,600	24,743,200	24,426,400	26,235,200	23,985,000
Dedicated Credits Revenue	2,247,800	2,762,400	2,953,200	3,468,500	3,038,700
GFR - Intoxicated Driver Rehab	1,050,000	1,200,000	1,200,000	1,200,000	1,500,000
Transfers - H - Medical Assistance	8,479,800	8,910,200	9,728,000	9,604,400	10,351,000
Transfers - Other Agencies	406,300	860,100	254,600	64,000	243,600
Beginning Nonlapsing	11,200	36,500	0	76,900	0
Closing Nonlapsing	(36,500)	0	(76,900)	(56,000)	0
Lapsing Balance	0	(271,600)	0	(518,600)	0
Total	\$103,758,600	\$104,658,900	\$104,096,300	\$109,554,900	\$112,761,500
Programs					
Administration	2,465,100	2,248,800	2,151,100	2,381,800	2,404,000
Community Mental Health Services	6,630,600	5,067,200	5,710,000	5,880,100	7,284,800
Mental Health Centers	22,375,500	23,717,200	22,794,800	23,290,500	23,475,400
Residential Mental Health Services	2,576,800	2,579,300	2,595,700	2,532,700	2,819,800
State Hospital	41,126,900	40,123,900	41,746,600	44,378,200	46,633,500
State Substance Abuse Services	5,283,100	6,159,000	4,867,700	5,970,600	4,797,900
Local Substance Abuse Services	22,250,600	23,563,500	23,030,400	23,921,000	23,846,100
Drivers Under the Influence	1,050,000	1,200,000	1,200,000	1,200,000	1,500,000
Total	\$103,758,600	\$104,658,900	\$104,096,300	\$109,554,900	\$112,761,500
Categories of Expenditure					
Personal Services	36,129,546	34,678,500	35,986,200	38,007,100	40,713,600
In-State Travel	28,690	32,400	37,600	48,000	40,400
Out of State Travel	31,800	37,600	38,600	42,300	46,800
Current Expense	8,073,590	8,886,400	9,670,400	9,909,000	9,539,500
DP Current Expense	594,649	653,600	704,000	1,088,800	904,100
DP Capital Outlay	35,700	5,300	40,200	22,800	83,600
Capital Outlay	6,100	262,200	(6,600)	96,900	38,600
Other Charges/Pass Thru	58,858,525	60,102,900	57,625,900	60,340,000	61,394,900
Total	\$103,758,600	\$104,658,900	\$104,096,300	\$109,554,900	\$112,761,500
Other Data					
Budgeted FTE	840.9	760.1	781.5	796.0	849.1
Vehicles	68	68	70	48	70

Table 4-1

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.

Budget History - Human Services - Substance Abuse & Mental Health - Administration					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,530,300	1,088,200	1,093,200	1,202,400	1,188,200
General Fund, One-time	0	0	0	7,000	0
Federal Funds	918,200	1,115,300	1,078,400	1,050,300	1,149,400
Dedicated Credits Revenue	14,400	19,900	19,100	22,600	35,900
Transfers - H - Medical Assistance	27,500	21,800	26,800	33,100	30,500
Beginning Nonlapsing	11,200	36,500	0	66,400	0
Closing Nonlapsing	(36,500)	0	(66,400)	0	0
Lapsing Balance	0	(32,900)	0	0	0
Total	\$2,465,100	\$2,248,800	\$2,151,100	\$2,381,800	\$2,404,000
Categories of Expenditure					
Personal Services	1,847,301	1,691,900	1,672,300	1,973,800	1,930,600
In-State Travel	20,500	23,400	28,100	40,400	31,700
Out of State Travel	18,300	9,200	29,800	23,000	25,300
Current Expense	460,125	401,100	340,800	247,400	281,400
DP Current Expense	118,749	117,900	80,100	87,200	91,600
DP Capital Outlay	0	5,300	0	0	43,400
Other Charges/Pass Thru	125	0	0	10,000	0
Total	\$2,465,100	\$2,248,800	\$2,151,100	\$2,381,800	\$2,404,000
Other Data					
Budgeted FTE	34.0	30.8	27.9	31.8	33.6

Table 4-2

COMMUNITY MENTAL HEALTH SERVICES**Function**

The Community Mental Health Services Program develops coordinates and evaluates mental health services. The program is funded with the following federal grants:

- **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 covering six counties: Kane, Beaver, Garfield, Grand, Emery and Carbon. The grant has provided about \$8.7 million through August of 2005. The funding available for FY 2006 is \$300,000.
- **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 with projected funding for FY 2006 of \$438,000.
- **Mental Health Block Grant:** This \$3.2 million grant provides 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)
- **UTCAN:** The purpose of this program is to enhance the state’s mental health and substance abuse infrastructure so quality services will be available to children, youth and their families.
- **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 62 percent of this budget with federal grants and Medicaid transfers providing the balance of 38 percent.

Budget History - Human Services - Substance Abuse & Mental Health - Community Mental Health Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	4,296,100	2,262,500	2,193,000	2,355,600	2,518,800
General Fund, One-time	0	0	0	50,000	2,000,000
Federal Funds	1,671,700	2,355,900	3,008,700	2,976,100	2,042,500
Transfers - H - Medical Assistance	428,600	448,800	508,300	498,400	723,500
Transfers - Other Agencies	234,200	0	0	0	0
Total	\$6,630,600	\$5,067,200	\$5,710,000	\$5,880,100	\$7,284,800
Categories of Expenditure					
Personal Services	175,500	116,600	115,400	18,600	2,200
In-State Travel	3,850	2,700	1,800	1,100	700
Out of State Travel	4,700	14,600	1,000	2,500	10,100
Current Expense	946,550	1,267,000	1,578,300	1,303,600	1,162,900
DP Current Expense	300	400	0	63,500	142,200
Other Charges/Pass Thru	5,499,700	3,665,900	4,013,500	4,490,800	5,966,700
Total	\$6,630,600	\$5,067,200	\$5,710,000	\$5,880,100	\$7,284,800
Other Data					
Total FTE	2.1	2.0	1.9	1.0	0.0

Table 4-3

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 4-4. 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
<i>Private - Private Non-profit contract provider</i>		
<i>County - Services provided by one or more counties</i>		

Table 4-4

The Division contracts with the local mental health authorities for state funds, based on local plans to provide mental health services. Statutorily, local authorities must provide at least a 20 percent match for state funds received (UCA 17-43-301 (4) (a) (x)). 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), and consultation and education services.

Funding Detail

Over 91 percent of the appropriation for local Mental Health Centers comes from the State General Fund, with about 9 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.

Budget History - Human Services - Substance Abuse & Mental Health - Mental Health Centers					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	20,118,100	21,381,300	20,554,600	21,006,600	21,321,500
General Fund, One-time	0	0	0	165,900	0
Federal Funds	2,153,400	2,231,900	2,240,200	2,118,000	2,153,900
Transfers - Other Agencies	104,000	104,000	0	0	0
Total	\$22,375,500	\$23,717,200	\$22,794,800	\$23,290,500	\$23,475,400
Categories of Expenditure					
Other Charges/Pass Thru	22,375,500	23,717,200	22,794,800	23,290,500	23,475,400
Total	\$22,375,500	\$23,717,200	\$22,794,800	\$23,290,500	\$23,475,400

Table 4-5

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 37 funded slots for outplacement from nursing facilities and 77 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.

Budget History - Human Services - Substance Abuse & Mental Health - Residential Mental Health Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,576,800	2,680,300	2,595,700	2,615,000	2,819,800
Lapsing Balance	0	(101,000)	0	(82,300)	0
Total	\$2,576,800	\$2,579,300	\$2,595,700	\$2,532,700	\$2,819,800
Categories of Expenditure					
Other Charges/Pass Thru	2,576,800	2,579,300	2,595,700	2,532,700	2,819,800
Total	\$2,576,800	\$2,579,300	\$2,595,700	\$2,532,700	\$2,819,800

Table 4-6

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. In FY 2005, the hospital also opened a 26 bed Forensic Unit. In addition, in August of 2005, the hospital closed the Geriatric Unit reducing the number of beds by 30.

Hospital Cost History

The following Table 4-7 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 2005, the average cost per patient/day was \$425, up 47.9 percent since 1999.

STATE HOSPITAL BUDGET HISTORY & COST PER PATIENT AND PER BED								Six Year
	FY1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	% Change
Average Number Beds Available	343	358	384	348	333	335	346	0.9%
Average Patients Per Day	306	323	323	312	284	276	286	-6.5%
Average Occupancy Rate	89.2%	90.2%	84.1%	89.7%	85.3%	82.4%	82.7%	-7.3%
Hospital Budget (Actuals)	\$32,097,061	\$36,029,017	\$41,272,327	\$41,117,412	\$40,097,000	\$41,746,600	\$44,378,071	38.3%
Average Cost per Patient / Day	\$287	\$306	\$350	\$361	\$387	\$414	\$425	47.9%
Average Cost per Patient / Year	\$104,892	\$111,545	\$127,778	\$131,787	\$141,187	\$151,256	\$155,168	47.9%
Average Cost per Bed / Day	\$256	\$276	\$294	\$324	\$330	\$341	\$351	37.1%
Average Cost per Bed / Year	\$93,577	\$100,640	\$107,480	\$118,153	\$120,411	\$124,617	\$128,260	37.1%
FY 2002, the Hospital closed one of two geriatric wings (30 beds)								
FY 2003, it closed one of four forensic wings (26 beds)								
FY2003 at the request of MHC's acute care (ARTC) beds were opened (5 beds)								
FY2005 (26 Forensic Beds reopened)								

Table 4-7

Funding Detail

The major funding for the State Hospital comes from the State General Fund (73 percent). For qualified Medicaid patients, the Hospital draws down Medicaid funds (about 21 percent of the budget). The balance of its budget comes from dedicated credits and a small amount of other agency transfers. The motor pool number per the Department of Administrative Services Fleet Operations for the State Hospital for FY 2003-2005 is 48. This number is reflected in the FY 2005 actuals.

Budget History - Human Services - Substance Abuse & Mental Health - State Hospital					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	30,801,700	29,017,600	29,560,100	30,351,900	33,974,700
General Fund, One-time	0	0	0	1,609,600	0
Dedicated Credits Revenue	2,233,400	2,742,500	2,934,100	3,445,900	3,002,800
Transfers - H - Medical Assistance	8,023,700	8,439,600	9,192,900	9,072,900	9,597,000
Transfers - Other Agencies	68,100	61,900	70,000	64,000	59,000
Beginning Nonlapsing	0	0	0	10,500	0
Closing Nonlapsing	0	0	(10,500)	(56,000)	0
Lapsing Balance	0	(137,700)	0	(120,600)	0
Total	\$41,126,900	\$40,123,900	\$41,746,600	\$44,378,200	\$46,633,500
Categories of Expenditure					
Personal Services	34,074,500	32,821,700	34,187,400	36,014,700	38,780,800
In-State Travel	4,000	6,000	7,700	6,000	8,000
Out of State Travel	8,800	8,900	7,800	16,300	11,400
Current Expense	6,523,100	6,560,500	6,886,300	7,382,700	7,130,700
DP Current Expense	474,700	464,600	623,800	838,800	623,800
DP Capital Outlay	35,700	0	40,200	22,800	40,200
Capital Outlay	6,100	262,200	(6,600)	96,900	38,600
Total	\$41,126,900	\$40,123,900	\$41,746,600	\$44,378,200	\$46,633,500
Other Data					
Budgeted FTE	804.8	727.3	751.4	764.0	815.5
Vehicles	68	68	70	48	70

Table 4-8

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 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 through September of 2006. The grant 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 85 percent). The balance comes from the State General Fund (about 11 percent) and other agency transfers (about 4 percent).

Budget History - Human Services - Substance Abuse & Mental Health - State Substance Abuse Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	566,800	608,100	516,200	881,900	516,200
Federal Funds	4,716,300	4,856,700	4,166,900	5,404,400	4,097,100
Transfers - Other Agencies	0	694,200	184,600	0	184,600
Lapsing Balance	0	0	0	(315,700)	0
Total	\$5,283,100	\$6,159,000	\$4,867,700	\$5,970,600	\$4,797,900
Categories of Expenditure					
Personal Services	32,245	48,300	11,100	0	0
In-State Travel	340	300	0	500	0
Out of State Travel	0	4,900	0	500	0
Current Expense	143,815	657,800	865,000	975,300	964,500
DP Current Expense	900	70,700	100	99,300	46,500
Other Charges/Pass Thru	5,105,800	5,377,000	3,991,500	4,895,000	3,786,900
Total	\$5,283,100	\$6,159,000	\$4,867,700	\$5,970,600	\$4,797,900
Other Data					
Budgeted FTE	0.0	0.0	0.3	0.0	0.0

Table 4-9

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 in statute 17-43-201 (4) (k) 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).

Budget History - Human Services - Substance Abuse & Mental Health - Local Substance Abuse Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	9,404,600	9,380,100	9,098,200	8,800,700	9,304,000
General Fund, One-time	0	0	0	433,900	0
Federal Funds	12,846,000	14,183,400	13,932,200	14,686,400	14,542,100
Total	\$22,250,600	\$23,563,500	\$23,030,400	\$23,921,000	\$23,846,100
Categories of Expenditure					
Other Charges/Pass Thru	22,250,600	23,563,500	23,030,400	23,921,000	23,846,100
Total	\$22,250,600	\$23,563,500	\$23,030,400	\$23,921,000	\$23,846,100

Table 4-10

DRIVING UNDER THE INFLUENCE (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).

Budget History - Human Services - Substance Abuse & Mental Health - Drivers Under the Influence					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
GFR - Intoxicated Driver Rehab	1,050,000	1,200,000	1,200,000	1,200,000	1,500,000
Total	\$1,050,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,500,000
Categories of Expenditure					
Other Charges/Pass Thru	1,050,000	1,200,000	1,200,000	1,200,000	1,500,000
Total	\$1,050,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,500,000

Table 4-11

The following table shows the statutory references and balance for the General Fund Restricted – Intoxicated Driver Rehabilitation Account:

Restricted Funds Summary - (Driver's Under the Influence)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2005 Balance
Intoxicated Driver Rehabilitation	62A-15-503; 63-63a-7	7.5\$ surcharge on court fines & penalties	Education, intervention, & treatment of DUI drivers	\$4,743

Table 4-12

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	<p>Utah Code Title 62A, Chapters 5, 5a and 6 describes the State's program of services for people with disabilities.</p> <p>Chapter 5:</p> <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 <p>Chapter 5a creates the Coordinating Council for Persons with Disabilities.</p> <p>Chapter 6 deals with sterilization of handicapped persons.</p>
Intent Language	<p>The 2005 Legislature approved the following intent language applicable to the Division of Services for People with Disabilities:</p> <p style="padding-left: 40px;"><i>“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.”</i></p> <p>Agency Response: The division has used the funds appropriated for home and community based services for the waiting list and will report to the Health and Human Services Appropriations Subcommittee the uses of these funds during the December 2005 interim meeting.</p> <p style="padding-left: 40px;"><i>“It is the intent of the Legislature that the Division of Services for People with Disabilities (DSPD) use non-lapsing funds carried over from FY 2005 to provide services for individuals needing emergency services, individuals needing additional waiver services, individuals who turn 18 years old and leave state custody from the Divisions of Child and Family Services and Juvenile Justice Services, and individuals court ordered into DSPD services. DSPD will report to the Office of Legislative Fiscal Analyst on the use of these funds.”</i></p>

Agency Response: The division used the non-lapsing funds for emergency services, additional waiver services and services for youth who reach the age of 18 who have been in state custody. The division will report to the Health and Human Services Appropriations Subcommittee during the December 2005 interim meeting.

“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 Appropriations Subcommittee during the 2006 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.”

Agency Response: The Division will report on the use of these funds based on information obtained from providers to the Health and Human Services Appropriations Subcommittee for the December, 2005 interim meeting.

Accountability

The following Table 5-1 indicates the Division is making efforts to provide services for clients allowing them to access a full array of services:

DSPD Services			
	1995	2005	% Change
Developmental Center	330	230	-30.30%
Residential Services	1,276	2,511	96.79%
Day Services *	1,706	2,634	54.40%
Family Support/Respite Svc	998	1,409	41.18%
Personal Assistants	54	138	155.56%
* Includes supported employments			
** Clients may receive more than one service			

Table 5-1

Also, the Division is providing community employment to adults in services. Client satisfaction with services and service providers is provided through consumer surveys. The Division utilizes a comprehensive survey for the *self-administered services to help the division improve services for the program*. Figure 5-1 show the percent of participants satisfied with their support coordinators under the agency model:

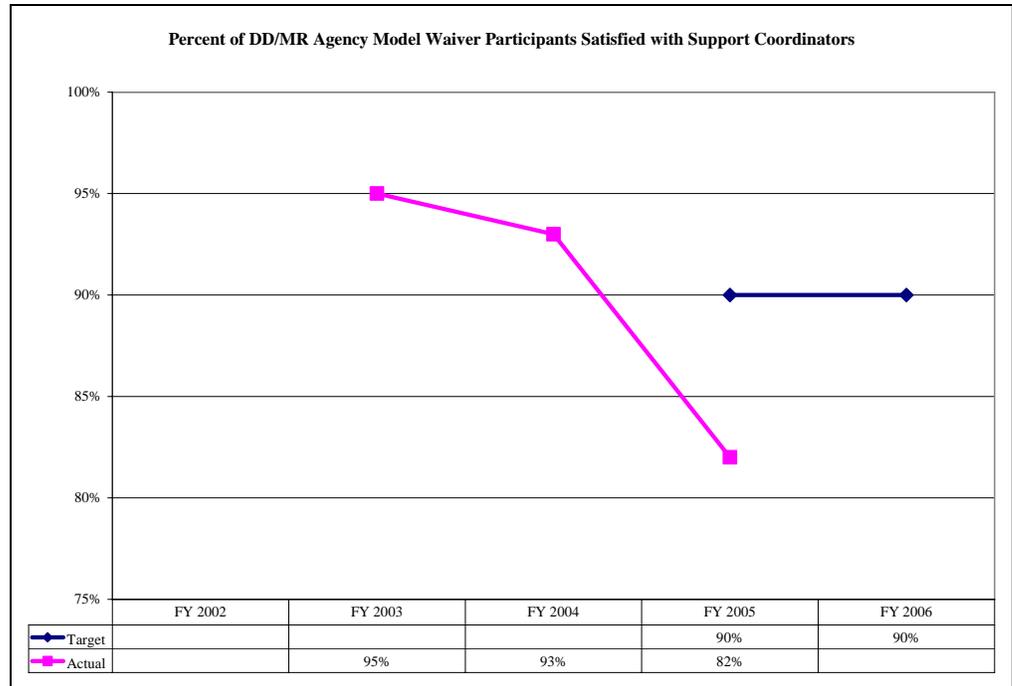


Figure 5-1

Figure 5-2 shows the participant satisfaction of the support coordinator for DD/MR Self-administered Waivers:

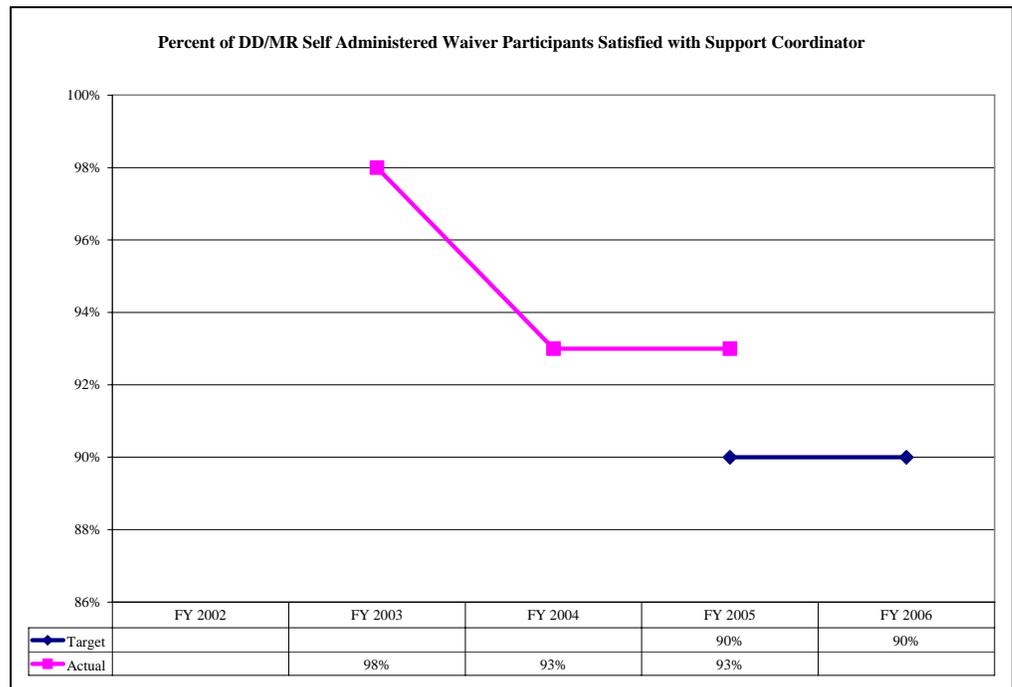


Figure 5-2

DSPD has effectively leveraged state dollars to draw down federal funds

The following Table 5-2 shows a 12 year history of DSPD funding. As the table indicates, DSPD has effectively leveraged state dollars to draw down federal funds to provide services. The Analyst has adjusted budgets by annual changes in the Consumer Price Index except for FY 2006.

DSPD Funding						
Fiscal Year	Total Allocation	General Fund Allocation	Federal Funds Allocation	Percent General Fund	Percent Federal Funds	
1995	75,650,700	24,214,500	51,436,200	32.01%	67.99%	
1996	79,745,900	26,889,100	52,856,800	33.72%	66.28%	
1997	89,131,800	30,135,300	58,996,500	33.81%	66.19%	
1998	93,655,800	32,329,100	61,326,700	34.52%	65.48%	
1999	99,149,800	32,884,100	66,265,700	33.17%	66.83%	
2000	108,146,200	33,868,700	74,277,500	31.32%	68.68%	
2001	118,901,100	33,768,900	85,132,200	28.40%	71.60%	
2002	121,969,400	34,424,600	87,544,800	28.22%	71.78%	
2003	122,205,100	34,880,900	87,324,200	28.54%	71.46%	
2004	119,260,400	34,828,100	84,432,300	29.20%	70.80%	
2005	126,074,900	34,671,100	91,403,800	27.50%	72.50%	
2006	159,287,700	46,401,000	112,886,700	29.13%	70.87%	
% Change from 1995 to 2006	110.56%	91.62%	119.47%	-8.99%	4.23%	

Note: Dollars for FY 1995 through 2005 were adjusted for inflation based on the CPI.

Table 5-2

Funding Detail

The majority of funding for FY 2006 (about 69 percent) for disability services comes from federal grant and Medicaid funds. About 29 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

Budget History - Human Services - Svcs for People w/Disabilities					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	40,244,700	44,579,500	42,429,400	42,941,300	46,484,300
General Fund, One-time	0	0	0	397,600	(83,300)
Federal Funds	3,445,200	2,000,000	2,031,200	2,442,600	2,600,000
Dedicated Credits Revenue	1,301,900	1,397,100	1,246,700	1,526,800	1,543,900
General Fund Restricted	0	0	11,000	0	0
GFR - Trust for People with Disabilities	200,000	200,000	235,000	0	100,000
Transfers - H - Medical Assistance	94,890,500	101,586,400	107,358,900	110,711,400	110,286,700
Transfers - Other Agencies	3,831,800	820,500	395,000	321,800	493,600
Beginning Nonlapsing	500	40,300	3,389,600	3,903,300	3,488,700
Closing Nonlapsing	(31,500)	(3,389,600)	(3,903,300)	(3,151,500)	(2,073,500)
Lapsing Balance	(8,800)	(150,000)	0	0	0
Total	\$143,874,300	\$147,084,200	\$153,193,500	\$159,093,300	\$162,840,400
Programs					
Administration	2,577,200	2,357,500	2,514,600	3,488,500	4,012,700
Service Delivery	12,276,000	12,285,600	12,603,600	13,417,800	13,780,600
State Developmental Center	32,213,500	30,934,900	33,325,500	33,787,000	34,403,100
DD/MR Waiver Services	87,500,800	94,716,300	98,475,700	102,872,100	103,227,000
Brain Injury Waiver Services	1,486,700	1,953,700	2,167,500	1,769,800	2,529,800
Physical Disability Waiver Services	1,819,700	1,752,600	1,712,100	1,754,500	1,839,200
Non-waiver Services	6,000,400	3,083,600	2,394,500	2,003,600	3,048,000
Total	\$143,874,300	\$147,084,200	\$153,193,500	\$159,093,300	\$162,840,400
Categories of Expenditure					
Personal Services	38,137,000	38,385,800	39,651,500	41,485,400	42,415,400
In-State Travel	193,200	173,400	164,600	194,400	194,400
Out of State Travel	8,100	2,900	4,300	11,700	30,800
Current Expense	7,231,300	5,799,900	6,986,900	7,110,700	7,269,000
DP Current Expense	1,246,500	1,105,100	1,287,200	1,280,800	1,823,800
DP Capital Outlay	40,100	0	0	0	6,000
Capital Outlay	180,200	78,600	211,300	142,300	100,000
Other Charges/Pass Thru	96,837,900	101,538,500	104,887,700	108,868,000	111,001,000
Total	\$143,874,300	\$147,084,200	\$153,193,500	\$159,093,300	\$162,840,400
Other Data					
Budgeted FTE	952.8	933.5	954.8	948.6	996.5
Vehicles	87	91	92	80	92

Table 5-3

*Health Care
Financing - Medicaid*

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, 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).

*Intermediate Care
Facilities for People
with Mental
Retardation
(ICFs/MR)*

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 to more than 80 beds. 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.

Home and Community Based Services (HCBS)

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.

Waiting List for Home and Community Based Services

There are more eligible people desiring home and community based services under the Medicaid Waiver than there are resources available. In FY 2006, the Legislature appropriated \$1 million in General Funds to help with the waiting list (about 12 percent of the population). DSPD has a current waiting list of 1,945 for these services. This list has grown from about 498 in 1990 to 1,945 (291 percent increase) today. Since 1990 the number of people served has grown by 4304 (116 percent increase). The following Figure 5-3 shows the growth in the number of people served and the number of people on the waiting list since FY 1990:

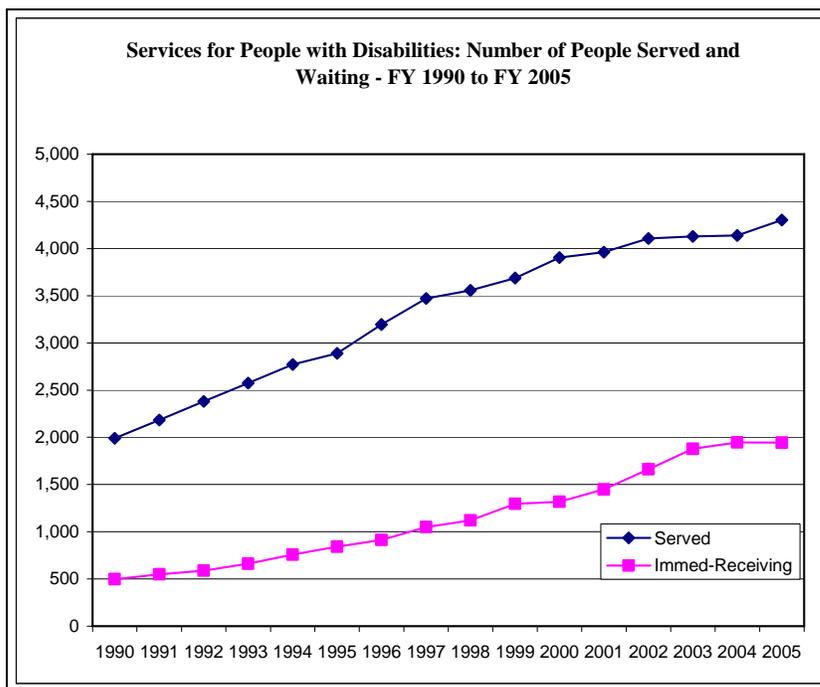


Figure 5-3

*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 have strived to develop a working plan for the waiting list through a collaborative effort; however, they are waiting on a resolution of the waiting list lawsuit before implementation.

*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 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 needed 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, a settlement agreement in Ohio is pending court approval, Settlements have been reached in 11 lawsuits, the New Hampshire lawsuit 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 trial date is set for January or March of 2006 based on completion of a previously scheduled trial.

Emergency Services

Each year, there are emergencies requiring immediate assistance from the Division. Crisis arises 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 Authority

DSP has non-lapsing authority to use carry-forward monies for one-time expenditures unless otherwise authorized by the Legislature. The Division intends to use these funds for the purposes outlined in legislative intent language.

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. In FY 2005, the Division generated \$896,000 in savings from attrition which was used to cover ongoing costs associated with the non-lapsing expenditures in FY 2005 such as personnel costs to expand services.

Division Cost Savings Projections and Use of Carry-forward Funds

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 in FY 2004 year end increased the carry-forward balance by about \$500,000 for a total of \$3.9 million. During FY 2005, the Division used about \$751,800 of the non-lapsing balance carried forward from the previous FY for services included in the legislative intent language leaving a FY 2005 ending balance of \$3.2 million. The division estimates in 2006 expenditures of \$1.4 million leaving a of carry forward balance of \$1.8 million. The division expects to use all of the carry forward monies in FY 2007 with expected expenditures of \$2.3 million requiring additional funding of \$500,000 from the state. This includes costs for emergency services, aging out of state custody (child welfare and juvenile justice services), additional needs for individuals already in 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 71 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 fiscal years 2001 and 2002, which represent the equivalent ICF/MR costs, for the individuals who moved out in 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 FY 2000.

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, a moratorium was placed on further portability transfers in FY 2003 and FY 2004. In FY 2005, the Legislature appropriated funding for portability to the Department of Health allowing 7 individuals to access DSPD Waiver Services.

*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 2005 year end balance in the fund was \$3,116,274, of which \$832,264 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 36 percent), federal and Medicaid funds (about 56 percent) and the balance from dedicated credits, transfers from other agencies and General Fund Restricted – Trust for People with Disabilities.

Budget History - Human Services - Svcs for People w/Disabilities - Administration					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,110,800	936,600	1,338,900	1,476,300	1,444,400
General Fund, One-time	0	0	0	8,300	0
Federal Funds	0	100,000	0	221,000	600,000
Dedicated Credits Revenue	3,900	19,800	20,900	53,800	98,500
GFR - Trust for People with Disabilities	0	0	0	0	100,000
Transfers - H - Medical Assistance	1,211,400	3,462,200	1,061,800	1,125,100	1,651,500
Transfers - Other Agencies	259,400	177,400	109,700	132,600	118,300
Beginning Nonlapsing	500	40,300	0	16,700	0
Closing Nonlapsing	0	(2,378,800)	(16,700)	454,700	0
Lapsing Balance	(8,800)	0	0	0	0
Total	\$2,577,200	\$2,357,500	\$2,514,600	\$3,488,500	\$4,012,700
Categories of Expenditure					
Personal Services	1,942,500	1,800,600	1,766,500	2,137,200	2,279,100
In-State Travel	40,700	32,700	27,400	25,700	51,000
Out of State Travel	5,300	2,900	4,100	11,000	16,400
Current Expense	416,300	362,500	453,900	580,000	509,400
DP Current Expense	143,700	128,800	215,900	350,100	799,800
Other Charges/Pass Thru	28,700	30,000	46,800	384,500	357,000
Total	\$2,577,200	\$2,357,500	\$2,514,600	\$3,488,500	\$4,012,700
Other Data					
Budgeted FTE	34.5	31.2	28.7	33.0	36.5

Table 5-4

The following Table 5-3 shows the General Fund Restricted – Trust for People with Disabilities Account:

Restricted Funds Summary - (Program Name)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2005 Balance
Trust for People with Disabilities	62A-5-110	Sale and lease of real property at Utah State Developmental Center*	DSPD related programs identified in 62A-5	\$3,116,274

* Only lease payment receipts and interest on the principal may be appropriated for use by DSPD (FY 2005 balance of \$832,264).

Table 5-5

SERVICE DELIVERY

Function

The Division has divided the state into three regions for service delivery (In FY 2005, one region was divided between two other existing regions changed the number from four to three). 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 grants and Medicaid funds (about 61 percent).

Budget History - Human Services - Svcs for People w/Disabilities - Service Delivery					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	5,110,900	5,463,200	4,925,800	5,037,900	5,345,100
General Fund, One-time	0	0	0	43,400	0
Federal Funds	0	400,000	184,000	226,400	152,800
Dedicated Credits Revenue	0	0	0	24,500	0
General Fund Restricted	0	0	11,000	0	0
Transfers - H - Medical Assistance	7,019,500	6,500,000	7,560,000	8,443,200	8,282,700
Transfers - Other Agencies	150,000	0	0	0	0
Beginning Nonlapsing	0	0	0	77,200	0
Closing Nonlapsing	(4,400)	(77,600)	(77,200)	(434,800)	0
Total	\$12,276,000	\$12,285,600	\$12,603,600	\$13,417,800	\$13,780,600
Categories of Expenditure					
Personal Services	10,370,400	10,572,600	10,814,600	11,429,100	11,724,300
In-State Travel	147,600	136,300	134,500	165,900	136,700
Out of State Travel	900	0	200	600	7,200
Current Expense	1,305,400	1,174,800	1,175,500	1,306,900	1,435,100
DP Current Expense	448,800	394,000	469,900	488,500	477,300
Capital Outlay	0	5,600	0	13,000	0
Other Charges/Pass Thru	2,900	2,300	8,900	13,800	0
Total	\$12,276,000	\$12,285,600	\$12,603,600	\$13,417,800	\$13,780,600
Other Data					
Budgeted FTE	219.3	215.7	215.8	217.9	231.0
Vehicles	25	28	28	28	28

Table 5-6

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 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 27 percent of its budget. Dedicated credits and other agency transfers make up the balance of the funding mix. During FY 2005, the Development Center reduced the motor pool by 12 vehicles. Six of the twelve were replaced with Kawasaki Mules to be used for grounds work and it was determined that the other six vehicles did not need to be replaced.

Budget History - Human Services - Svcs for People w/Disabilities - State Developmental Center					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	7,960,300	8,301,300	8,301,300	8,836,300	9,436,300
General Fund, One-time	0	0	0	97,200	(83,300)
Dedicated Credits Revenue	1,298,000	1,377,300	1,225,800	1,448,500	1,445,400
GFR - Trust for People with Disabilities	100,000	200,000	235,000	0	0
Transfers - H - Medical Assistance	22,449,600	21,122,400	23,370,000	23,230,500	23,268,400
Transfers - Other Agencies	408,300	97,900	246,300	189,200	336,300
Beginning Nonlapsing	0	0	0	52,900	0
Closing Nonlapsing	(2,700)	(14,000)	(52,900)	(67,600)	0
Lapsing Balance	0	(150,000)	0	0	0
Total	\$32,213,500	\$30,934,900	\$33,325,500	\$33,787,000	\$34,403,100
Categories of Expenditure					
Personal Services	25,824,100	26,012,600	27,070,400	27,919,100	28,412,000
In-State Travel	4,900	4,400	2,700	2,800	6,700
Out of State Travel	1,900	0	0	100	7,200
Current Expense	5,508,300	4,262,600	5,357,500	5,223,800	5,324,500
DP Current Expense	654,000	582,300	601,400	442,200	546,700
DP Capital Outlay	40,100	0	0	0	6,000
Capital Outlay	180,200	73,000	211,300	129,300	100,000
Other Charges/Pass Thru	0	0	82,200	69,700	0
Total	\$32,213,500	\$30,934,900	\$33,325,500	\$33,787,000	\$34,403,100
Other Data					
Total FTE	699.1	686.6	710.3	718.2	729.0
Vehicles	62	63	64	52	64

Table 5-7

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 are available to provide support services as needed for 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.

Supervised apartments: Consumers live in apartments with two or three people. Apartment supervisors are available to provide whatever assistance may be needed.

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

2. **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.

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.

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 \$4,577.

TRANSPORTATION SERVICES helps people with disabilities in getting from their homes to day programs, jobs, and other activities. The need for transportation assistance and the 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 2005, 1,865 people received transportation services.

Funding Detail

Nearly three-fourths (72 percent) of the DD/MR waiver program is funded by federal Medicaid funds. The State General Fund provides about 27 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.

Budget History - Human Services - Svcs for People w/Disabilities - DD/MR Waiver Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	22,310,200	27,408,200	26,056,500	25,922,400	28,017,600
General Fund, One-time	0	0	0	248,700	0
GFR - Trust for People with Disabilities	100,000	0	0	0	0
Transfers - H - Medical Assistance	62,100,800	68,163,800	72,532,100	75,257,700	73,794,200
Transfers - Other Agencies	3,014,100	25,400	0	0	0
Beginning Nonlapsing	0	0	3,389,600	3,502,500	3,488,700
Closing Nonlapsing	(24,300)	(881,100)	(3,502,500)	(2,059,200)	(2,073,500)
Total	\$87,500,800	\$94,716,300	\$98,475,700	\$102,872,100	\$103,227,000
Categories of Expenditure					
Other Charges/Pass Thru	87,500,800	94,716,300	98,475,700	102,872,100	103,227,000
Total	\$87,500,800	\$94,716,300	\$98,475,700	\$102,872,100	\$103,227,000

Table 5-8

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 with General Funds (29 percent and federal Medicaid funds (71 percent).

Budget History - Human Services - Svcs for People w/Disabilities - Brain Injury Waiver Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	399,700	568,200	547,000	538,100	728,900
Transfers - H - Medical Assistance	1,087,000	1,388,000	1,645,000	1,395,000	1,800,900
Beginning Nonlapsing	0	0	0	24,500	0
Closing Nonlapsing	0	(2,500)	(24,500)	(187,800)	0
Total	\$1,486,700	\$1,953,700	\$2,167,500	\$1,769,800	\$2,529,800
Categories of Expenditure					
Other Charges/Pass Thru	1,486,700	1,953,700	2,167,500	1,769,800	2,529,800
Total	\$1,486,700	\$1,953,700	\$2,167,500	\$1,769,800	\$2,529,800

Table 5-9

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. The Physical Disabilities Waivers provide monthly expenditure allocations between \$200 and \$2,000 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 (69 percent) of funds for this waiver program comes from federal Medicaid funds. State funds and transfers from other agencies make up the balance and provide the required matching funds.

Budget History - Human Services - Svcs for People w/Disabilities - Physical Disability Waiver Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	797,600	827,000	494,200	508,200	531,300
Transfers - H - Medical Assistance	1,022,200	950,000	1,190,000	1,259,900	1,268,900
Transfers - Other Agencies	0	0	39,000	0	39,000
Beginning Nonlapsing	0	0	0	11,100	0
Closing Nonlapsing	(100)	(24,400)	(11,100)	(24,700)	0
Total	\$1,819,700	\$1,752,600	\$1,712,100	\$1,754,500	\$1,839,200
Categories of Expenditure					
Other Charges/Pass Thru	1,819,700	1,752,600	1,712,100	1,754,500	1,839,200
Total	\$1,819,700	\$1,752,600	\$1,712,100	\$1,754,500	\$1,839,200

Table 5-10

NON-WAIVER SERVICES

Function

The Non-waiver services include services provided to individuals who are not eligible for the Medicaid waivers due to resources of the individual or 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 720 people have moved from non-waiver to waiver (Medicaid) funding. In FY 2005, there were 200 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. Based on the Graduated Fee Assessment, 8 non-waiver individuals paid a monthly fee in FY 2005 which generated \$4,960.

Funding Detail

Most of the funding for this program is from the federal Social Services Block Grant and Medicaid funds (about 68 percent of the budget). State General Funds make up the balance.

Budget History - Human Services - Svcs for People w/Disabilities - Non-waiver Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,555,200	1,075,000	765,700	622,100	980,700
Federal Funds	3,445,200	1,500,000	1,847,200	1,995,200	1,847,200
Transfers - H - Medical Assistance	0	0	0	0	220,100
Transfers - Other Agencies	0	519,800	0	0	0
Beginning Nonlapsing	0	0	0	218,400	0
Closing Nonlapsing	0	(11,200)	(218,400)	(832,100)	0
Total	\$6,000,400	\$3,083,600	\$2,394,500	\$2,003,600	\$3,048,000
Categories of Expenditure					
Current Expense	1,300	0	0	0	0
Other Charges/Pass Thru	5,999,100	3,083,600	2,394,500	2,003,600	3,048,000
Total	\$6,000,400	\$3,083,600	\$2,394,500	\$2,003,600	\$3,048,000

Table 5-11

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	Utah Code Title 62A , Chapter 11 describes the State’s Office of Recovery Services programs and administration: <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 Utah Code Title 78: <ul style="list-style-type: none">Chapter 45: Uniform Civil Liability for Support ActChapter 45g: Uniform Parentage ActChapter 45f: Uniform Interstate Family Support Act Other Code Sections: <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 Figure 6-1 shows child support payments per court order that are current:

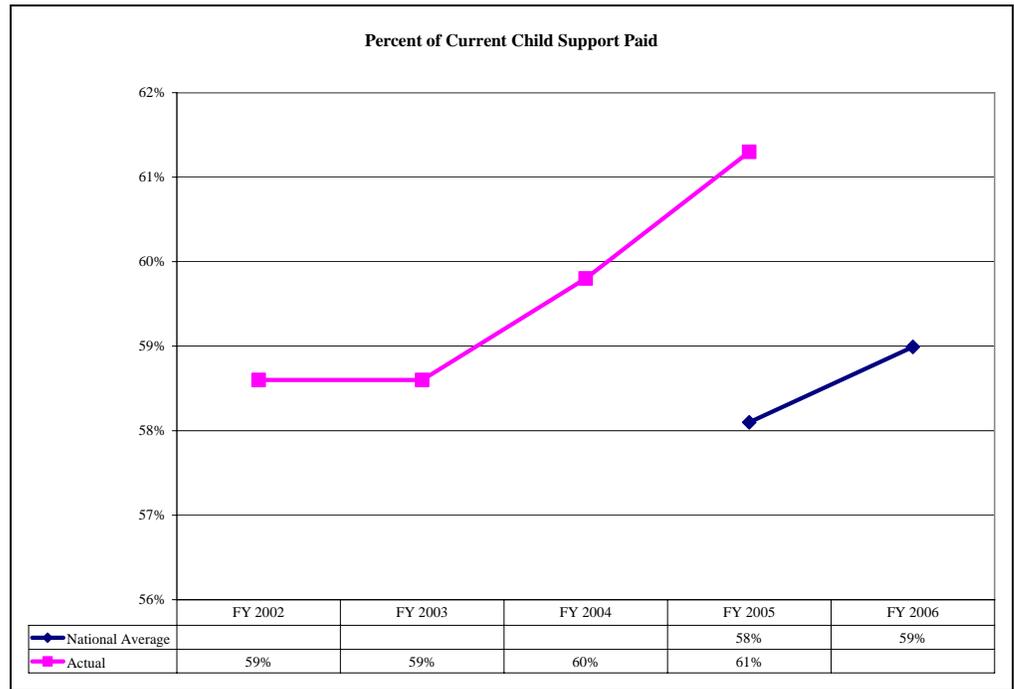


Figure 6-1

Figure 6-2 shows child support payments that are on arrears:

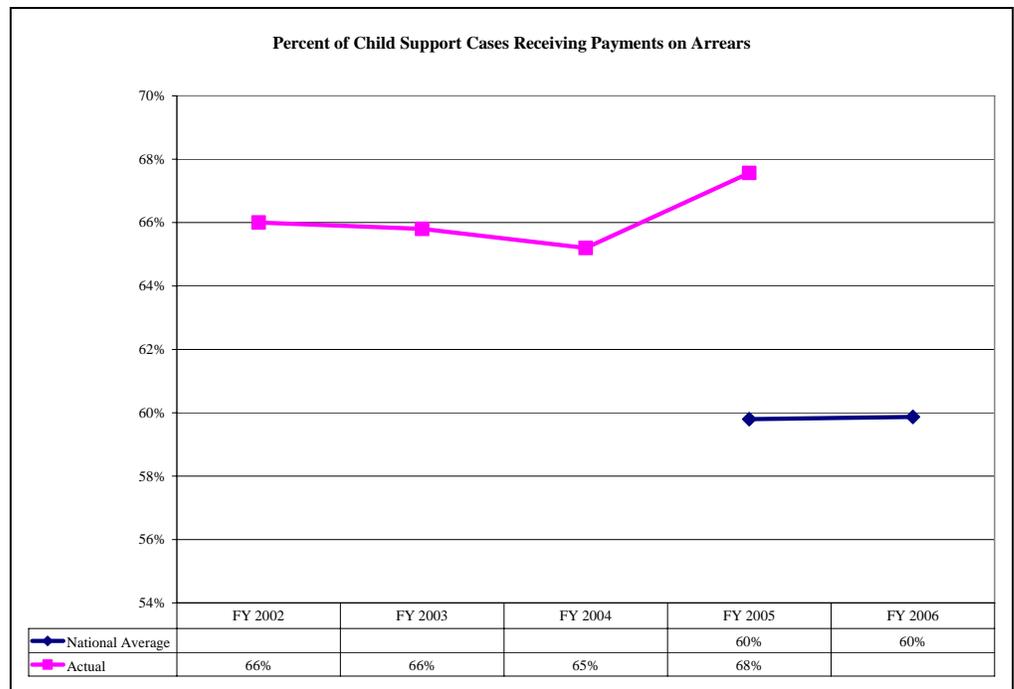


Figure 6-2

The following figure 6-3 is a historical bar graph of total collections and support payments to parents that the Office of Recovery processes each year:

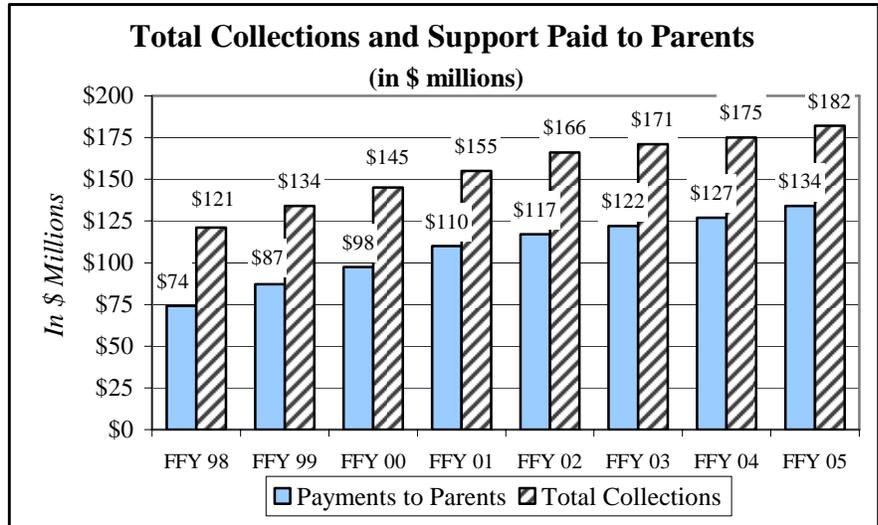


Figure 6-3

Funding Detail

The Office of Recovery Services is funded with State General Funds (about 25 percent), Federal Title IVD funds and Medicaid transfers (66 percent), dedicated credits (about 5 percent) and the balance from other agency transfers.

Budget History - Human Services - Office of Recovery Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	11,992,862	11,057,600	10,019,000	10,617,000	11,756,300
General Fund, One-time	0	0	0	72,300	0
Federal Funds	26,390,103	25,884,515	27,552,600	29,073,700	30,535,500
Dedicated Credits Revenue	1,636,795	2,356,386	2,340,600	2,396,800	2,477,400
Transfers - H - Medical Assistance	1,839,410	1,775,907	1,777,900	1,990,000	1,895,300
Transfers - Other Agencies	1,029,484	791,860	121,100	67,900	112,400
Beginning Nonlapsing	0	0	0	45,500	0
Closing Nonlapsing	0	0	(45,500)	(45,500)	0
Lapsing Balance	(79,754)	(257,949)	(1,200)	(2,600)	0
Total	\$42,808,900	\$41,608,320	\$41,764,500	\$44,215,100	\$46,776,900
Programs					
Administration	1,126,100	1,157,088	1,222,700	1,350,600	1,363,900
Financial Services	5,246,800	5,208,096	5,020,700	5,293,900	5,504,400
Electronic Technology	7,915,000	6,992,938	7,660,300	7,530,600	7,971,200
Child Support Services	20,161,600	20,202,898	20,774,800	22,622,800	23,883,600
Investigations and Collections	1,730,200	1,172,153	0	0	0
Children in Care Collections	1,731,900	1,754,037	1,797,600	1,954,300	2,093,300
Attorney General Contract	3,150,800	3,278,165	3,287,500	3,279,000	3,689,000
Medical Collections	1,746,500	1,842,944	2,000,900	2,183,900	2,271,500
Total	\$42,808,900	\$41,608,320	\$41,764,500	\$44,215,100	\$46,776,900
Categories of Expenditure					
Personal Services	28,043,257	27,638,966	27,096,300	29,598,900	31,317,700
In-State Travel	34,820	36,399	13,000	28,400	31,900
Out of State Travel	6,653	574	2,000	4,900	3,000
Current Expense	8,540,959	8,596,607	8,654,300	8,790,500	9,107,600
DP Current Expense	6,161,637	5,324,879	5,988,700	5,792,400	6,285,800
DP Capital Outlay	9,549	10,894	10,200	0	30,900
Capital Outlay	12,025	0	0	0	0
Total	\$42,808,900	\$41,608,319	\$41,764,500	\$44,215,100	\$46,776,900
Other Data					
Budgeted FTE	590.0	566.4	544.5	548.5	563.7
Vehicles	8	9	9	9	9

Table 6-1

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 81 percent of this budget comes from federal Title IVD funds and Medicaid transfers. State General Funds make up about 19 percent and the rest comes from dedicated credits.

Budget History - Human Services - Office of Recovery Services - Administration					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	350,769	294,848	205,700	240,800	264,100
General Fund, One-time	0	0	0	1,700	0
Federal Funds	695,019	761,245	909,500	900,900	1,009,600
Transfers - H - Medical Assistance	65,493	67,238	78,700	207,200	90,200
Transfers - Other Agencies	16,885	39,546	28,800	0	0
Lapsing Balance	(2,066)	(5,789)	0	0	0
Total	\$1,126,100	\$1,157,088	\$1,222,700	\$1,350,600	\$1,363,900
Categories of Expenditure					
Personal Services	979,004	1,040,055	1,111,600	1,230,500	1,239,500
In-State Travel	1,943	3,424	1,700	2,600	3,400
Out of State Travel	577	0	0	500	0
Current Expense	144,426	113,320	109,300	117,000	121,000
DP Current Expense	150	290	100	0	0
Total	\$1,126,100	\$1,157,088	\$1,222,700	\$1,350,600	\$1,363,900
Other Data					
Budgeted FTE	17.4	16.7	17.3	18.3	19.5

Table 6-2

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 \$182 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 and Medicaid transfers make up about 79 percent of this budget with the State General Fund contributing about 21 percent.

Budget History - Human Services - Office of Recovery Services - Financial Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,318,185	1,195,114	1,080,400	1,122,900	1,142,000
General Fund, One-time	0	0	0	3,300	0
Federal Funds	3,604,634	3,737,124	3,669,600	3,929,900	4,093,100
Dedicated Credits Revenue	0	0	(400)	0	0
Transfers - H - Medical Assistance	221,763	223,094	272,300	237,800	269,300
Transfers - Other Agencies	113,162	75,419	0	0	0
Lapsing Balance	(10,944)	(22,655)	(1,200)	0	0
Total	\$5,246,800	\$5,208,096	\$5,020,700	\$5,293,900	\$5,504,400
Categories of Expenditure					
Personal Services	1,350,814	1,354,033	1,346,400	1,450,900	1,565,800
In-State Travel	1,569	270	500	900	300
Current Expense	3,882,392	3,853,792	3,673,800	3,842,000	3,938,300
DP Current Expense	0	0	0	100	0
Capital Outlay	12,025	0	0	0	0
Total	\$5,246,800	\$5,208,096	\$5,020,700	\$5,293,900	\$5,504,400
Other Data					
Budgeted FTE	32.5	31.8	30.8	32.0	33.5
Vehicles	8	9	9	9	9

Table 6-3

ELECTRONIC TECHNOLOGY**Function**

This bureau is responsible for the operation and maintenance of the Office of Recovery Services Information System), 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 2005, it handled over 1.3 million telephone calls (equivalent of 18 FTEs based on an average call time of 1.23 minutes per call).

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. As of FY 2005, the division has not expended the monies for this project.

Funding Detail

Funding comes from federal Title IVD funds (about 79 percent), State General Funds (about 16 percent) and transfers from other agencies (5 percent).

Budget History - Human Services - Office of Recovery Services - Electronic Technology					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,981,345	1,593,498	1,315,500	1,280,900	1,279,300
General Fund, One-time	0	0	0	2,000	0
Federal Funds	5,429,862	5,013,006	6,032,400	6,020,800	6,325,400
Dedicated Credits Revenue	0	0	0	(100)	0
Transfers - H - Medical Assistance	338,307	299,796	357,900	229,600	366,500
Transfers - Other Agencies	181,980	116,847	0	0	0
Beginning Nonlapsing	0	0	0	45,500	0
Closing Nonlapsing	0	0	(45,500)	(45,500)	0
Lapsing Balance	(16,494)	(30,209)	0	(2,600)	0
Total	\$7,915,000	\$6,992,938	\$7,660,300	\$7,530,600	\$7,971,200
Categories of Expenditure					
Personal Services	1,567,737	1,546,008	1,529,300	1,566,000	1,665,600
In-State Travel	1,841	762	500	200	800
Out of State Travel	0	0	1,400	0	0
Current Expense	201,766	210,808	175,500	206,600	28,000
DP Current Expense	6,134,107	5,224,466	5,943,400	5,757,800	6,245,900
DP Capital Outlay	9,549	10,894	10,200	0	30,900
Total	\$7,915,000	\$6,992,938	\$7,660,300	\$7,530,600	\$7,971,200
Other Data					
Budgeted FTE	24.3	24.0	22.5	22.4	24.4

Table 6-4

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 63 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.

Budget History - Human Services - Office of Recovery Services - Child Support Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	5,257,140	4,973,431	5,069,600	5,548,300	6,331,500
General Fund, One-time	0	0	0	49,100	0
Federal Funds	13,243,905	12,879,539	13,346,900	14,560,600	15,042,700
Dedicated Credits Revenue	1,636,795	2,356,386	2,266,000	2,396,900	2,397,000
Transfers - Other Agencies	63,675	87,827	92,300	67,900	112,400
Lapsing Balance	(39,915)	(94,285)	0	0	0
Total	\$20,161,600	\$20,202,898	\$20,774,800	\$22,622,800	\$23,883,600
Categories of Expenditure					
Personal Services	19,006,256	18,984,630	19,336,100	21,259,000	22,409,200
In-State Travel	18,474	15,509	9,700	15,800	15,500
Out of State Travel	296	0	600	1,200	3,000
Current Expense	1,135,842	1,202,115	1,428,200	1,346,600	1,455,900
DP Current Expense	732	644	200	200	0
Total	\$20,161,600	\$20,202,898	\$20,774,800	\$22,622,800	\$23,883,600
Other Data					
Budgeted FTE	404.9	395.2	393.9	396.9	405.6

Table 6-5

INVESTIGATIONS AND COLLECTIONS

Function

Until FY 2004, this office was 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 to DWS occurred in FY 2004 to better align responsibility and accountability for these functions.

Funding Detail

The following table shows the funding prior to FY 2004 for the Investigations and Collections Office:

Budget History - Human Services - Office of Recovery Services - Investigations and Collections					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	740,136	653,518	0	0	0
Federal Funds	164,299	5,033	0	0	0
Transfers - H - Medical Assistance	211,853	117,665	0	0	0
Transfers - Other Agencies	614,458	433,076	0	0	0
Lapsing Balance	(546)	(37,139)	0	0	0
Total	\$1,730,200	\$1,172,153	\$0	\$0	\$0
Categories of Expenditure					
Personal Services	1,693,034	1,148,873	0	0	0
In-State Travel	3,598	3,652	0	0	0
Out of State Travel	1,928	574	0	0	0
Current Expense	31,477	19,025	0	0	0
DP Current Expense	163	29	0	0	0
Total	\$1,730,200	\$1,172,153	\$0	\$0	\$0
Other Data					
Budgeted FTE	34.7	22.8	0.0	0.0	0.0

Table 6-6

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 74 percent) from federal Title IVD and Medicaid funds. The balance comes from State funds (about 26 percent).

Budget History - Human Services - Office of Recovery Services - Children in Care Collections					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	517,122	494,007	468,900	508,200	538,700
General Fund, One-time	0	0	0	5,000	0
Federal Funds	1,163,321	1,211,982	1,261,800	1,376,100	1,490,400
Transfers - H - Medical Assistance	54,935	57,413	66,900	65,000	64,200
Transfers - Other Agencies	45	0	0	0	0
Lapsing Balance	(3,523)	(9,365)	0	0	0
Total	\$1,731,900	\$1,754,037	\$1,797,600	\$1,954,300	\$2,093,300
Categories of Expenditure					
Personal Services	1,712,926	1,735,387	1,772,600	1,927,200	2,063,500
In-State Travel	1,325	1,161	300	700	1,200
Current Expense	17,649	17,490	24,700	26,400	28,600
Total	\$1,731,900	\$1,754,037	\$1,797,600	\$1,954,300	\$2,093,300
Other Data					
Budgeted FTE	36.5	36.6	36.9	36.1	37.0

Table 6-7

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 (54 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 and Medicaid funds (about 72 percent) and State funds (about 28 percent).

Budget History - Human Services - Office of Recovery Services - Attorney General Contract					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	954,900	917,768	878,500	910,200	1,040,700
Federal Funds	2,089,063	2,276,586	2,332,400	2,285,400	2,574,300
Transfers - H - Medical Assistance	73,793	61,865	76,600	83,400	74,000
Transfers - Other Agencies	39,310	39,145	0	0	0
Lapsing Balance	(6,266)	(17,199)	0	0	0
Total	\$3,150,800	\$3,278,165	\$3,287,500	\$3,279,000	\$3,689,000
Categories of Expenditure					
Personal Services	0	0	13,300	0	125,200
In-State Travel	5,506	10,656	0	8,000	2,300
Out of State Travel	3,852	0	0	3,200	0
Current Expense	3,114,957	3,168,059	3,229,200	3,233,500	3,521,600
DP Current Expense	26,485	99,450	45,000	34,300	39,900
Total	\$3,150,800	\$3,278,165	\$3,287,500	\$3,279,000	\$3,689,000

Table 6-8

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).

Budget History - Human Services - Office of Recovery Services - Medical Collections					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	873,265	935,416	1,000,400	1,005,700	1,160,000
General Fund, One-time	0	0	0	11,200	0
Dedicated Credits Revenue	0	0	75,000	0	80,400
Transfers - H - Medical Assistance	873,266	948,836	925,500	1,167,000	1,031,100
Transfers - Other Agencies	(31)	0	0	0	0
Lapsing Balance	0	(41,308)	0	0	0
Total	\$1,746,500	\$1,842,944	\$2,000,900	\$2,183,900	\$2,271,500
Categories of Expenditure					
Personal Services	1,733,486	1,829,981	1,987,000	2,165,300	2,248,900
In-State Travel	564	965	300	200	8,400
Current Expense	12,450	11,998	13,600	18,400	14,200
Total	\$1,746,500	\$1,842,944	\$2,000,900	\$2,183,900	\$2,271,500
Other Data					
Budgeted FTE	39.7	39.3	43.1	42.9	43.7

Table 6-9

CHAPTER 7 DIVISION OF CHILD AND FAMILY SERVICES

Function	The Division of Child and Family Services' based on State law (62A-4a-103) 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. Child and Family Services is a state-administered agency with headquarters in Salt Lake City and five regional administrative centers.
Statutory Authority	<p>The Utah Code Title 62A, Chapters 4a authorizes and describes the programs of the Division of Child and Family Services:</p> <ul style="list-style-type: none"> ➤ 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 <p>Utah Code Title 78 (Judicial Code) has several sections that apply to the Division of Child and Family Services:</p> <ul style="list-style-type: none"> ➤ 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 2005 Legislature approved the following legislative intent language for DCFS:

“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 Appropriations Subcommittee during the 2006 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.”

Agency Response: The Division will report on to the Health and Human Services Appropriations Subcommittee in the December 2005 interim meeting on the impact of cost of living increases for private providers.

“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 2006. It is further the intent of the Legislature that these funds be used for Adoption Assistance and Out of Home Care programs.”

Agency Response: The division uses the funds appropriated for Adoption Assistance and Out of Home Care to provide services for those clients.

“It is the intent of the Legislature that up to \$350,000 of funds appropriated to the Division of Child and Family Services for adoption assistance may be used to hire up to six positions to provide adoptive parents with information, services, and counseling in an effort to prevent adoptive placements from failing, and to ensure efficient and appropriate services and accountability of funds.”

Agency Response: The Division has requested each region to present a plan showing how the additional FTEs have been effective in providing information, services and counseling to adoptive parents.

*“If funds are available, the Division of Child and Family Services is authorized to not lapse up to \$50,000 at the end of FY 2005. These funds are to be used for the purchase of computer equipment and software. (FY 2005 Supplemental)”***Accountability** The following Figure 7-1 shows the timely response to abuse reports

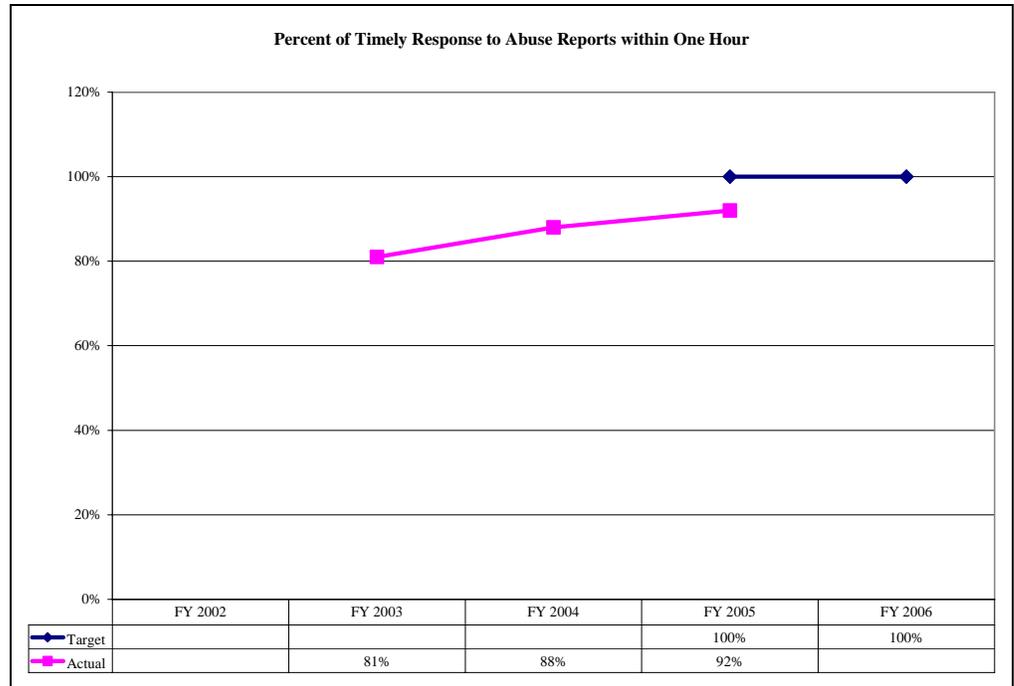


Figure 7-1

Figure 7-2 shows the percent of children being readmitted to state custody within months:

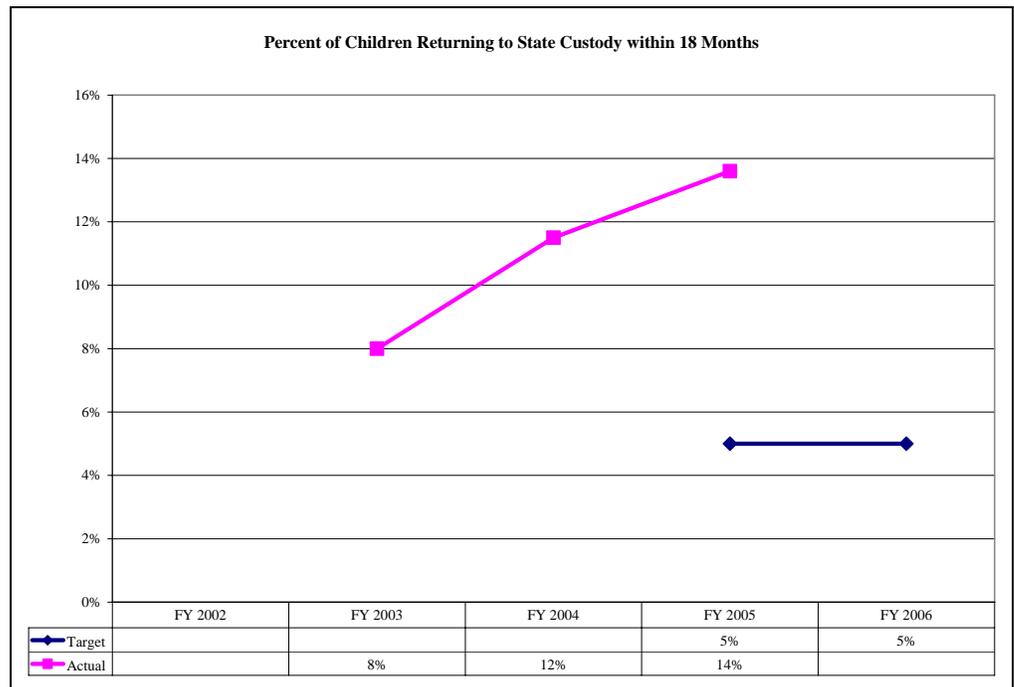


Figure 7-2

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.

Budget History - Human Services - Child and Family Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	64,798,500	59,488,100	62,905,400	64,596,500	69,448,800
General Fund, One-time	0	0	0	1,235,400	269,500
Federal Funds	39,167,800	39,198,800	45,852,000	44,945,000	47,497,800
Dedicated Credits Revenue	2,267,800	1,663,200	1,726,400	1,802,600	1,627,800
GFR - Children's Trust	350,000	350,000	350,000	400,000	400,000
GFR - Domestic Violence	650,000	650,000	650,000	700,000	712,200
Transfers - H - Medical Assistance	18,931,900	18,292,500	19,388,500	19,702,200	18,899,300
Transfers - Other Agencies	1,307,500	390,200	183,800	150,700	204,900
Beginning Nonlapsing	994,600	2,013,400	763,000	2,161,800	0
Closing Nonlapsing	(2,013,400)	(763,000)	(2,161,800)	(1,667,500)	0
Lapsing Balance	(1,776,600)	(853,300)	(1,950,000)	(352,400)	0
Total	\$124,678,100	\$120,429,900	\$127,707,300	\$133,674,300	\$139,060,300
Programs					
Administration	3,317,200	3,424,100	2,861,300	3,277,500	3,804,800
Service Delivery	57,153,900	54,270,400	57,475,600	58,897,200	60,839,100
In-Home Services	1,889,100	1,724,000	2,000,500	2,201,400	2,069,900
Out-of-Home Care	29,922,900	28,983,300	30,410,100	33,000,700	33,071,700
Facility Based Services	5,584,000	3,647,900	3,743,300	3,963,500	3,870,300
Minor Grants	4,109,300	4,206,600	4,647,400	4,396,400	4,932,800
Selected Programs	3,952,700	2,247,700	2,558,400	3,173,600	2,918,700
Special Needs	1,764,000	1,904,400	1,853,600	1,924,400	1,856,300
Domestic Violence Services	4,842,300	4,892,900	5,051,700	5,554,000	5,894,100
Children's Trust Fund	320,000	327,300	301,000	290,600	400,000
Adoption Assistance	9,148,800	10,389,300	11,242,500	12,181,200	14,448,900
Child Welfare Management Information Sy	2,673,900	4,412,000	5,561,900	4,813,800	4,953,700
Total	\$124,678,100	\$120,429,900	\$127,707,300	\$133,674,300	\$139,060,300
Categories of Expenditure					
Personal Services	48,374,200	48,459,200	51,198,300	53,769,700	55,416,600
In-State Travel	689,100	623,800	705,800	760,000	708,500
Out of State Travel	51,500	46,500	43,500	47,400	57,400
Current Expense	17,350,300	15,630,900	16,183,200	16,442,000	16,897,100
DP Current Expense	3,813,900	3,477,200	4,697,100	3,805,500	4,056,900
DP Capital Outlay	78,500	5,200	47,400	84,300	0
Capital Outlay	174,400	0	0	0	0
Other Charges/Pass Thru	54,146,200	52,187,100	54,832,000	58,765,400	61,923,800
Total	\$124,678,100	\$120,429,900	\$127,707,300	\$133,674,300	\$139,060,300
Other Data					
Budgeted FTE	1,040.4	1,002.2	1,043.4	1,057.7	1,112.1
Vehicles	161	189	189	183	189

Table 7-1

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. The division is requesting funding for FY 2007 to hire 24 additional caseworkers to handle the increase workload.

*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. In the summer of 2005, Judge Campbell requested DCSF to remain under court oversight and to continue working with the court monitor and plaintiffs on the remaining Milestone goals and objectives. The next scheduled court date is June, 2006. The Milestone Plan has been complete except for the following:

- **Mentor Training**
- **Creative Intervention Training**
- **QI Committees**
- **Case Process Performance Level**
- **Quality Cases Performance Level**

*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 \$5.3 million for costs related to the David C. lawsuit, as shown in the following table:

Payments for David C. Case							
Fiscal Year	Plaintiff Attorney	Court Monitor Direct Pmt.	Travel for Court Monitor	Monitoring Panel Direct Pmt.	Practice Model Training	Monitoring Contract	Total
1995	636,000			59,765			695,765
1996				195,973			195,973
1997				121,252			121,252
1998				118,839		328,708	447,547
1999		162,812					162,812
2000		284,948			60,173		345,121
2001		407,903			216,984		624,887
2002	1,118,996	334,929			84,881		1,538,806
2003	234,508	278,419	56,410				569,337
2004		273,209	59,533				332,742
2005		259,710	53,841				313,551
Total	1,989,504	2,001,930	169,784	495,829	362,038	328,708	5,347,793

Note 1: Legal Costs of the Attorney General are not included in these figures
 Note 2: After FY 2003, legal costs for Plaintiff Attorney were paid by the AG's Office which is a total of \$214,080 (not included in these numbers)

Table 7-2

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 72 percent) and State funds (about 28 percent).

Budget History - Human Services - Child and Family Services - Administration					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,002,800	706,900	734,600	861,900	789,300
General Fund, One-time	0	0	0	12,100	269,500
Federal Funds	2,280,200	2,572,300	2,605,700	2,416,400	2,706,200
Dedicated Credits Revenue	0	107,400	0	0	0
Transfers - H - Medical Assistance	33,900	37,500	42,200	39,400	39,800
Transfers - Other Agencies	500	0	(24,000)	(99,300)	0
Beginning Nonlapsing	0	0	0	50,000	0
Closing Nonlapsing	0	0	(50,000)	0	0
Lapsing Balance	(200)	0	(447,200)	(3,000)	0
Total	\$3,317,200	\$3,424,100	\$2,861,300	\$3,277,500	\$3,804,800
Categories of Expenditure					
Personal Services	2,166,200	2,125,900	2,129,300	2,295,700	2,515,100
In-State Travel	41,800	19,000	14,500	28,400	19,200
Out of State Travel	18,200	27,000	16,100	14,700	29,600
Current Expense	877,500	1,144,900	574,700	821,400	1,110,800
DP Current Expense	213,500	107,300	126,700	117,300	130,100
Total	\$3,317,200	\$3,424,100	\$2,861,300	\$3,277,500	\$3,804,800
Other Data					
Budgeted FTE	39.0	38.3	35.0	36.6	41.5

Table 7-3

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 47 percent), and federal grants and Medicaid funds (about 53 percent).

Budget History - Human Services - Child and Family Services - Service Delivery					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	29,803,600	25,994,900	26,688,900	27,068,700	28,333,600
General Fund, One-time	0	0	0	240,300	0
Federal Funds	17,127,500	18,482,900	22,188,100	21,678,100	22,892,500
Dedicated Credits Revenue	5,300	7,500	11,100	5,600	0
Transfers - H - Medical Assistance	9,618,600	8,441,300	9,915,800	9,930,400	9,613,000
Transfers - Other Agencies	785,900	0	0	28,000	0
Beginning Nonlapsing	50,000	0	0	0	0
Closing Nonlapsing	0	0	0	(50,000)	0
Lapsing Balance	(237,000)	1,343,800	(1,328,300)	(3,900)	0
Total	\$57,153,900	\$54,270,400	\$57,475,600	\$58,897,200	\$60,839,100
Categories of Expenditure					
Personal Services	41,306,600	41,425,900	43,951,300	45,479,300	46,850,600
In-State Travel	596,200	558,200	639,700	657,000	639,600
Out of State Travel	11,300	6,800	10,200	18,200	10,100
Current Expense	12,961,900	11,220,000	11,773,800	11,706,400	12,131,100
DP Current Expense	1,746,500	86,100	201,200	99,700	197,100
Other Charges/Pass Thru	531,400	973,400	899,400	936,600	1,010,600
Total	\$57,153,900	\$54,270,400	\$57,475,600	\$58,897,200	\$60,839,100
Other Data					
Budgeted FTE	890.2	855.0	895.9	895.7	940.8
Vehicles	160	186	186	179	186

Table 7-4

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 2005, the Division provided services to 9,527 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.

Budget History - Human Services - Child and Family Services - In-Home Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,971,400	1,925,700	1,978,700	2,039,500	2,069,900
Lapsing Balance	(82,300)	(201,700)	21,800	161,900	0
Total	\$1,889,100	\$1,724,000	\$2,000,500	\$2,201,400	\$2,069,900
Categories of Expenditure					
In-State Travel	0	1,400	600	0	0
Current Expense	164,900	277,900	443,100	478,200	252,900
Other Charges/Pass Thru	1,724,200	1,444,700	1,556,800	1,723,200	1,817,000
Total	\$1,889,100	\$1,724,000	\$2,000,500	\$2,201,400	\$2,069,900

Table 7-5

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 2005, the Division provided foster care and institutional care to 3,859 children. As of June 30, 2005, there were 2,204 children in foster care.

Funding Detail

This program’s major funding source is the State General Fund (about 55 percent), with federal grants and Medicaid funds providing about 40 percent. The balance comes from dedicated credits (about 5 percent).

Budget History - Human Services - Child and Family Services - Out-of-Home Care					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	15,644,100	15,503,100	15,990,800	16,520,300	18,029,400
General Fund, One-time	0	0	0	143,800	0
Federal Funds	3,188,900	3,109,400	4,253,200	3,302,600	3,782,000
Dedicated Credits Revenue	2,253,700	1,520,200	1,609,900	1,761,600	1,616,300
Transfers - H - Medical Assistance	9,546,300	10,073,700	10,375,700	10,613,700	9,592,100
Transfers - Other Agencies	25,000	213,600	74,700	(25,000)	51,900
Beginning Nonlapsing	0	0	0	1,894,200	0
Closing Nonlapsing	0	0	(1,894,200)	(1,210,400)	0
Lapsing Balance	(735,100)	(1,436,700)	0	(100)	0
Total	\$29,922,900	\$28,983,300	\$30,410,100	\$33,000,700	\$33,071,700
Categories of Expenditure					
Out of State Travel	1,600	700	0	0	0
Current Expense	119,100	53,900	72,800	85,800	79,900
Other Charges/Pass Thru	29,802,200	28,928,700	30,337,300	32,914,900	32,991,800
Total	\$29,922,900	\$28,983,300	\$30,410,100	\$33,000,700	\$33,071,700

Table 7-6

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, 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 72 percent) with federal funds making up most of the balance, with a small amount of transfers from other agencies.

Budget History - Human Services - Child and Family Services - Facility Based Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	3,442,600	2,606,600	2,706,400	2,938,800	2,780,400
General Fund, One-time	0	0	0	13,300	0
Federal Funds	2,018,800	1,036,900	1,078,100	1,005,200	1,041,900
Dedicated Credits Revenue	4,900	4,500	600	500	0
Transfers - Other Agencies	353,500	0	30,700	14,300	48,000
Lapsing Balance	(235,800)	(100)	(72,500)	(8,600)	0
Total	\$5,584,000	\$3,647,900	\$3,743,300	\$3,963,500	\$3,870,300
Categories of Expenditure					
Personal Services	826,200	710,900	745,000	932,700	712,700
In-State Travel	1,500	1,100	1,000	2,600	1,200
Current Expense	179,200	101,100	206,300	151,100	156,000
DP Current Expense	10,600	200	800	1,500	1,000
Capital Outlay	174,400	0	0	0	0
Other Charges/Pass Thru	4,392,100	2,834,600	2,790,200	2,875,600	2,999,400
Total	\$5,584,000	\$3,647,900	\$3,743,300	\$3,963,500	\$3,870,300
Other Data					
Budgeted FTE	34.1	26.6	26.0	28.7	25.6
Vehicles	1	2	2	2	2

Table 7-7

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 72 percent of this budget. The State General Fund provides matching funds (about 28 percent).

Budget History - Human Services - Child and Family Services - Minor Grants					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,092,700	1,292,200	1,428,200	1,141,200	1,390,900
General Fund, One-time	0	0	0	5,400	0
Federal Funds	3,035,200	3,026,600	3,247,500	3,370,700	3,541,900
Dedicated Credits Revenue	0	0	89,600	13,000	0
Lapsing Balance	(18,600)	(112,200)	(117,900)	(133,900)	0
Total	\$4,109,300	\$4,206,600	\$4,647,400	\$4,396,400	\$4,932,800
Categories of Expenditure					
Personal Services	1,570,900	1,431,200	1,446,300	1,498,900	1,727,300
In-State Travel	18,900	18,900	25,700	30,800	25,700
Out of State Travel	11,900	8,500	8,200	11,300	8,300
Current Expense	528,800	491,700	706,000	303,400	778,000
DP Current Expense	37,900	15,200	22,400	49,300	22,300
Other Charges/Pass Thru	1,940,900	2,241,100	2,438,800	2,502,700	2,371,200
Total	\$4,109,300	\$4,206,600	\$4,647,400	\$4,396,400	\$4,932,800
Other Data					
Budgeted FTE	26.8	30.4	30.8	30.5	36.0

Table 7-8

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 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.

Budget History - Human Services - Child and Family Services - Selected Programs					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Federal Funds	3,874,900	2,142,900	2,441,800	3,054,300	2,802,200
Dedicated Credits Revenue	800	20,600	13,800	16,400	11,500
Transfers - Other Agencies	103,800	105,000	102,400	104,500	105,000
Lapsing Balance	(26,800)	(20,800)	400	(1,600)	0
Total	\$3,952,700	\$2,247,700	\$2,558,400	\$3,173,600	\$2,918,700
Categories of Expenditure					
In-State Travel	300	300	0	0	0
Out of State Travel	3,700	1,100	800	0	800
Current Expense	1,661,700	1,179,900	1,407,900	1,913,000	1,407,800
Other Charges/Pass Thru	2,287,000	1,066,400	1,149,700	1,260,600	1,510,100
Total	\$3,952,700	\$2,247,700	\$2,558,400	\$3,173,600	\$2,918,700

Table 7-9

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 (88%) with the balance coming from federal Title IVE funds.

Budget History - Human Services - Child and Family Services - Special Needs					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,537,900	1,594,500	1,749,800	1,678,600	1,637,200
Federal Funds	129,800	448,500	243,400	213,000	219,100
Dedicated Credits Revenue	0	0	0	3,500	0
Transfers - Other Agencies	0	35,000	0	37,500	0
Lapsing Balance	96,300	(173,600)	(139,600)	(8,200)	0
Total	\$1,764,000	\$1,904,400	\$1,853,600	\$1,924,400	\$1,856,300
Categories of Expenditure					
In-State Travel	0	6,900	0	0	0
Out of State Travel	4,600	0	5,400	1,700	5,400
Current Expense	564,500	799,300	661,100	643,300	660,900
Other Charges/Pass Thru	1,194,900	1,098,200	1,187,100	1,279,400	1,190,000
Total	\$1,764,000	\$1,904,400	\$1,853,600	\$1,924,400	\$1,856,300

Table 7-10

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, assists in risk determination, and provides 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 56 percent of funding for domestic violence programs. Another 12 percent (\$712,200) comes from the Domestic Violence Services Account (General Fund Restricted) and the balance comes from various federal grants and funds.

Budget History - Human Services - Child and Family Services - Domestic Violence Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	3,200,300	3,012,700	2,952,000	3,231,600	3,322,300
General Fund, One-time	0	0	0	13,600	0
Federal Funds	1,386,700	1,456,400	1,680,900	1,810,400	1,859,600
Dedicated Credits Revenue	3,100	3,000	1,400	2,000	0
GFR - Domestic Violence	650,000	650,000	650,000	700,000	712,200
Transfers - Other Agencies	0	0	0	38,400	0
Lapsing Balance	(397,800)	(229,200)	(232,600)	(242,000)	0
Total	\$4,842,300	\$4,892,900	\$5,051,700	\$5,554,000	\$5,894,100
Categories of Expenditure					
Personal Services	1,873,400	1,859,700	1,972,500	2,555,000	2,578,300
In-State Travel	26,100	16,100	19,500	39,700	19,800
Out of State Travel	200	1,300	700	100	700
Current Expense	126,100	129,300	122,700	150,100	103,500
DP Current Expense	2,800	1,300	7,100	8,500	7,000
Other Charges/Pass Thru	2,813,700	2,885,200	2,929,200	2,800,600	3,184,800
Total	\$4,842,300	\$4,892,900	\$5,051,700	\$5,554,000	\$5,894,100
Other Data					
Budgeted FTE	40.3	39.0	40.5	50.9	52.6
Vehicles	0	1	1	2	1

Table 7-11

Victims of Domestic Violence Services Account

This General Fund Restricted Account receives 4.5 percent of surcharges paid on all criminal fines, penalties and forfeitures. A portion of the collections (.05 percent) goes to the Attorney General’s Office for training. Four percent of funds go to DCFS for services to victims of domestic violence. DCFS share of collections from all sources of revenue in FY 2005 totaled \$5,796,078, resulting in a year end balance of \$242,014, after expenditures of \$5,554,064.

Table 7-12 shows the General Fund Restricted – Victims of Domestic Violence Services Account statute and ending balance for FY 2005:

Restricted Funds Summary - (Domestic Violence Services)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2005 Balance
Victims of Domestic Violence Services Account	63-63a-6	4% surcharge on court fines & penalties	Domestic violence services	\$843,732

Table 7-12

CHILDREN’S TRUST ACCOUNT

Function

The Children’s Trust Account was established by the Legislature in 1986. The fund receives \$3.00 surcharge on birth certificates to be used for child abuse prevention programs. Each year, the Department of Human Services may be appropriated up to \$400,000 from the trust account. The Child Abuse and Neglect Council, evaluates proposals and grants which require a dollar for dollar match by the sponsoring organizations (schools, church groups, communities, etc). Actual collections for FY 2005 totaled \$400,000, with an ending balance of \$109,440 after expenditures of \$290,560.

Funding Detail

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

Budget History - Human Services - Child and Family Services - Children's Trust Fund					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
GFR - Children's Trust	350,000	350,000	350,000	400,000	400,000
Lapsing Balance	(30,000)	(22,700)	(49,000)	(109,400)	0
Total	\$320,000	\$327,300	\$301,000	\$290,600	\$400,000
Categories of Expenditure					
Current Expense	9,000	1,500	0	0	0
Other Charges/Pass Thru	311,000	325,800	301,000	290,600	400,000
Total	\$320,000	\$327,300	\$301,000	\$290,600	\$400,000

Table 7-13

Table 7-14 shows the statute and ending balance for the General Fund Restricted – Children’s Trust Account:

Restricted Funds Summary - (Children's Trust Fund)				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2005 Balance
Children's Trust Account	62A-4a-309	\$3 surcharge on birth certificates and privatized contributions	Child abuse prevention programs	\$421,976

Table 7-14

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 (59 percent) for this budget comes from the State General Funds, and another 41 percent comes from federal funds and Medicaid transfers. Funds for adoption subsidies are usually given non-lapsing status.

Budget History - Human Services - Child and Family Services - Adoption Assistance					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	5,870,900	4,414,500	6,168,900	6,595,100	8,518,600
General Fund, One-time	0	0	0	801,200	0
Federal Funds	4,563,900	5,034,400	5,473,500	5,855,800	6,275,900
Transfers - H - Medical Assistance	(266,900)	(260,000)	(945,200)	(881,300)	(345,600)
Beginning Nonlapsing	944,600	1,963,400	763,000	217,600	0
Closing Nonlapsing	(1,963,400)	(763,000)	(217,600)	(407,100)	0
Lapsing Balance	(300)	0	(100)	(100)	0
Total	\$9,148,800	\$10,389,300	\$11,242,500	\$12,181,200	\$14,448,900
Categories of Expenditure					
Current Expense	0	300	0	0	0
Other Charges/Pass Thru	9,148,800	10,389,000	11,242,500	12,181,200	14,448,900
Total	\$9,148,800	\$10,389,300	\$11,242,500	\$12,181,200	\$14,448,900

Table 7-15

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 52 percent of the program’s budget comes from the State General Fund and 48 percent from federal funds.

Budget History - Human Services - Child and Family Services - Child Welfare Management Information System					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,232,200	2,437,000	2,507,100	2,520,800	2,577,200
General Fund, One-time	0	0	0	5,700	0
Federal Funds	1,561,900	1,888,500	2,639,800	2,238,500	2,376,500
Transfers - Other Agencies	38,800	36,600	0	52,300	0
Beginning Nonlapsing	0	50,000	0	0	0
Closing Nonlapsing	(50,000)	0	0	0	0
Lapsing Balance	(109,000)	(100)	415,000	(3,500)	0
Total	\$2,673,900	\$4,412,000	\$5,561,900	\$4,813,800	\$4,953,700
Categories of Expenditure					
Personal Services	630,900	905,600	953,900	1,008,100	1,032,600
In-State Travel	4,300	1,900	4,800	1,500	3,000
Out of State Travel	0	1,100	2,100	1,400	2,500
Current Expense	157,600	231,100	214,800	189,300	216,200
DP Current Expense	1,802,600	3,267,100	4,338,900	3,529,200	3,699,400
DP Capital Outlay	78,500	5,200	47,400	84,300	0
Total	\$2,673,900	\$4,412,000	\$5,561,900	\$4,813,800	\$4,953,700
Other Data					
Total FTE	9.9	12.9	15.3	15.9	15.7

Table 7-16

CHAPTER 8 DIVISION OF AGING AND ADULT SERVICES

Function	<p>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.</p>
Statutory Authority	<p>The Utah Code Title 62A, Chapter 3 authorizes and describes the programs of the Division of Aging and Adult Services:</p> <ul style="list-style-type: none">➤ 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 <p>Utah Code 76-5-111 describes abuse, neglect or exploitation of adults and penalties.</p>
Intent Language	<p>The following intent language was adopted in the 2005 General Session:</p> <p style="text-align: center;"><i>“If funds are available, the Division of Aging and Adult Services is authorized to not lapse up to \$100,000 at the end of FY 2005. These funds are to be used for senior center renovations and to assist with vehicle maintenance and replacements within local area agencies on aging. (FY 2005 Supplemental)”</i></p> <p>Agency Response: The Division used non-lapsing funds of \$100,000 for senior center renovations and vehicle maintenance and replacements.</p>
Accountability	<p>Figure 8-1 measures the success of elder abuse prevention programs by reducing repeat reports of abuse:</p>

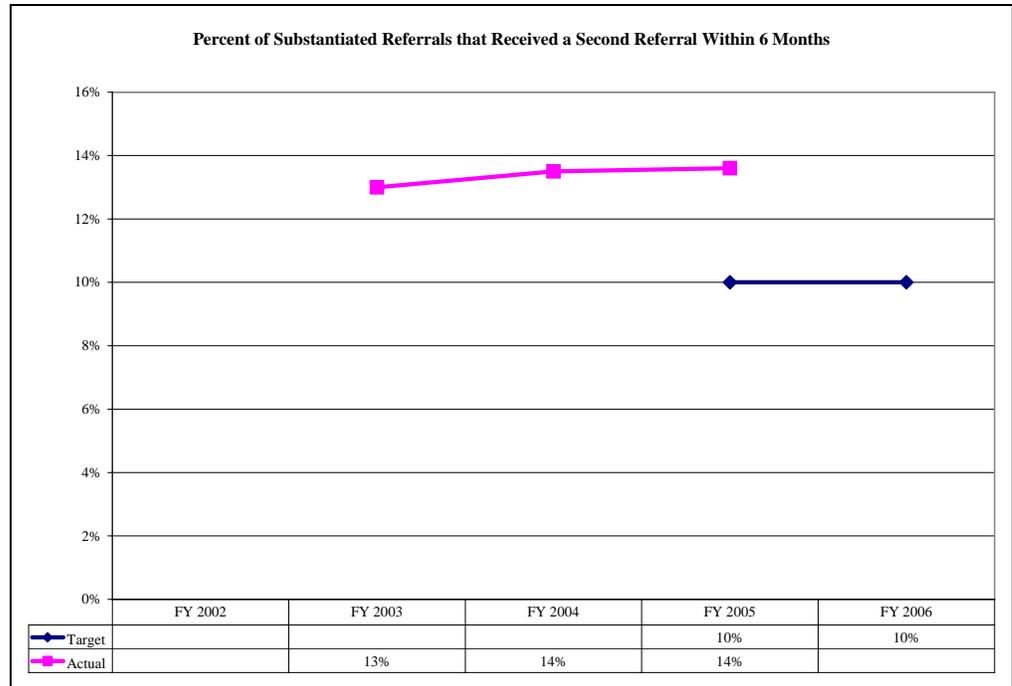


Figure 8-1

Funding Detail

The Division receives about 58 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.

Budget History - Human Services - Aging and Adult Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	12,151,185	11,520,100	11,520,900	12,073,900	12,485,600
General Fund, One-time	0	0	0	271,700	300,000
Federal Funds	7,079,287	8,283,779	8,789,700	8,972,800	8,928,300
Dedicated Credits Revenue	104,448	35,169	5,400	12,200	17,500
Transfers - H - Medical Assistance	300,261	333,332	331,200	353,600	334,000
Transfers - Other Agencies	64,170	0	0	1,500	0
Pass-through	0	0	2,200	2,500	0
Beginning Nonlapsing	344,394	25,000	0	0	0
Closing Nonlapsing	(25,000)	0	0	(100,000)	0
Lapsing Balance	(32,745)	(117,214)	(5,400)	(4,100)	0
Total	\$19,986,000	\$20,080,166	\$20,644,000	\$21,584,100	\$22,065,400
Programs					
Administration	1,397,100	1,340,524	1,369,100	1,424,700	1,440,800
Local Government Grants	13,594,600	13,626,824	13,884,200	14,567,300	14,626,300
Non-Formula Funds	1,975,200	2,066,960	2,368,800	2,550,500	2,828,800
Adult Protective Services	3,019,100	3,045,858	3,021,900	3,041,600	3,169,500
Total	\$19,986,000	\$20,080,166	\$20,644,000	\$21,584,100	\$22,065,400
Categories of Expenditure					
Personal Services	3,531,540	3,585,457	3,555,500	3,619,500	3,802,700
In-State Travel	63,068	63,617	66,000	73,500	72,000
Out of State Travel	8,136	4,849	9,000	11,100	15,000
Current Expense	434,243	408,397	457,300	544,600	512,500
DP Current Expense	262,871	287,916	315,000	308,500	216,200
Other Charges/Pass Thru	15,686,142	15,729,931	16,241,200	17,026,900	17,447,000
Total	\$19,986,000	\$20,080,166	\$20,644,000	\$21,584,100	\$22,065,400
Other Data					
Budgeted FTE	63.9	64.5	64.0	63.3	64.7
Vehicles	7	9	9	9	9

Table 8-1

*“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 Adult and Aging Services will report to the Health and Human Services Appropriations Subcommittee in the December interim meeting. They also provided a brief report to the Office of the Legislative Fiscal Analyst on August 31, 2005. The report is quoted below:

“As of August 31, 2005, the Driver License Division of the Department of Public Safety has collected \$88,012. The Driver’s License Division has

retained \$8,801 for administrative purposes and \$33,494 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 Adult and Aging Services has received \$45,716. This money has been deposited in the Public Treasurer’s Investment Fund. Interest of \$1,109 has been accrued in the account. The total amount in the Fund available for distribution is \$46,825.”

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. DAAS’ Administrative Office enters into contracts with local Area Agencies on Aging (AAAs) for delivery of services for the aging population of Utah. 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%).

Budget History - Human Services - Aging and Adult Services - Administration					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	648,489	588,300	557,700	581,500	592,600
General Fund, One-time	0	0	0	3,600	0
Federal Funds	558,000	649,904	713,000	726,500	749,300
Dedicated Credits Revenue	44,513	12,915	3,400	11,100	0
Transfers - H - Medical Assistance	81,928	89,467	94,200	102,100	98,900
Transfers - Other Agencies	64,170	0	0	1,500	0
Pass-through	0	0	2,200	2,500	0
Lapsing Balance	0	(62)	(1,400)	(4,100)	0
Total	\$1,397,100	\$1,340,524	\$1,369,100	\$1,424,700	\$1,440,800
Categories of Expenditure					
Personal Services	1,119,816	1,134,493	1,123,000	1,113,700	1,155,200
In-State Travel	25,941	22,437	21,400	25,500	24,600
Out of State Travel	7,967	4,255	9,000	9,800	15,000
Current Expense	149,087	130,238	155,800	182,500	184,900
DP Current Expense	63,289	49,101	59,900	93,200	61,100
Other Charges/Pass Thru	31,000	0	0	0	0
Total	\$1,397,100	\$1,340,524	\$1,369,100	\$1,424,700	\$1,440,800
Other Data					
Budgeted FTE	18.1	18.5	18.1	17.5	17.7

Table 8-2

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 2005, there were 1,516,205 units of service provided.
- **Nutrition:** The Area Agencies of Aging provide both group (congregate) and home-delivered meals. Approximately 33,051 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 applicant lists for home-delivered meals.
- **Nutrition Services Incentive Program:** 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 20 volunteers who serve as ombudsmen. The Ombudsman program handled about 4,000

complaints in FY 2005, 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 FY 2005, the program provided support to 600 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 2005, 1985 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 43 percent) and State General Funds (about 57 percent).

Budget History - Human Services - Aging and Adult Services - Local Government Grants					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	7,366,813	7,416,700	7,544,600	7,957,800	8,295,400
General Fund, One-time	0	0	0	251,600	0
Federal Funds	5,883,393	6,185,124	6,339,600	6,457,900	6,330,900
Beginning Nonlapsing	344,394	25,000	0	0	0
Closing Nonlapsing	0	0	0	(100,000)	0
Total	\$13,594,600	\$13,626,824	\$13,884,200	\$14,567,300	\$14,626,300
Categories of Expenditure					
Current Expense	0	7,097	0	80,500	0
Other Charges/Pass Thru	13,594,600	13,619,727	13,884,200	14,486,800	14,626,300
Total	\$13,594,600	\$13,626,824	\$13,884,200	\$14,567,300	\$14,626,300

Table 8-3

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 2005, this program received 5,500 requests for information.
- **Employment Services:** This federally funded program subsidizes part-time employment and training for low-income seniors. Last year, this program served 212 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 811 Utah senior citizens enabling them to continue residing in their own homes.

Funding Detail

This program is financed with State General Fund (59%), federal grants and Medicaid funds (41%). There is also a small amount of dedicated credits.

Budget History - Human Services - Aging and Adult Services - Non-Formula Funds					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,119,478	1,229,692	1,291,500	1,366,200	1,355,000
General Fund, One-time	0	0	0	0	300,000
Federal Funds	637,894	690,751	844,300	932,800	923,700
Dedicated Credits Revenue	57,240	19,804	0	0	15,000
Transfers - H - Medical Assistance	218,333	243,866	237,000	251,500	235,100
Closing Nonlapsing	(25,000)	0	0	0	0
Lapsing Balance	(32,745)	(117,152)	(4,000)	0	0
Total	\$1,975,200	\$2,066,960	\$2,368,800	\$2,550,500	\$2,828,800
Categories of Expenditure					
In-State Travel	18	0	200	0	1,500
Current Expense	13,130	0	17,200	19,000	33,500
Other Charges/Pass Thru	1,962,052	2,066,960	2,351,400	2,531,500	2,793,800
Total	\$1,975,200	\$2,066,960	\$2,368,800	\$2,550,500	\$2,828,800

Table 8-4

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.

Budget History - Human Services - Aging and Adult Services - Adult Protective Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	3,016,405	2,285,408	2,127,100	2,168,400	2,242,600
General Fund, One-time	0	0	0	16,500	0
Federal Funds	0	758,000	892,800	855,600	924,400
Dedicated Credits Revenue	2,695	2,450	2,000	1,100	2,500
Total	\$3,019,100	\$3,045,858	\$3,021,900	\$3,041,600	\$3,169,500
Categories of Expenditure					
Personal Services	2,411,724	2,450,964	2,432,500	2,505,800	2,647,500
In-State Travel	37,109	41,180	44,400	48,000	45,900
Out of State Travel	169	593	0	1,300	0
Current Expense	272,026	271,062	284,300	262,600	294,100
DP Current Expense	199,582	238,815	255,100	215,300	155,100
Other Charges/Pass Thru	98,490	43,244	5,600	8,600	26,900
Total	\$3,019,100	\$3,045,858	\$3,021,900	\$3,041,600	\$3,169,500
Other Data					
Budgeted FTE	45.7	46.0	45.9	45.7	47.0
Vehicles	7	9	9	9	9

Table 8-5

The following figure on the next page shows the projected growth in referrals to Adult Protective Services for abuse, neglect or exploitation of elderly or vulnerable adults. This graph is based on the actual growth in referrals between 2002 and 2004. It does not take into account the population growth anticipated in this target group.

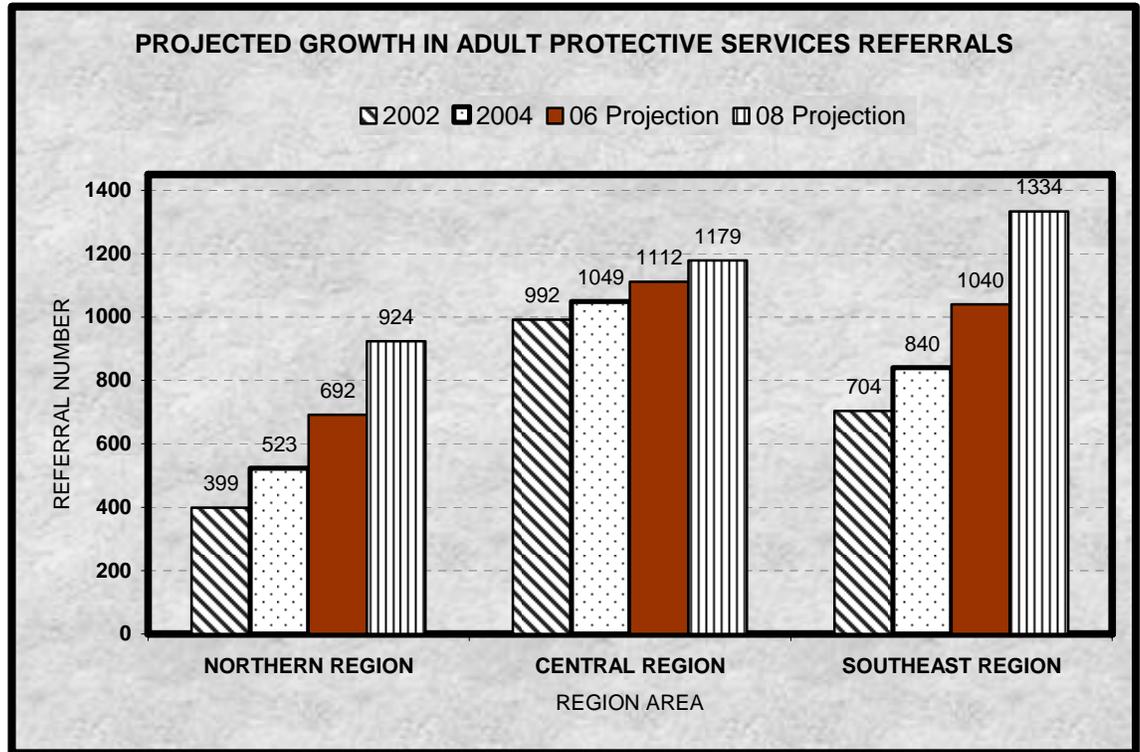


Figure 8-2

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 the 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: <ul style="list-style-type: none"> 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.
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 History - Department of Human Services - Internal Service Funds					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Dedicated Credits - Intragvt Rev	3,804,665	3,806,789	3,817,686	3,960,275	4,198,900
Total	\$3,804,665	\$3,806,789	\$3,817,686	\$3,960,275	\$4,198,900
Programs					
ISF - DHS General Services	1,469,995	1,441,387	1,352,249	1,351,773	1,440,000
ISF - DHS Data Processing	2,334,670	2,365,402	2,465,437	2,608,502	2,758,900
Total	\$3,804,665	\$3,806,789	\$3,817,686	\$3,960,275	\$4,198,900
Categories of Expenditure					
Personal Services	2,143,269	2,205,711	2,279,761	2,428,563	2,589,100
In-State Travel	6,086	5,019	522	6,593	16,600
Current Expense	1,479,021	1,429,359	1,447,591	1,354,906	1,443,600
DP Current Expense	96,711	116,645	112,242	144,019	186,600
Other Charges/Pass Thru	17,991	10,429	11,108	10,936	19,900
Depreciation	1,198	1,198	449	2,988	2,169
Total	\$3,744,276	\$3,768,361	\$3,851,673	\$3,948,005	\$4,257,969
Profit/Loss	\$60,389	\$38,428	(\$33,987)	\$12,270	(\$59,069)
Other Data					
Total FTE	33.0	30.1	29.8	29.8	34.5
Retained Earnings	138,007	176,436	142,449	154,719	34,602
Vehicles	0	1	1	1	1

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 History - Department of Human Services - Internal Service Funds - ISF - DHS General Services					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Dedicated Credits - Intragvt Rev	1,469,995	1,441,387	1,352,249	1,351,773	1,440,000
Total	\$1,469,995	\$1,441,387	\$1,352,249	\$1,351,773	\$1,440,000
Categories of Expenditure					
Personal Services	42,078	31,943	26,276	30,899	59,900
Current Expense	1,403,979	1,363,224	1,381,070	1,284,625	1,370,300
DP Current Expense	10,080	4,404	4,644	3,265	16,100
Depreciation	1,198	1,198	449	1,078	269
Total	\$1,457,335	\$1,400,769	\$1,412,439	\$1,319,867	\$1,446,569
Profit/Loss	\$12,660	\$40,618	(\$60,190)	\$31,906	(\$6,569)
Other Data					
Total FTE	2.0	1.3	1.0	1.0	2.0
Retained Earnings	70,007	110,627	50,437	82,343	46,790
Vehicles	0	1	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 History - Department of Human Services - Internal Service Funds - ISF - DHS Data Processing					
	2002	2003	2004	2005	2006
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Dedicated Credits - Intragvt Rev	2,334,670	2,365,402	2,465,437	2,608,502	2,758,900
Total	\$2,334,670	\$2,365,402	\$2,465,437	\$2,608,502	\$2,758,900
Categories of Expenditure					
Personal Services	2,101,191	2,173,768	2,253,485	2,397,664	2,529,200
In-State Travel	6,086	5,019	522	6,593	16,600
Current Expense	75,042	66,135	66,521	70,281	73,300
DP Current Expense	86,631	112,241	107,598	140,754	170,500
Other Charges/Pass Thru	17,991	10,429	11,108	10,936	19,900
Depreciation	0	0	0	1,910	1,900
Total	\$2,286,941	\$2,367,592	\$2,439,234	\$2,628,138	\$2,811,400
Profit/Loss	\$47,729	(\$2,190)	\$26,203	(\$19,636)	(\$52,500)
Other Data					
Total FTE	31.0	28.8	28.8	28.8	32.5
Retained Earnings	68,000	65,809	92,012	72,376	(12,188)

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>	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.
	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.
<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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