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COMPENDIUM OF BUDGET INFORMATION  
FOR THE  
2008 GENERAL SESSION

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

OFFICE OF THE LEGISLATIVE FISCAL ANALYST  
DEBBIE HEADDEN  
NOVEMBER 15, 2007

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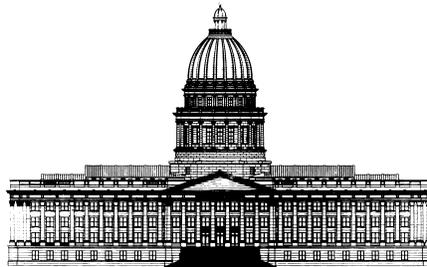
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UTAH STATE LEGISLATURE  
COMPENDIUM OF BUDGET INFORMATION  
FOR THE  
2008 GENERAL SESSION



JONATHAN C. BALL, DIRECTOR

OFFICE OF THE LEGISLATIVE FISCAL ANALYST  
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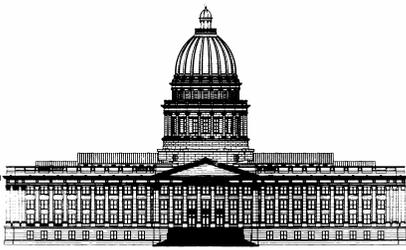
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**JONATHAN C. BALL**  
LEGISLATIVE FISCAL ANALYST

## OFFICE OF THE LEGISLATIVE FISCAL ANALYST

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November 16, 2007

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

Dear Legislators:

Please find attached the fourth 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 in which you will find detail 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 2008 General Session.

Parts two and three of the Legislature's budget analysis – Budget Briefs and Issue Briefs – will be available throughout the 2008 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 appropriations, 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.

Detail on current state appropriations as they relate to your subcommittee are included in the "2008 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 another member of your budget staff can assist you further regarding this document or any other matter, please do not hesitate to contact me at (801) 538-1034.

Sincerely,

Jonathan C. Ball  
Legislative Fiscal Analyst

**Budget History - State of Utah**

	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	1,745,251,100	1,767,809,300	1,910,800,100	1,781,898,100	2,087,726,350
General Fund, One-time	532,700	117,544,000	121,540,000	454,595,540	274,236,220
Uniform School Fund	1,734,161,174	1,815,156,111	1,917,934,675	2,115,252,445	2,413,266,208
Uniform School Fund, One-time	5,891,000	34,800,900	43,725,000	74,357,300	226,538,200
Education Fund	112,000,000	200,520,900	235,260,900	548,663,800	463,136,000
Education Fund, One-time	(23,200,000)	52,073,500	19,496,600	62,412,200	430,655,900
Transportation Fund	391,891,100	437,416,000	421,112,200	422,737,800	431,650,000
Transportation Fund, One-time	0	277,100	126,371,900	1,200,000	2,000,000
Centennial Highway Fund	117,531,900	145,772,200	126,393,400	127,976,800	128,607,800
Centennial Highway Fund, One-time	1,796,800	0	0	0	0
General Fund Restricted	154,215,300	171,101,700	214,281,100	206,576,236	251,830,800
Uniform School Fund Restricted	72,000	90,700	14,306,100	15,168,000	22,518,100
Transportation Fund Restricted	29,813,200	30,720,100	37,215,500	41,330,900	40,506,800
Federal Funds	2,174,694,678	2,264,204,145	2,294,817,646	2,382,363,452	2,501,000,000
Dedicated Credits	614,539,399	730,196,287	654,136,650	702,670,540	718,173,500
Land Grant	804,700	1,040,435	1,807,732	1,943,425	1,608,500
Federal Mineral Lease	64,176,600	64,785,719	98,278,950	92,423,753	119,865,200
Restricted Revenue	2,944,000	273,700	17,603,200	21,725,600	0
Trust and Agency Funds	406,862,037	380,298,477	668,947,402	1,048,476,080	966,725,621
Transfers	312,446,922	314,413,473	350,828,925	362,909,859	347,464,700
Repayments/Reimbursements	15,206,500	11,107,200	11,816,900	11,816,900	31,005,000
Other Financing Sources	0	0	233,722	871,096	0
Pass-through	994,900	1,503,200	1,081,300	1,276,400	90,200
Beginning Balance	508,223,541	326,000,043	270,710,688	432,551,849	122,032,500
Closing Balance	(408,377,198)	(348,039,802)	(286,829,794)	(539,495,843)	(79,332,250)
Lapsing Balance	(56,071,454)	(20,646,900)	(25,473,500)	(98,932,100)	(2,537,000)
<b>Total</b>	<b>\$7,906,400,899</b>	<b>\$8,498,418,488</b>	<b>\$9,246,397,295</b>	<b>\$10,272,770,132</b>	<b>\$11,498,868,349</b>
<b>Appropriations Subcommittees</b>					
Executive Offices & Criminal Justice	582,590,000	618,377,000	650,467,100	678,266,700	761,042,750
Capital Facilities & Government Operat	283,219,900	466,535,900	400,525,000	534,265,800	631,601,700
Commerce & Workforce Services	370,080,100	381,785,400	374,734,600	383,649,600	449,118,300
Economic Development and Revenue	193,681,700	174,955,900	250,681,500	246,992,000	425,160,000
Health & Human Services	1,988,592,616	2,145,033,300	2,307,382,500	2,345,326,200	2,529,930,600
Higher Education	934,067,900	991,420,900	1,057,207,218	1,121,954,267	1,220,739,200
Natural Resources	165,264,800	166,619,200	189,936,600	236,873,300	228,923,600
Public Education	2,438,357,683	2,593,642,788	2,771,942,577	3,009,733,825	3,543,591,829
Transportation & Environmental Qualit	935,857,900	945,086,000	1,227,356,000	1,698,165,700	1,688,463,600
Legislature	14,688,300	14,962,100	16,164,200	17,542,740	20,296,770
<b>Total</b>	<b>\$7,906,400,899</b>	<b>\$8,498,418,488</b>	<b>\$9,246,397,295</b>	<b>\$10,272,770,132</b>	<b>\$11,498,868,349</b>
<b>Categories of Expenditure</b>					
Personal Services	1,807,281,594	1,898,751,798	1,997,933,580	2,100,891,174	2,344,090,220
In-State Travel	14,293,546	15,513,409	17,121,676	17,998,106	14,715,500
Out of State Travel	5,103,109	5,639,200	6,097,300	6,528,900	6,547,200
Current Expense	854,753,504	955,950,991	959,134,668	1,022,841,581	1,357,724,100
DP Current Expense	82,210,762	84,280,900	87,515,600	140,273,000	146,635,200
DP Capital Outlay	12,440,919	12,629,500	14,593,000	24,152,300	33,000,300
Capital Outlay	483,245,065	317,867,416	552,774,790	789,338,760	732,105,700
Other Charges/Pass Thru	4,646,861,100	5,077,496,574	5,494,754,581	6,043,460,911	6,856,055,229
Cost of Goods Sold	(129,500)	(135,800)	(813,200)	(227,600)	881,800
Cost Accounts	(24,500)	0	6,600	(600)	13,200
Operating Transfers	144,300	172,900	157,000	2,622,900	105,000
Transfers	0	0	0	75,400	0
Trust & Agency Disbursements	221,000	130,251,600	117,121,700	124,815,300	6,994,900
<b>Total</b>	<b>\$7,906,400,899</b>	<b>\$8,498,418,488</b>	<b>\$9,246,397,295</b>	<b>\$10,272,770,132</b>	<b>\$11,498,868,349</b>
<b>Other Data</b>					
Budgeted FTE	32,446.1	32,854.8	33,102.2	32,536.3	33,699.2
Vehicles	10,416	9,123	9,091	9,189	9,091

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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 2008 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 2008 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 2008, which will end June 30, 2008. During the 2008 General Session, the Legislature can make supplemental changes to the already established budget for FY 2008. The next fiscal year, for which the Legislature is determining a new budget, is FY 2009. FY 2009 includes the period of time from July 1, 2008 to June 30, 2009.

**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**

<b>Function</b>	<p>The Department of Human Services administers a variety of social services programs for the State of Utah. The Department includes the Divisions of Executive Director Operations, Substance Abuse and Mental Health, Services for People with Disabilities, Aging and Adult Services, Office of Recovery Services, Child and Family Services, and 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. The Division of Substance Abuse and Mental Health also oversees the treatment portion of the Drug Courts. Two divisions programs are operated at the local county level under the direction of the Divisions of Aging and Adult Services and Substance Abuse and Mental Health. The Department also operates two internal service funds providing services used by various divisions in the Department.</p>
<b>Statutory Authority</b>	<p>The Department of Human Services is established and functions under authority of Title 62A of the Utah Code.</p> <ul style="list-style-type: none"><li>➤ UCA 62A-1-102 creates the Department of Human Services and broadly outlines its purposes.</li><li>➤ UCA 62A-1-107 describes creation and purposes of various state boards within the Department.</li><li>➤ UCA 62A- 1-111 lists the Department’s authority.</li><li>➤ UCA 62A-1-112 and 114 outline the Department’s role as the State agency in overseeing federal social service programs.</li></ul>
<b>Funding Detail</b>	<p>The Department’s plan of financing for FY 2008 consists of state funds (48.3 percent), federal grants and Medicaid funds (48.4 percent), 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. Passage of the Federal Budget Deficit Act during the 2006 General Session resulted in a loss of federal funds (Title IVE and Medicaid) for Executive Director Operations (EDO) and the Division of Child and Family Services (DCFS). The Legislature appropriated state funds of \$10.3 million for FY 2006 and \$19.1 for FY 2007 to replace the loss of federal funds. For FY 2006, the state’s Motor Pool transferred the responsibility of DHS’ mini motor pool to DHS.</p>

<b>Budget History - Department of Human Services</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	200,490,600	204,877,800	219,780,800	256,076,800	284,493,300
General Fund, One-time	0	4,298,300	14,138,500	3,455,100	1,175,500
Federal Funds	116,831,000	120,480,100	117,886,100	116,907,900	127,237,100
Dedicated Credits Revenue	8,272,300	9,206,900	7,938,700	9,810,800	9,829,500
General Fund Restricted	11,000	0	0	0	0
GFR - Children's Trust	350,000	400,000	400,000	400,000	400,000
GFR - Domestic Violence	650,000	700,000	712,200	734,800	754,100
GFR - Intoxicated Driver Rehab	1,200,000	1,200,000	1,500,000	1,500,000	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	235,000	0	100,000	100,000	100,000
Transfers - Commission on Criminal and Juvenile Justice	0	0	0	75,000	35,000
Transfers - H - Medical Assistance	139,294,600	143,129,300	141,039,000	142,847,800	158,802,400
Transfers - Other Agencies	2,983,600	2,775,600	2,913,700	3,378,900	3,263,000
Transfers - Within Agency	0	(37,500)	0	0	0
Pass-through	2,200	2,500	0	0	0
Beginning Nonlapsing	4,152,600	6,705,300	5,559,800	6,947,100	3,904,000
Closing Nonlapsing	(6,705,300)	(5,559,800)	(6,947,100)	(9,095,800)	(2,178,500)
Lapsing Balance	(2,003,600)	(885,900)	(2,146,800)	(608,000)	0
<b>Total</b>	<b>\$467,411,200</b>	<b>\$488,939,800</b>	<b>\$504,522,100</b>	<b>\$534,177,600</b>	<b>\$590,962,600</b>
<b>Line Items</b>					
Executive Director Operations	18,358,400	19,170,900	19,699,600	19,976,100	25,871,000
Drug Courts/Boards	1,647,200	1,647,200	1,646,900	3,014,800	4,657,200
Substance Abuse & Mental Health	104,096,300	109,554,900	112,375,800	117,089,800	128,571,800
Svcs for People w/Disabilities	153,193,500	159,093,300	165,184,500	175,025,800	195,352,500
Office of Recovery Services	41,764,500	44,215,100	45,738,400	48,409,800	53,711,600
Child and Family Services	127,707,300	133,674,300	138,185,600	148,243,500	159,436,600
Aging and Adult Services	20,644,000	21,584,100	21,691,300	22,417,800	23,361,900
<b>Total</b>	<b>\$467,411,200</b>	<b>\$488,939,800</b>	<b>\$504,522,100</b>	<b>\$534,177,600</b>	<b>\$590,962,600</b>
<b>Categories of Expenditure</b>					
Personal Services	170,436,100	179,949,400	183,376,300	190,574,400	208,591,100
In-State Travel	1,099,700	1,245,700	1,350,900	1,496,800	1,507,400
Out of State Travel	125,400	174,100	236,200	209,300	233,200
Current Expense	43,626,400	44,771,100	47,444,900	51,979,900	54,230,000
DP Current Expense	14,779,400	14,039,900	14,820,200	21,280,000	20,345,700
DP Capital Outlay	112,100	136,000	127,000	188,600	36,900
Capital Outlay	204,700	239,200	507,300	68,800	317,700
Other Charges/Pass Thru	237,027,400	248,384,400	256,659,300	268,379,800	305,700,600
<b>Total</b>	<b>\$467,411,200</b>	<b>\$488,939,800</b>	<b>\$504,522,100</b>	<b>\$534,177,600</b>	<b>\$590,962,600</b>
<b>Other Data</b>					
Budgeted FTE	3,600.7	3,657.2	3,600.2	3,520.8	3,615.0
Vehicles	358	340	378	354	371

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:

<b>Restricted Funds Summary - Department of Human Services</b>				
<b>Fund/Account Name</b>	<b>Statutory Authority</b>	<b>Revenue Source</b>	<b>Prescribed Uses</b>	<b>FY 2007 Balance</b>
Children's Trust Account	62A-4a-309	\$3 surcharge on birth certificates and private contributions	Child abuse prevention programs	\$517,632
Victims of Domestic Violence Services Account	63-63a-6	4.5% of surcharges on court fines & penalties	Domestic violence services	\$1,224,499
Intoxicated Drivers Rehabilitation Account	62A-15-503 & 63-63a-7	7.5% surcharge on court fines & penalties	Education, intervention & treatment of DUI drivers	\$7,715
Tobacco Settlement Account	63-97-20	Tobacco Settlement payments	For Drug Courts/Board Treatment Services	\$954,027
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	\$3,781,500

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

**Table 1-2**



**CHAPTER 2 EXECUTIVE DIRECTOR OPERATIONS**

<b>Function</b>	<p>The Executive Director Operations (EDO) division includes the Department Director's Office and bureaus that serve other divisions in the department such as Fiscal Operations, Legal Affairs (including the Office of Public Guardian), and administrative support services like the Office of Licensing. EDO also includes programs that work independently of the other department divisions, but for which the Department provides administrative support. These programs include the Utah Developmental Disabilities Council and the Foster Care Citizen Review Boards.</p>
<b>Statutory Authority</b>	<p>The following statutes govern the operations of Office of the Executive Director Operations:</p> <ul style="list-style-type: none"><li>➤ UCA 62A-1-108 describes the appointment, qualifications and responsibilities of the Executive Director.</li><li>➤ UCA 62A-1-110 defines the authority of the Executive Director over division and office directors.</li><li>➤ UCA 62A-2 sets up the process for licensing human service programs and facilities.</li><li>➤ UCA 62A-14 creates the Office of Public Guardian.</li><li>➤ UCA 78-3g creates the Foster Care Citizens Review Boards.</li><li>➤ 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.</li></ul>
<b>Accountability</b>	<p>All measures used in the divisions are an indirect reflection of the effectiveness of the function of the Executive Director's Office.</p>
<b>Funding Detail</b>	<p>For FY 2008, approximately 58 percent of the Executive Director Operations budget comes from state funds. The balance of funding comes from federal grants and Medicaid funds (40.6 percent), and from other agency fund transfers (1.3 percent). Passage of the Federal Budget Deficit Act during the 2006 General Session resulted in a loss of federal funds (Title IVE and Medicaid) for EDO. The Legislature appropriated state funds of \$736,700 for FY 2006 and \$1,354,600 for FY 2007 to replace the loss of federal funds.</p>

<b>Budget History - Human Services - Executive Director Operations</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	8,004,900	7,435,000	7,962,600	9,703,200	15,623,400
General Fund, One-time	0	54,900	1,051,700	642,000	(606,300)
Federal Funds	8,179,100	8,810,800	8,216,900	7,080,300	8,319,600
Dedicated Credits Revenue	0	0	400	0	0
Transfers - H - Medical Assistance	710,100	767,700	517,900	415,300	340,800
Transfers - Other Agencies	2,029,100	2,169,700	2,118,500	2,199,800	2,193,500
Transfers - Within Agency	0	(37,500)	0	0	0
Beginning Nonlapsing	0	517,800	539,300	487,300	0
Closing Nonlapsing	(517,800)	(539,300)	(557,300)	(401,300)	0
Lapsing Balance	(47,000)	(8,200)	(150,400)	(150,500)	0
<b>Total</b>	<b>\$18,358,400</b>	<b>\$19,170,900</b>	<b>\$19,699,600</b>	<b>\$19,976,100</b>	<b>\$25,871,000</b>
<b>Programs</b>					
Executive Director's Office	1,456,500	1,806,200	1,971,400	1,815,600	1,497,400
Legal Affairs	1,174,500	1,230,300	1,273,500	1,387,600	1,475,800
Information Technology	4,198,000	4,323,000	4,243,000	4,396,800	4,949,600
Administrative Support	3,086,300	3,211,200	837,100	0	0
Fiscal Operations	2,584,300	2,654,600	2,735,200	3,894,400	4,403,600
Human Resources	2,170,500	2,215,000	2,193,000	1,766,800	1,870,400
Local Discretionary	1,332,300	1,413,900	1,444,900	1,265,800	1,202,000
Special Projects	1,300	1,500	0	0	0
Services Review	1,054,100	1,011,400	942,000	1,045,300	1,176,000
Office of Licensing	0	0	2,347,800	2,501,800	2,675,900
Developmental Disabilities Council	754,600	677,500	832,000	641,100	1,111,100
Foster Care Citizens Review Boards	546,000	626,300	587,600	591,000	659,200
Drug Offender Reform Act - Pilot	0	0	292,100	669,900	4,850,000
<b>Total</b>	<b>\$18,358,400</b>	<b>\$19,170,900</b>	<b>\$19,699,600</b>	<b>\$19,976,100</b>	<b>\$25,871,000</b>
<b>Categories of Expenditure</b>					
Personal Services	12,948,300	13,468,800	13,554,600	9,568,400	10,084,300
In-State Travel	112,700	141,400	147,500	109,500	133,900
Out of State Travel	28,000	56,700	61,200	37,900	65,400
Current Expense	1,674,300	1,974,300	2,254,300	3,446,700	4,139,800
DP Current Expense	1,787,400	1,763,900	1,554,100	4,537,500	4,784,800
DP Capital Outlay	14,300	28,900	0	0	0
Other Charges/Pass Thru	1,793,400	1,736,900	2,127,900	2,276,100	6,662,800
<b>Total</b>	<b>\$18,358,400</b>	<b>\$19,170,900</b>	<b>\$19,699,600</b>	<b>\$19,976,100</b>	<b>\$25,871,000</b>
<b>Other Data</b>					
Budgeted FTE	212.8	212.5	203.7	136.7	137.9
Vehicles	11	11	49	25	30

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 administers two direct federal grants. The Visitation Grant is a recurring grant of \$100,000 per year and establishes and administers programs that support and facilitate non-custodial parents' access to and visitation of their children.

**Funding Detail**

The Executive Director’s Office is funded with 38.2 percent federal funds and 61.8 percent state funds for FY 2008. The motor pool number of 5 vehicles for 2008 appropriated should have been transferred to the DTS with the staff. One FTE and the associated funds were moved from the Office of Human Resources.

<b>Budget History - Human Services - Executive Director Operations - Executive Director's Office</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	627,300	638,400	681,000	920,300	926,100
General Fund, One-time	0	3,100	29,400	(800)	0
Federal Funds	829,200	1,164,700	1,261,000	896,100	571,300
<b>Total</b>	<b>\$1,456,500</b>	<b>\$1,806,200</b>	<b>\$1,971,400</b>	<b>\$1,815,600</b>	<b>\$1,497,400</b>
<b>Categories of Expenditure</b>					
Personal Services	1,028,900	1,116,400	1,171,500	1,325,700	1,180,000
In-State Travel	4,600	7,400	8,600	6,700	4,600
Out of State Travel	8,800	18,900	6,300	7,100	3,000
Current Expense	367,900	550,500	742,900	428,000	272,900
DP Current Expense	46,300	113,000	42,100	48,100	36,900
<b>Total</b>	<b>\$1,456,500</b>	<b>\$1,806,200</b>	<b>\$1,971,400</b>	<b>\$1,815,600</b>	<b>\$1,497,400</b>
<b>Other Data</b>					
Budgeted FTE	11.5	11.5	12.4	14.0	11.7
Vehicles	0	0	0	0	5

**Table 2-2**

**LEGAL AFFAIRS**

**Function**

The Legal Affairs Program consists of the following offices:

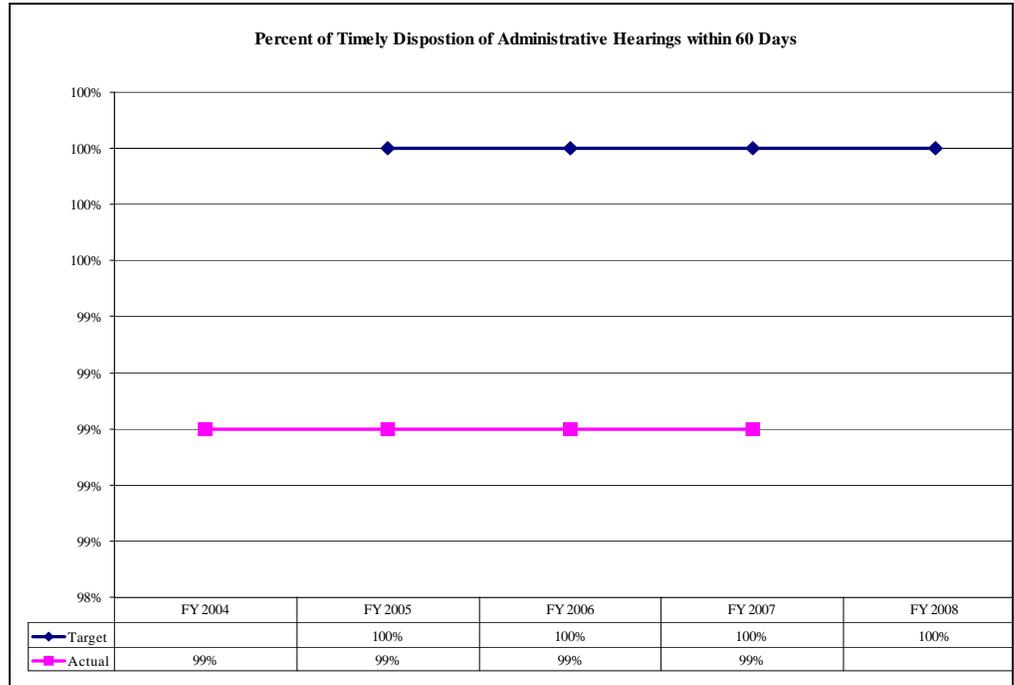
*The Office of Legal Affairs* handles the cost of the Attorney General (AG) services in the Department. Currently there are two full time attorneys dedicated to Department issues whose personnel costs are budgeted in DHS and transferred to the AG Office.

*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 the Division of Youth Corrections.

*The Office of Public Guardian* was created by the 1999 Legislature (UCA 62A-14). It provides guardianship and conservator 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 of 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 generally in compliance as shown in the following figure:



**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:

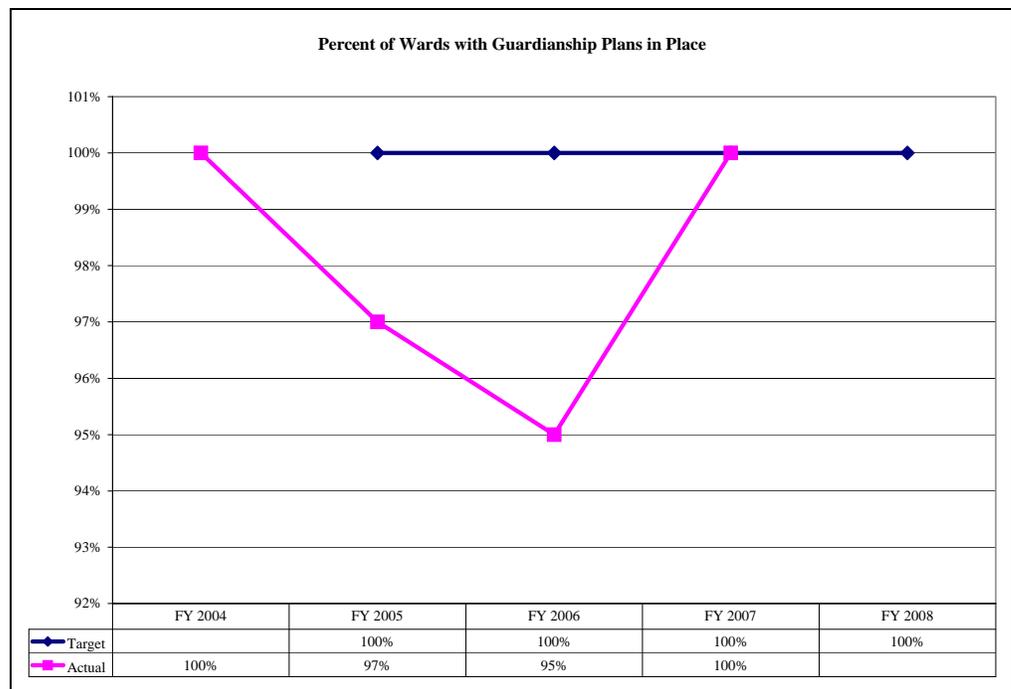


Figure 2-2

**Funding Detail**

The Legal Affairs Program funding for FY 2008 is 62.4 percent state funds and 37.6 percent federal funds (including Medicaid). Funding is utilized mainly for staff support.

	2004	2005	2006	2007	2008
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	659,200	669,500	694,400	955,800	921,500
General Fund, One-time	0	3,600	40,800	(400)	0
Federal Funds	256,900	261,700	264,200	138,600	269,400
Transfers - H - Medical Assistance	286,500	303,600	274,500	293,600	284,900
Lapsing Balance	(28,100)	(8,100)	(400)	0	0
<b>Total</b>	<b>\$1,174,500</b>	<b>\$1,230,300</b>	<b>\$1,273,500</b>	<b>\$1,387,600</b>	<b>\$1,475,800</b>
<b>Categories of Expenditure</b>					
Personal Services	866,400	934,600	912,300	999,700	1,095,700
In-State Travel	14,700	15,700	17,300	19,700	17,300
Out of State Travel	1,800	2,600	3,400	4,800	3,300
Current Expense	98,700	94,600	115,000	147,100	153,500
DP Current Expense	51,100	26,600	68,100	54,100	44,000
Other Charges/Pass Thru	141,800	156,200	157,400	162,200	162,000
<b>Total</b>	<b>\$1,174,500</b>	<b>\$1,230,300</b>	<b>\$1,273,500</b>	<b>\$1,387,600</b>	<b>\$1,475,800</b>
<b>Other Data</b>					
Budgeted FTE	12.1	11.7	10.8	11.5	12.2

Table 2-3

**INFORMATION TECHNOLOGY**

**Function**

Passage of House Bill 109, "Information Technology Governance Amendments" during the 2005 General Session established the Department of Technology (DTS) as an internal service fund agency for statewide

information technology services. This change is reflected in the FY 2007 base budget. All but one full time equivalent employee (FTE) and the associated expenditures including motor pool was moved to DTS. One FTE was moved to the Office of Fiscal Operations to continue work on the Data Warehouse functions. Funding of \$4.9 million was appropriated in FY 2008 to cover DTS' service rate.

DHS currently uses the Public Assistance Case Management Information System (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. The new electronic Resource and Eligibility Product (eREP) system will replace the existing PACMIS. The 2004 Legislature appropriated \$660,300 (\$463,900 General Fund) as a one-time supplemental for FY 2004 for the required programming work for the eREP project. Every year since the 2005 General Session, the Legislature has adopted intent language for the eREP enhancement's funding to be non-lapsing. To date, the Office of Information Technology has spent \$63,000 in General Funds for required modifications to the existing database to allow it to interface with Workforce Services eREP system with a scheduled implementation of March 2009.

**Intent Language**

The following intent language was adopted during the 2007 General Session for FY 2008:

*"Under Section 63-38-8.1 of the Utah Code the Legislature intends that up to \$454,300 of funds provided by Item 103 of House Bill 1, State Agency and Higher Education Base Budget Appropriations (2007 General Session) for the Department of Human Services, the Office of Information Technology in the Executive Director Operations line item for e-REP enhancements not lapse at the close of FY 2008."*

**Agency Responses:** The Office of Information Technology has spent \$63,000 General Funds on the eREP programming.

**Funding Detail**

The Office of Information Technology's major sources of funding for FY 2008 are federal funds (including Medicaid) comprise (28.9 percent) and state funds (25.8 percent) with the balance coming from transfers from other agencies (45.3 percent).

<b>Budget History - Human Services - Executive Director Operations - Information Technology</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	1,311,200	881,500	869,800	1,128,100	1,275,800
General Fund, One-time	0	4,100	120,400	4,700	0
Federal Funds	1,210,800	1,220,600	1,137,400	997,100	1,412,300
Transfers - H - Medical Assistance	121,000	125,200	73,300	37,200	18,700
Transfers - Other Agencies	2,018,900	2,091,600	2,032,500	2,166,700	2,242,800
Beginning Nonlapsing	0	463,900	463,900	454,300	0
Closing Nonlapsing	(463,900)	(463,900)	(454,300)	(391,300)	0
<b>Total</b>	<b>\$4,198,000</b>	<b>\$4,323,000</b>	<b>\$4,243,000</b>	<b>\$4,396,800</b>	<b>\$4,949,600</b>
<b>Categories of Expenditure</b>					
Personal Services	2,656,300	2,751,100	2,841,700	0	0
In-State Travel	17,400	19,600	19,200	0	18,000
Out of State Travel	4,000	11,100	1,100	0	11,100
Current Expense	231,700	252,600	271,600	257,900	497,600
DP Current Expense	1,279,800	1,259,700	1,109,400	4,138,900	4,422,900
DP Capital Outlay	8,800	28,900	0	0	0
<b>Total</b>	<b>\$4,198,000</b>	<b>\$4,323,000</b>	<b>\$4,243,000</b>	<b>\$4,396,800</b>	<b>\$4,949,600</b>
<b>Other Data</b>					
Budgeted FTE	38.4	39.2	36.4	0.0	0.0
Vehicles	5	5	5	0	0

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.

**Funding Detail**

For FY 2006, the state's Motor Pool transferred the responsibility of DHS' mini motor pool to the Bureau of Administrative Support which increased the number of vehicles from 5 to 21. Reorganization within EDO moved the funding, FTEs and vehicles of Administrative Support to the Office of Fiscal Operations starting in FY 2007.

<b>Budget History - Human Services - Executive Director Operations - Administrative Support</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	1,909,000	1,951,200	409,300	0	0
General Fund, One-time	0	15,800	20,400	0	0
Federal Funds	1,177,300	1,244,200	407,000	0	0
Dedicated Credits Revenue	0	0	400	0	0
<b>Total</b>	<b>\$3,086,300</b>	<b>\$3,211,200</b>	<b>\$837,100</b>	<b>\$0</b>	<b>\$0</b>
<b>Categories of Expenditure</b>					
Personal Services	2,639,000	2,759,000	649,600	0	0
In-State Travel	35,300	38,400	7,300	0	0
Out of State Travel	0	3,300	4,000	0	0
Current Expense	297,600	301,100	127,600	0	0
DP Current Expense	114,400	109,400	48,600	0	0
<b>Total</b>	<b>\$3,086,300</b>	<b>\$3,211,200</b>	<b>\$837,100</b>	<b>\$0</b>	<b>\$0</b>
<b>Other Data</b>					
Budgeted FTE	50.1	50.7	10.9	0.0	0.0
Vehicles	5	5	21	0	0

**Table 2-5**

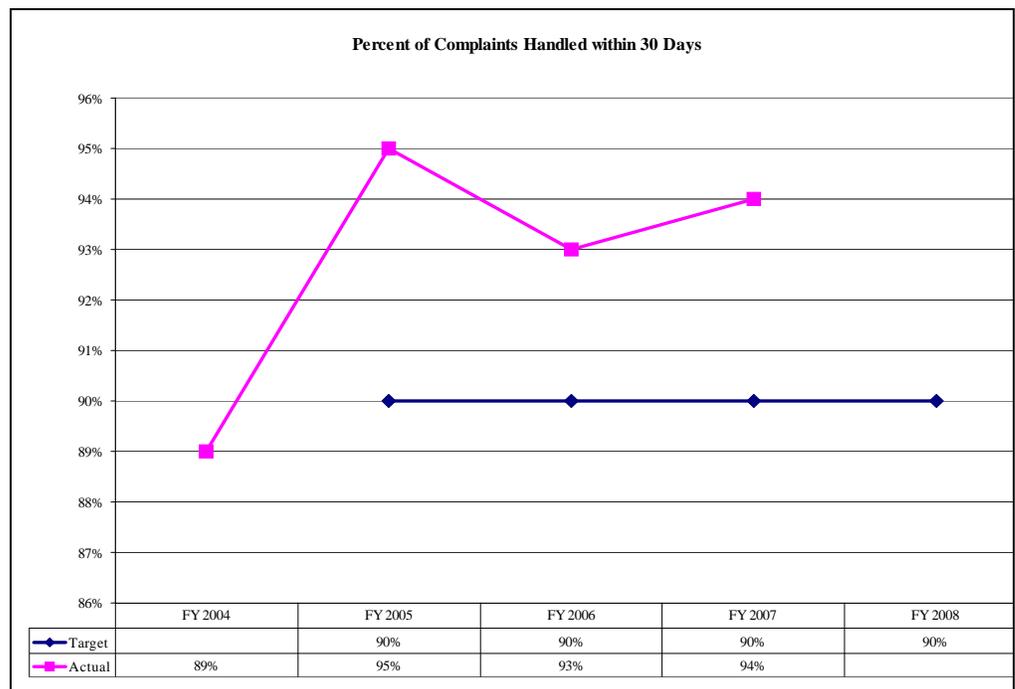
**OFFICE OF LICENSING**

**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.

**Accountability**

The following Figure 2-3 shows performance measures reflecting the timeliness of resolving complaints within 30 days:



**Figure 2-3**

**Funding Detail**

The Office of Licensing program was separated from the Administrative Support program (KAD) in FY 2006. Approximately 71.5 percent of the funding is from state funds with the remaining balance from federal funds.

<b>Budget History - Human Services - Executive Director Operations - Office of Licensing</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	0	0	1,658,800	1,993,300	1,914,500
General Fund, One-time	0	0	127,900	(100)	0
Federal Funds	0	0	711,100	658,600	761,400
Lapsing Balance	0	0	(150,000)	(150,000)	0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,347,800</b>	<b>\$2,501,800</b>	<b>\$2,675,900</b>
<b>Categories of Expenditure</b>					
Personal Services	0	0	2,041,300	2,186,500	2,300,500
In-State Travel	0	0	31,300	31,900	31,000
Out of State Travel	0	0	900	1,100	700
Current Expense	0	0	200,400	198,800	269,800
DP Current Expense	0	0	73,900	83,500	73,900
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,347,800</b>	<b>\$2,501,800</b>	<b>\$2,675,900</b>
<b>Other Data</b>					
Budgeted FTE	0.0	0.0	38.2	38.0	38.0
Vehicles	0	0	3	3	3

**Table 2-6**

**License Fees**

The following Table 2-7 shows the current fee structure for the Office of Licensing for FY 2008:

<b>Department of Human Services License Fees</b>				
<b>FY 2008</b>				
	<b>Current</b>	<b>Changes</b>	<b>Estim.#</b>	<b>Estimated 2008</b>
	<b>Fee</b>	<b>for FY 09</b>	<b>Licenses</b>	<b>Revenues</b>
Initial-new program*	\$300.00	no chg	50	\$15,000
Adult Day Care (0-50)	\$100.00	no chg	12	\$1,200
Adult Day Care per cap	\$3.00	no chg	250	\$750
Adult Day Care (50+)	\$200.00	no chg	1	\$200
Child Placing	\$250.00	no chg	100	\$25,000
Day Treatment	\$150.00	no chg	150	\$22,500
Outpatient Treatment	\$100.00	no chg	250	\$25,000
Residential Support	\$100.00	no chg	130	\$13,000
Residential Treatment	\$200.00	no chg	175	\$35,000
Residential Treatment per cap	\$3.00	no chg	3,300	\$9,900
Social Detoxification	\$200.00	no chg	10	\$2,000
Life Safety Pre-inspection	\$200.00	no chg	50	\$10,000
Outdoor Youth Program	\$300.00	no chg	10	\$3,000
Outdoor Youth Program per cap	\$5.00	no chg	700	\$3,500
Interm. Secure Treatment	\$250.00	no chg	10	\$2,500
Interm. Secure Treatment per cap	\$3.00	no chg	700	\$2,100
FBI Fingerprint Checks (Hard Copy)**	\$24.00	\$30.25	300	\$7,200
FBI Fingerprint (Live Scan) **	\$39.00	\$34.25	600	\$23,400
Therapeutic Schools	\$200.00	no chg	5	\$1,000
Therapeutic Schools per person	\$3.00	no chg	200	\$600
<b>Total Estimated Revenues for FY 2008</b>				<b>\$202,850</b>

\* *Except comprehensive mental health & substance abuse.*  
 \*\* *Fees collected for the FBI fingerprint checks are passed through to the FBI.*

**Table 2-7**

There are only two changes in the current rates for FBI Fingerprint checks for FY 2009 as shown in the 3<sup>rd</sup> column of the above table.

**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. One FTE will be moved from the Office of Information Technology to continue work on the Data Warehouse functions and one from the Office of Human Resources. The Office consists of the following bureaus:

*The Bureau of Finance* is responsible for cost allocations for federal grants, purchasing, accounting, cash management, budgeting, forecasting, data warehouse management, management analysis and coordination of the Department's appropriations requests.

*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* oversees all of the Department’s contract functions, including the procurement of direct client services, the establishment of rates for client services and the processing and monitoring of all contracts. This bureau also ensures compliance with state procurement laws; develops internal contracting policies and standards; and provides technical assistance for divisions.

*The Bureau of Administrative Support* is responsible for facilities management and planning, risk management, the Americans with Disabilities Act coordination, emergency management and constituent services. This bureau provides general services such as mail distribution, forms control, motor pool and information services. This bureau was previously the Office of Administrative Support and was consolidated with Fiscal Operations in FY 2007.

**Accountability**

The following Figure 2-4 shows performance measures shows the average facility maintenance efficiency score for the Bureau of Administrative Support:

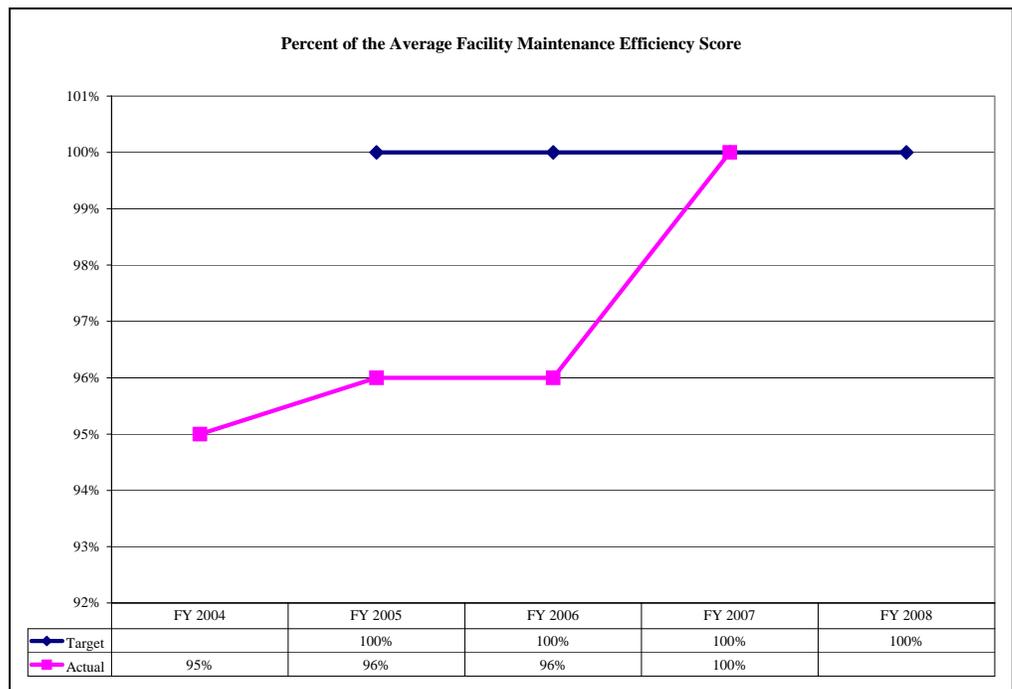


Figure 2-4

The following Figure 2-5 shows the percent of contract monitoring completed:

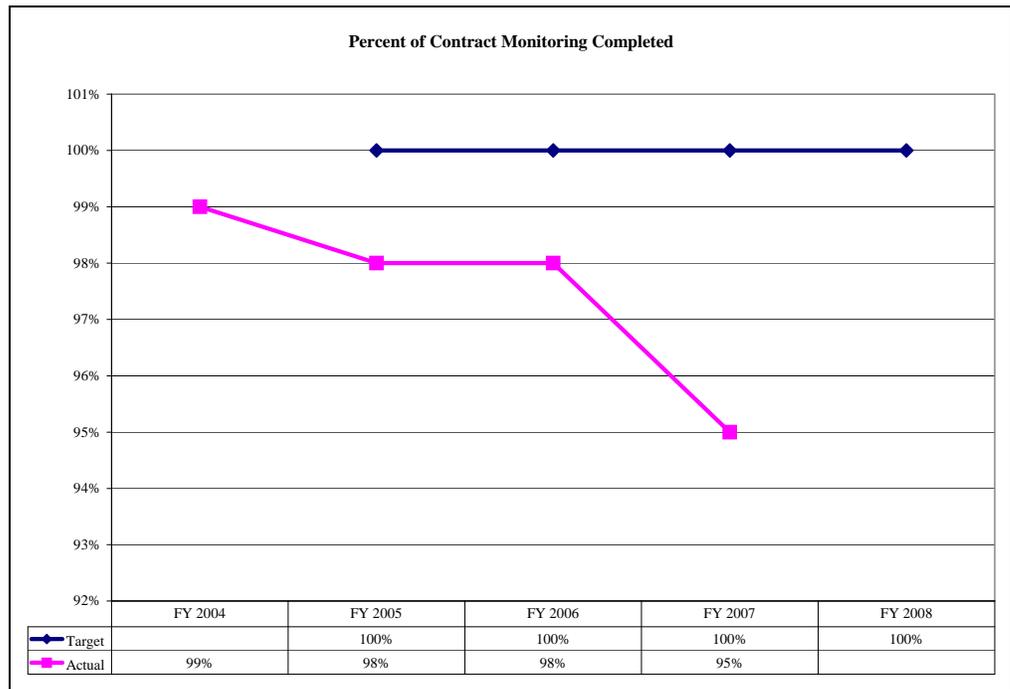


Figure 2-5

**Funding Detail**

This office was funded in FY 2008 from federal funds (45.6 percent) and state funds (54.4 percent). Reorganization within EDO consolidated the funding, FTEs and vehicles of Administrative Support, one FTE from the Office of Information Technology and one from the Office of Human Resources to the Office of Fiscal Operations in FY 2007.

<b>Budget History - Human Services - Executive Director Operations - Fiscal Operations</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	1,013,200	1,044,200	1,480,700	2,188,300	2,397,200
General Fund, One-time	0	8,600	79,500	(2,600)	0
Federal Funds	1,571,100	1,601,800	1,175,000	1,655,500	2,006,400
Transfers - Other Agencies	0	0	0	53,200	0
<b>Total</b>	<b>\$2,584,300</b>	<b>\$2,654,600</b>	<b>\$2,735,200</b>	<b>\$3,894,400</b>	<b>\$4,403,600</b>
<b>Categories of Expenditure</b>					
Personal Services	2,246,700	2,331,500	2,413,200	3,372,800	3,622,200
In-State Travel	5,400	10,100	10,700	14,500	17,900
Out of State Travel	2,700	4,600	2,800	3,600	6,400
Current Expense	222,100	212,800	239,900	394,200	640,700
DP Current Expense	107,400	95,600	68,600	109,300	116,400
<b>Total</b>	<b>\$2,584,300</b>	<b>\$2,654,600</b>	<b>\$2,735,200</b>	<b>\$3,894,400</b>	<b>\$4,403,600</b>
<b>Other Data</b>					
Budgeted FTE	32.9	32.9	33.3	45.3	46.2
Vehicles	0	0	19	21	21

Table 2-8

**HUMAN RESOURCES**

**Function** House Bill 269, “Human Resource Management Amendments,” in the 2006 General Session established the Department of Human Resource Management (DHRM) as an internal service fund agency for statewide human resource functions effective FY 2007. All but two FTE and the associated expenditures were moved to DHRM. One FTE was moved to the Executive Director’s Office and one to the Office of Fiscal Operations. The remaining funds of \$1.9 million will remain in this budget to cover the DHRM agency service rate.

**Funding Detail** The Budget for Human Services for FY 2008 comes from state funds (67.6 percent) and federal funds including Medicaid (39.8 percent).

<b>Budget History - Human Services - Executive Director Operations - Human Resources</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	1,275,100	1,288,000	1,307,400	1,147,300	1,265,300
General Fund, One-time	0	10,800	81,700	(3,500)	0
Federal Funds	868,100	888,400	766,800	629,500	706,900
Transfers - H - Medical Assistance	27,300	27,800	37,100	84,500	37,200
Transfers - Other Agencies	0	0	0	(91,000)	(139,000)
<b>Total</b>	<b>\$2,170,500</b>	<b>\$2,215,000</b>	<b>\$2,193,000</b>	<b>\$1,766,800</b>	<b>\$1,870,400</b>
<b>Categories of Expenditure</b>					
Personal Services	1,900,300	1,953,300	1,934,700	2,600	0
In-State Travel	10,000	12,100	10,500	400	0
Out of State Travel	200	0	1,000	0	0
Current Expense	182,800	181,300	183,300	1,763,800	1,870,400
DP Current Expense	71,700	68,300	63,500	0	0
DP Capital Outlay	5,500	0	0	0	0
<b>Total</b>	<b>\$2,170,500</b>	<b>\$2,215,000</b>	<b>\$2,193,000</b>	<b>\$1,766,800</b>	<b>\$1,870,400</b>
<b>Other Data</b>					
Budgeted FTE	36.9	36.6	33.8	0.0	0.0

**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 percent, 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 2007, the SSBG passed through \$1,154,300. The estimated pass through for FY 2008 for the SSBG is \$1,281,400. This program also includes the federal Ogden Urban Enterprise Grant with actual revenues of \$111,500 for FY 2007. This ten-year grant has received a two-year extension with a balance of \$21,700 to be expended in FY 2008. 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 funds.

Budget History - Human Services - Executive Director Operations - Local Discretionary					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Federal Funds	1,332,300	1,413,900	1,444,900	1,265,800	1,202,000
<b>Total</b>	<b>\$1,332,300</b>	<b>\$1,413,900</b>	<b>\$1,444,900</b>	<b>\$1,265,800</b>	<b>\$1,202,000</b>
Other Charges/Pass Thru	1,332,300	1,413,900	1,444,900	1,265,800	1,202,000
<b>Total</b>	<b>\$1,332,300</b>	<b>\$1,413,900</b>	<b>\$1,444,900</b>	<b>\$1,265,800</b>	<b>\$1,202,000</b>

Table 2-10

**SPECIAL PROJECTS**

**Function** Special Projects funding ended in FY 2005. In the past, the funding for special projects was as follows:

*The Carousel Project* was 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* received billings 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. The Single Audit project is now under Fiscal Operations.

Budget History - Human Services - Executive Director Operations - Special Projects					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	41,700	37,500	0	0	0
Federal Funds	600	1,500	0	0	0
Transfers - Other Agencies	(41,000)	0	0	0	0
Transfers - Within Agency	0	(37,500)	0	0	0
<b>Total</b>	<b>\$1,300</b>	<b>\$1,500</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Categories of Expenditure					
Current Expense	1,300	1,500	0	0	0
<b>Total</b>	<b>\$1,300</b>	<b>\$1,500</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Table 2-11

**OFFICE OF SERVICES REVIEW**

**Function** The Office of Services Review has the following primary functions:

*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-4a-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 of 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. OCPO determines whether an act or omission of DCFS with respect to a child is contrary to statute, rule, or policy, places a child's health or safety at risk, and has adequate documentation to support the removal or placement of the child. The Office was codified in statute during the 1998 legislative session (62A-4a-208). 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. 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 2-6:

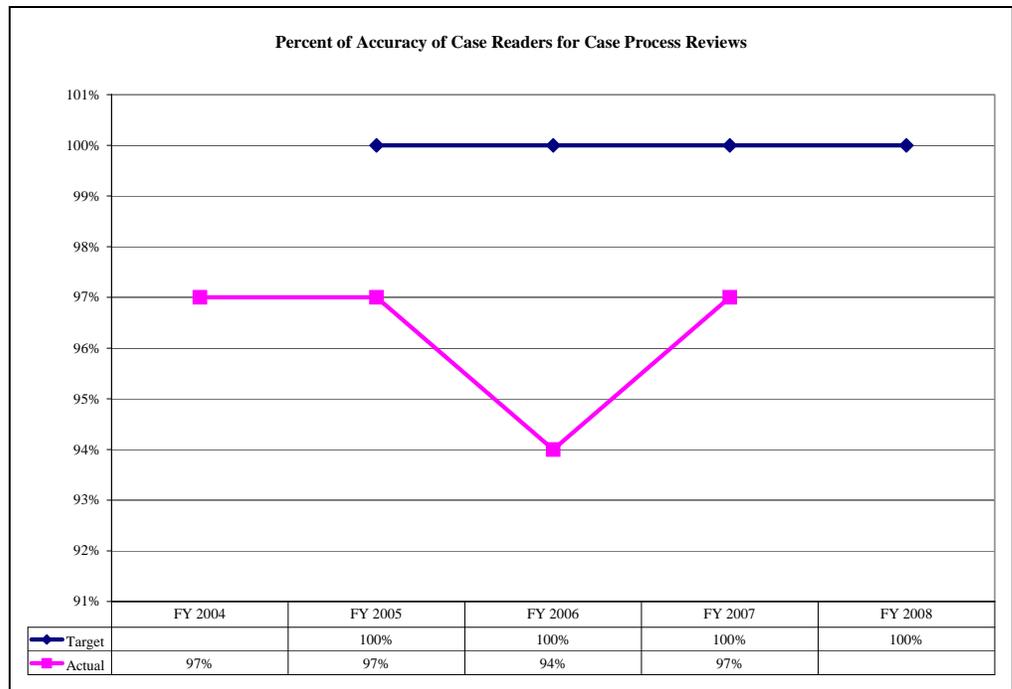


Figure 2-6

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 2-7, the vast majority of these recommendations are implemented by DCFS:

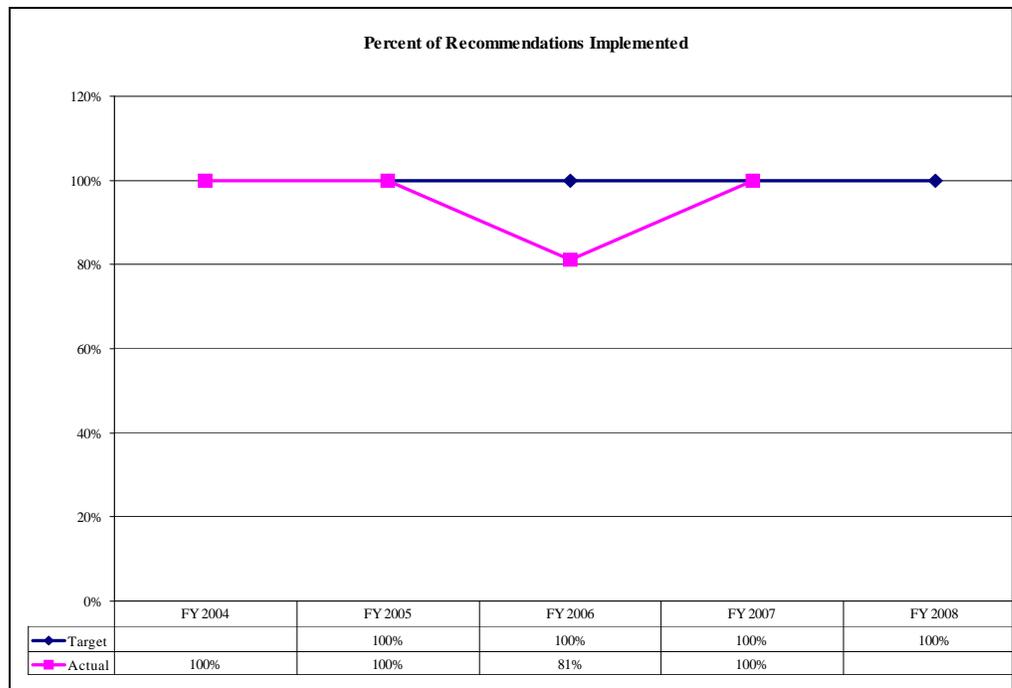


Figure 2-7

**Funding Detail**

Funding in FY 2008 for the Bureau of Services Review is divided between State Funds (71.2 percent) and federal funds and Medicaid (28.7 percent).

<b>Budget History - Human Services - Executive Director Operations - Services Review</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	752,200	500,700	499,800	797,700	838,700
General Fund, One-time	0	5,200	115,100	(1,400)	0
Federal Funds	206,000	356,800	261,900	249,000	337,300
Transfers - H - Medical Assistance	143,600	148,700	65,200	0	0
Transfers - Other Agencies	(28,800)	0	0	0	0
Lapsing Balance	(18,900)	0	0	0	0
<b>Total</b>	<b>\$1,054,100</b>	<b>\$1,011,400</b>	<b>\$942,000</b>	<b>\$1,045,300</b>	<b>\$1,176,000</b>
<b>Categories of Expenditure</b>					
Personal Services	880,100	861,900	770,200	892,000	969,600
In-State Travel	11,900	11,300	14,700	14,100	17,600
Out of State Travel	0	3,000	100	600	100
Current Expense	99,400	95,800	118,400	99,800	146,100
DP Current Expense	62,700	39,400	38,600	38,800	42,600
<b>Total</b>	<b>\$1,054,100</b>	<b>\$1,011,400</b>	<b>\$942,000</b>	<b>\$1,045,300</b>	<b>\$1,176,000</b>
<b>Other Data</b>					
Budgeted FTE	15.6	14.2	12.3	13.9	14.6

Table 2-12

## UTAH COUNCIL FOR PEOPLE WITH DISABILITIES

### Function

Utah has decided to participate in the federal Developmental Disabilities Assistance and Bill of Rights Act (Public Law 106 – 402). The federal law provides grant funds 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 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 Utah State Office of Rehabilitation Services and the Departments of Health and Human Services fund this information delivery system jointly. Its purpose is to provide information to persons with disabilities and their families regarding 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” (82.4 percent). The balance is from state funds (9.5 percent) and transfers from other agencies (8.1 percent).

Budget History - Human Services - Executive Director Operations - Developmental Disabilities Council					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	85,200	87,200	92,000	102,900	105,900
General Fund, One-time	0	800	0	100	0
Federal Funds	589,400	511,400	654,000	467,200	915,500
Transfers - Other Agencies	80,000	78,100	86,000	70,900	89,700
<b>Total</b>	<b>\$754,600</b>	<b>\$677,500</b>	<b>\$832,000</b>	<b>\$641,100</b>	<b>\$1,111,100</b>
Categories of Expenditure					
Personal Services	304,400	339,200	387,800	309,600	433,700
In-State Travel	6,500	16,500	20,600	17,700	20,400
Out of State Travel	10,500	12,200	38,500	18,600	37,600
Current Expense	80,800	123,000	128,800	84,800	149,100
DP Current Expense	33,100	19,800	22,800	32,200	21,500
Other Charges/Pass Thru	319,300	166,800	233,500	178,200	448,800
<b>Total</b>	<b>\$754,600</b>	<b>\$677,500</b>	<b>\$832,000</b>	<b>\$641,100</b>	<b>\$1,111,100</b>
Other Data					
Budgeted FTE	6.0	6.9	6.8	5.1	6.6

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.A. 78-3g) to comply with federal statute (42 U.S.C. 675(5) (B)). The statute 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 if the children are moving through the system in a timely manner. The citizen boards are advisory and can only make recommendations to DCFS and 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 eight other full-time and part-time employees provide support to the Boards.

Currently there are 26 volunteer boards with about 200 volunteers. The number of reviews of foster care cases in FY 2007 was 730.

### Intent Language

The following intent language was adopted during the 2007 General Session for FY 2007 (supplemental appropriation):

*“Under Section 63-38-8.1 of the Utah Code the Legislature intends that up to \$10,000 provided for the Department of Human Services,*

*Executive Director Operations for the Foster Care Citizens Review Board in Chapter 1, the Laws of Utah 2006, Item 97 not lapse at the close of FY 2007. It is further the intent of the Legislature that these funds are to be used for one-time development, maintenance, and upgrading of computer software and equipment, and for recruitment, training and retention of volunteers.”*

**Agency Response:** The FCCRB will use the non-lapsing funds for one-time computer and/or volunteer expenditures.

**Accountability**

Figure 2-8 indicates the percentage of foster kids receiving citizens’ reviews during their first twelve months of state custody. Passage of Senate Bill 17 during the 2005 General Session changed the review process of the FCCRB from 12 months to 18 months and changed the focus for children who have been in care longer than 12 months beginning in FY 2006. Note: Due to the change in FCCRB statute, the first review conducted of a child starting in FY 2006 was changed from 12 to 18 months is reflected in the drop in percent.

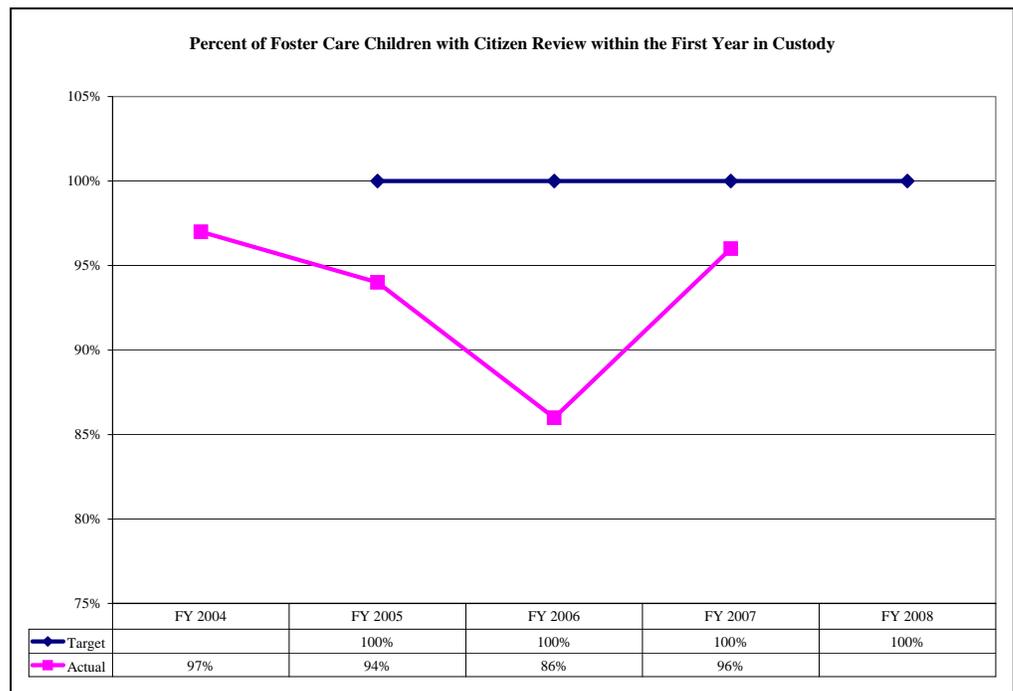


Figure 2-8

**Funding Detail**

The budget for the FCCRB receives the majority of the funding from state funds (79.2 percent) and the other funding is from federal grants (20.8 percent).

<b>Budget History - Human Services - Executive Director Operations - Foster Care Citizens Review Boards</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	330,800	336,800	269,300	469,500	522,100
General Fund, One-time	0	2,900	121,500	(1,000)	0
Federal Funds	137,400	145,800	133,600	122,900	137,100
Transfers - H - Medical Assistance	131,700	162,400	67,800	0	0
Closing Nonlapsing	(53,900)	(75,400)	(80,000)	(10,000)	0
Lapsing Balance	0	(100)	0	(400)	0
<b>Total</b>	<b>\$546,000</b>	<b>\$626,300</b>	<b>\$587,600</b>	<b>\$591,000</b>	<b>\$659,200</b>
<b>Categories of Expenditure</b>					
Personal Services	426,200	421,800	432,300	479,500	482,600
In-State Travel	6,900	10,300	7,300	4,500	7,100
Out of State Travel	0	1,000	3,100	2,100	3,200
DP Current Expense	20,900	32,100	18,500	32,600	26,600
<b>Total</b>	<b>\$546,000</b>	<b>\$626,300</b>	<b>\$587,600</b>	<b>\$591,000</b>	<b>\$659,200</b>
<b>Other Data</b>					
Budgeted FTE	9.3	8.9	8.9	8.9	8.8
Vehicles	1	1	1	1	1

Table 2-14

**DRUG OFFENDERS REFORM ACT (DORA)****Function**

In the 2005 1<sup>st</sup> Special Session, Senate Bill 1004, “Drug Offender Reform Act” was passed creating a three-year pilot program. DORA provides 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), administers the pilot program. The Department of Human Services (DHS) allocated the funding for treatment services to the Salt Lake County Substance Abuse Authority. To date, 222 offenders have been ordered into the DORA Pilot Program. DORA offenders have been referred to nine different community treatment agencies. Levels of treatment include: general outpatient; intensive outpatient; day treatment; and residential treatment. The following chart shows the progress of the 222 participants since the inception of the pilot program:

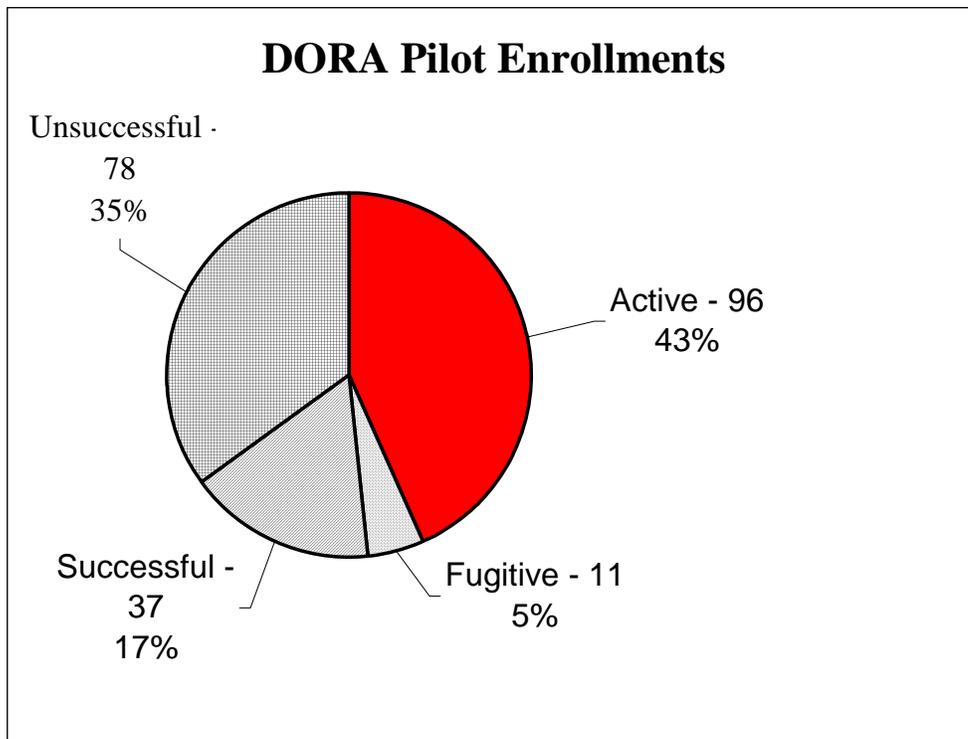


Figure 2-9

**Funding Detail**

During the 2007 General Session, the DORA program received ongoing funding of \$8 million from General Funds with passage of Senate Bill 50, “Drug Offenders Reform Act,” to expand the program statewide. The funding was allocated as follows: the Department of Human Services \$4.8 million, the Department of Corrections \$3.0 million, Courts \$50,400, the Board of Pardons and Parole \$36,000 and the Commission on Criminal and Juvenile Justice \$24,000 to provide treatment services. DHS will enter into contracts with 13 local county governments with appropriated funds. The contractors will provide assessments, case management, drug testing and treatment services. The appropriations are non-lapsing. The following table shows the funding of DORA for the Department of Human Services for FY 2008.

Budget History - Human Services - Executive Director Operations - Drug Offender Reform Act - Pilot					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	0	0	100	0	5,456,300
General Fund, One-time	0	0	315,000	647,000	(606,300)
Beginning Nonlapsing	0	0	0	23,000	0
Closing Nonlapsing	0	0	(23,000)	0	0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$292,100</b>	<b>\$669,900</b>	<b>\$4,850,000</b>
Categories of Expenditure					
Other Charges/Pass Thru	0	0	292,100	669,900	4,850,000
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$292,100</b>	<b>\$669,900</b>	<b>\$4,850,000</b>

Table 2-15



**CHAPTER 3 DRUG COURTS AND DRUG BOARDS**

<b>Function</b>	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 provide community based services to drug involved offenders to help them reintegrate into their communities after release from prison.
<i>Beginnings of Drug Courts in Utah</i>	Utah with federal grants, local government grants, private contributions, and funding within the existing court budget. 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 (SAPT) grant for planning grants to communities and courts in the State. During the 2006 General Session, the Legislature transferred \$800,000 of federal SAPT funds from the Division of Substance Abuse and Mental Health to Drug Courts for treatment programs.
<b>Statutory Authority</b>	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 Corrections 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.
<i>Allocation from Tobacco Settlement Funds</i>	UCA 63-97-201 allocates funds from the General Fund Restricted – Tobacco Settlement Account first to the Department of Health for the (Children's Health Insurance Program), second to the Department of Health for alcohol, tobacco, and other drug programs, then to Drug Courts and Boards, and finally to 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.
<b>Intent Language</b>	The 2007 Legislature adopted the following intent language: <p style="margin-left: 40px;"><i>Under Section 63-38-8 of the Utah Code the Legislature intends that any remaining amounts of the \$2,917,200 provided by Item 104 of House Bill 1, State Agency and Higher Education Base Budget Appropriations (2007 General Session), and any funding allocated in this item for the Department of Human Services, Drug Courts and Drug Boards line item not lapse at the close of FY 2008.</i></p> <p><b>Agency Response:</b> Any remaining balance at the end of FY2008 will be non-lapsing and used specifically for the Drug Board/Drug Court program in FY09.</p>
<b>Accountability</b>	The following chart is based on an evaluation of the Salt Lake County Adult Felony Drug Court in 2005 which is the latest data available. The study

compared arrest rates after 12 months for individuals who graduated from drug court and individuals who did not complete drug court. Individuals who graduated were arrested 19.7% compared to 46.5% for individuals who did not complete or were terminated from drug court.

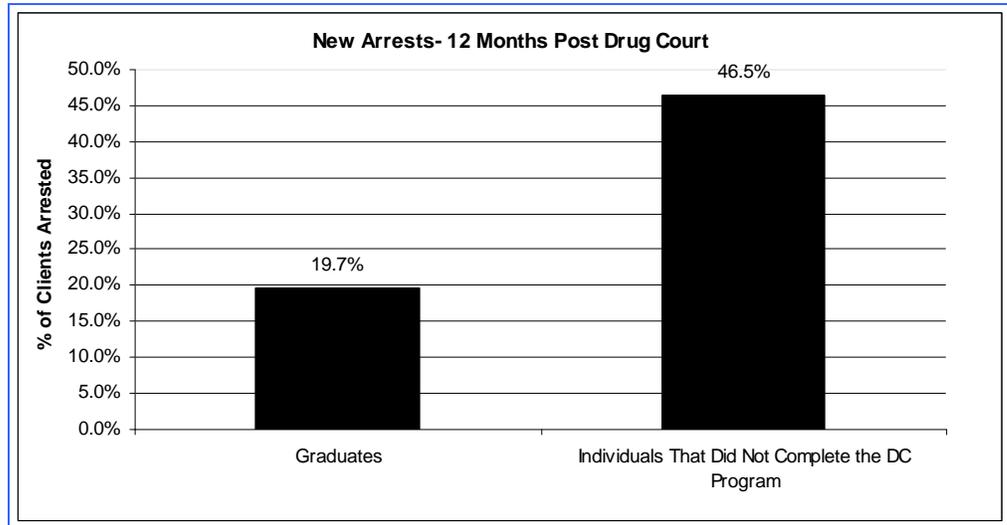


Figure 3-1

Funding Detail

The legislative appropriation for Drug Courts and Drug Boards for FY 2008 consists of funds from General Fund, the Tobacco Settlement Account, federal funds from the SAPT grant and transfers from the Commission on Juvenile Justice (CCJJ). However, the various courts also receive funding directly from federal and local agencies.

	2004 Actual	2005 Actual	2006 Actual	2007 Actual	2008 Appropriated
<b>Sources of Finance</b>					
General Fund	0	0	0	435,000	1,305,000
General Fund, One-time	0	0	0	0	870,000
Federal Funds	0	0	0	857,900	800,000
GFR - Tobacco Settlement	1,647,200	1,647,200	1,647,200	1,647,200	1,647,200
Transfers - Commission on Criminal an	0	0	0	75,000	35,000
Lapsing Balance	0	0	(300)	(300)	0
<b>Total</b>	<b>\$1,647,200</b>	<b>\$1,647,200</b>	<b>\$1,646,900</b>	<b>\$3,014,800</b>	<b>\$4,657,200</b>
<b>Programs</b>					
Drug Board	350,900	350,900	350,600	350,600	350,900
Drug Courts	1,296,300	1,296,300	1,296,300	2,664,200	4,306,300
<b>Total</b>	<b>\$1,647,200</b>	<b>\$1,647,200</b>	<b>\$1,646,900</b>	<b>\$3,014,800</b>	<b>\$4,657,200</b>
<b>Categories of Expenditure</b>					
Other Charges/Pass Thru	1,647,200	1,647,200	1,646,900	3,014,800	4,657,200
<b>Total</b>	<b>\$1,647,200</b>	<b>\$1,647,200</b>	<b>\$1,646,900</b>	<b>\$3,014,800</b>	<b>\$4,657,200</b>

Table 3-1

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

Restricted Funds Summary - Tobacco Settlement for Drug Courts/Boards				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2007 Balance
Tobacco Settlement Account	63-97-20	Tobacco Settlement payments	For Drug Courts/Board Treatment Services	\$954,027

Table 3-2

## DRUG COURTS

### Function

Utah's first drug court was started in 1996, in Salt Lake County, with funds from the U.S. Department of Justice, Salt Lake County and other sources. Currently, 22 of the 32 drug courts operating in the State receive funding from the Department of Human Services. In addition, the Legislature in the 2006 General Session transferred \$800,000 of federal SAPT funds from the Division of Substance Abuse and Mental Health to Drug Courts for treatment programs. In FY 2007 and 2008, the Legislature appropriated General Funds of \$435,000 and \$1,740,000 (\$870,000 one-time) respectively for Drug Courts.

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. Treatment counselors develop individualized treatment plans. The participants are randomly tested for drug use from one to four times a week. 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.

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 Felony Drug Courts:** Utah has eighteen functioning adult drug courts located in Carbon, Emery, Weber, Davis, Iron, Juab, Millard, Tooele, Salt Lake, Utah, Washington, Box Elder, Cache, Uintah, Wasatch, Sanpete, San Juan, and Sevier Counties. Twelve of these programs receive funding from DHS.

**Juvenile Drug Courts:** There are five juvenile drug courts in Utah, Davis, Weber, Tooele, and Salt Lake Counties. Juvenile drug courts involve parents and the schools in the creation of the treatment plan. Four of these programs receive funding from DHS.

### *Utah has four distinct drug court models*

**Misdemeanor Drug Courts:** Six misdemeanor drug courts have been established in Salt Lake and Davis Counties. These programs are operated at the Justice Court level. These programs focus on offenders who have been arrested on alcohol or marijuana charges. None of these programs receive funding from DHS.

**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 seven operational dependency courts (Salt Lake, Grand, Emery, Weber, Carbon, Washington and Utah Counties). Six dependency drug courts receive funding from DHS.

**Funded Drug Courts**

The following Table 3-3 lists various types of drug courts that are partially funded through the Tobacco Settlement Account, General Funds 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	FY 07 Funds	FY 08 Funds	Participants Enrolled in 2007
<b>Adult Felony Drug Courts</b>						
First District (Cache, Box Elder)	\$125,000	\$125,000	\$125,000	\$131,250	\$281,250	34
Carbon County				\$95,831	\$149,989	23
Davis County	\$250,000	\$250,000	\$250,000	\$275,500	\$275,500	124
Iron County					\$75,000	
Salt Lake County	\$250,000	\$250,000	\$250,000	\$292,500	\$642,500	321
San Juan					\$85,137	
Sevier County	\$64,064	\$64,064	\$64,064	\$68,250	\$68,250	38
Uintah County	\$120,000	\$120,000	\$120,000	\$126,000	\$126,000	16
Utah County	\$200,000	\$200,000	\$200,000	\$250,000	\$390,000	61
Wasatch County	\$36,000	\$36,000	\$36,000	\$43,200	\$118,200	6
Washington County	\$50,000	\$120,000	\$120,000	\$192,000	\$192,000	199
Weber County	\$250,000	\$250,000	\$250,000	\$292,500	\$378,500	159
<b>Juvenile Drug Courts</b>						
Third District	\$63,372	\$63,372	\$63,372	\$69,709	\$112,709	72
Tooele County	\$32,000	\$32,000	\$32,000	\$32,000	\$32,000	39
Utah County	\$75,000	\$75,000	\$75,000	\$86,250	\$216,250	55
Weber County				\$126,000	\$210,431	37
<b>Dependency Drug Courts</b>						
Carbon County					\$150,000	
Fourth District	\$125,000	\$125,000	\$125,000	\$137,500	\$137,500	38
Grand County				\$75,900	\$138,962	14
Weber County	\$80,000	\$80,000	\$80,000	\$124,000	\$139,000	46
Third District	\$105,000	\$105,000	\$105,000	\$136,500	\$187,000	61
<b>Dual Model Drug Court</b>						
Emery County	\$200,000	\$200,000	\$200,000	\$149,998	\$149,998	12
<b>Total</b>	<b>\$2,025,436</b>	<b>\$2,095,436</b>	<b>\$2,095,436</b>	<b>\$2,704,888</b>	<b>\$4,256,176</b>	<b>1,355</b>

Table 3-3

**Note:** the Dual Model Drug Court is a combination of a felony and dependency court model serving Emery County.

**Funding Detail**

The State’s funding of drug courts consists of General Funds, Tobacco Settlement Funds (General Funds Restricted), and federal funds from the SAPT grant and transfers from CCJJ. However, the various drug courts also receive funding directly from federal and local agencies.

<b>Budget History - Human Services - Drug Courts/Boards - Drug Courts</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	0	0	0	435,000	1,305,000
General Fund, One-time	0	0	0	0	870,000
Federal Funds	0	0	0	857,900	800,000
GFR - Tobacco Settlement	1,296,300	1,296,300	1,296,300	1,296,300	1,296,300
Transfers - Commission on Criminal and Ju	0	0	0	75,000	35,000
<b>Total</b>	<b>\$1,296,300</b>	<b>\$1,296,300</b>	<b>\$1,296,300</b>	<b>\$2,664,200</b>	<b>\$4,306,300</b>
<b>Categories of Expenditure</b>					
Other Charges/Pass Thru	1,296,300	1,296,300	1,296,300	2,664,200	4,306,300
<b>Total</b>	<b>\$1,296,300</b>	<b>\$1,296,300</b>	<b>\$1,296,300</b>	<b>\$2,664,200</b>	<b>\$4,306,300</b>

**Table 3-4**

**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 130 parolees.

<b>Budget History - Human Services - Drug Courts/Boards - Drug Board</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
GFR - Tobacco Settlement	350,900	350,900	350,900	350,900	350,900
Lapsing Balance	0	0	(300)	(300)	0
<b>Total</b>	<b>\$350,900</b>	<b>\$350,900</b>	<b>\$350,600</b>	<b>\$350,600</b>	<b>\$350,900</b>
<b>Categories of Expenditure</b>					
Other Charges/Pass Thru	350,900	350,900	350,600	350,600	350,900
<b>Total</b>	<b>\$350,900</b>	<b>\$350,900</b>	<b>\$350,600</b>	<b>\$350,600</b>	<b>\$350,900</b>

**Table 3-5**



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

The Division of Substance Abuse and Mental Health (DSAMH) is the State's public mental health and substance abuse authority. It oversees the eleven 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 also 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 and substance abuse 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 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; and

*The Public Local  
Mental Health  
System*

- 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. Significant resources are geared towards individuals in the criminal justice system (see also separate report tab on Drug Courts and Boards). Priorities for services include the following:

- Pregnant women;
- Women with dependent children;
- Other women;
- Men referred from the Criminal Justice System; and
- 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; and
- 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 2007 Legislature adopted the following intent language:

*Under Section 63-38-8.1 of the Utah Code the Legislature intends that up to \$50,000 provided for the Department of Human Services, the Division of Substance Abuse and Mental Health in Chapter 1, Laws of Utah 2006, Item 99 not lapse at the close of FY 2007 for the purchase of equipment including computers, software, supplies or improvements. (Supplemental)*

**Agency Response:** The Division will use this non-lapsing funding for equipment, including computers, software, supplies or improvements, as indicated.

*Under Section 63-38-8 of the Utah Code the Legislature intends that any remaining amount of \$30,348,900 provided in Item 105 of House Bill 1, State Agency and Higher Education Base Budget Appropriations (2007 General Session), and funding allocated in this line item for the Department of Human Services, Division of Substance Abuse and Mental Health for State Substance Abuse Services and Local Substance Abuse Services not lapse at the end of FY 2008. It is further the intent of the Legislature that the Division of Substance Abuse and Mental Health in conjunction with the Division of Child and Family Services provide a written report to the Health and Human Services Appropriations Subcommittee by the 2008 General Session on the use of the funds, how many individuals were served, the effectiveness of the treatment services, and the fiscal impact on current funding levels for children in state custody.*

**Agency Response:** This non-lapsing authority would allow the Division to expend any remaining balance on the women's treatment program funded in FY2008. The Division of Substance Abuse and Mental Health (Division) and The Division of Child and Family Services are working together to implement the Women's Treatment Program. DSAMH and DCFS will be working together to collect data on how many were served, was treatment effective, how were the funds used and what was the fiscal impact of current funding levels for children in custody.

*Under Section 63-38-8.1 of the Utah Code the Legislature intends that up to \$70,000 provided in this item in the Department of Human Services, the Division of Substance Abuse and Mental Health for Counseling Services for Families of Veterans not lapse at the close of FY 2007.*

**Agency Response:** This funding will be used to provide awareness and counseling to approximately 140 couples. (At least one member of the couple is a veteran.)

**Accountability**

The following Figure 4-1 shows the percent of mental health patients that reported positive outcomes from treatment:

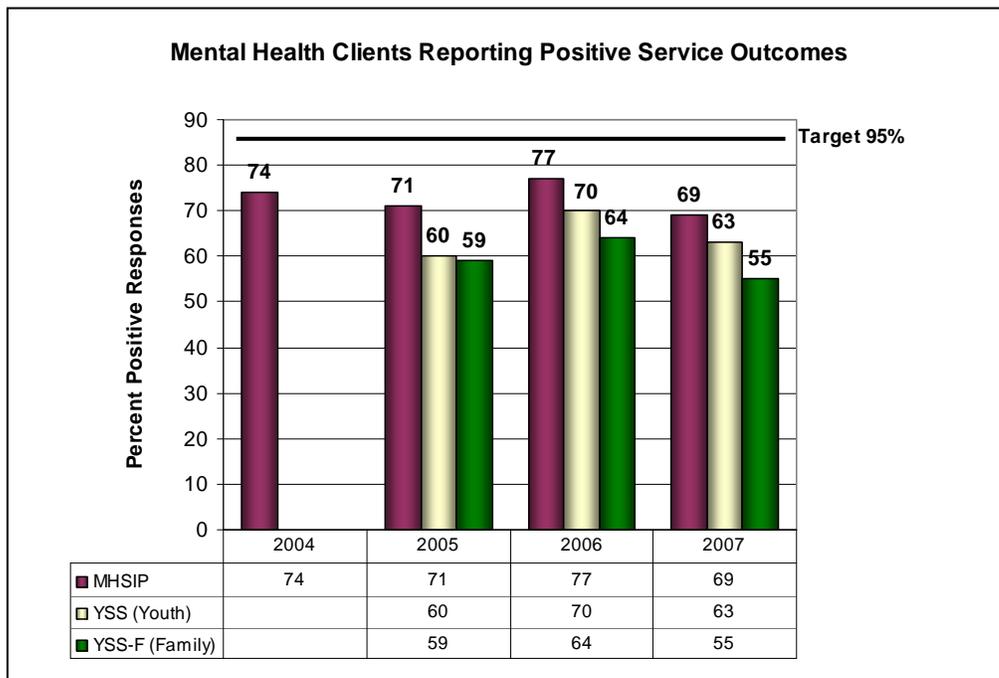


Figure 4-1

The 2006 National Average for MHSIP is 71% and the 2006 National Average for YSS and YSS-F is 73%.

Figure 4-2 shows a 76.1% percent decrease in criminal activity among individuals in treatment for alcohol and other drug use from 30 days prior to admission to 30 days prior to discharge:

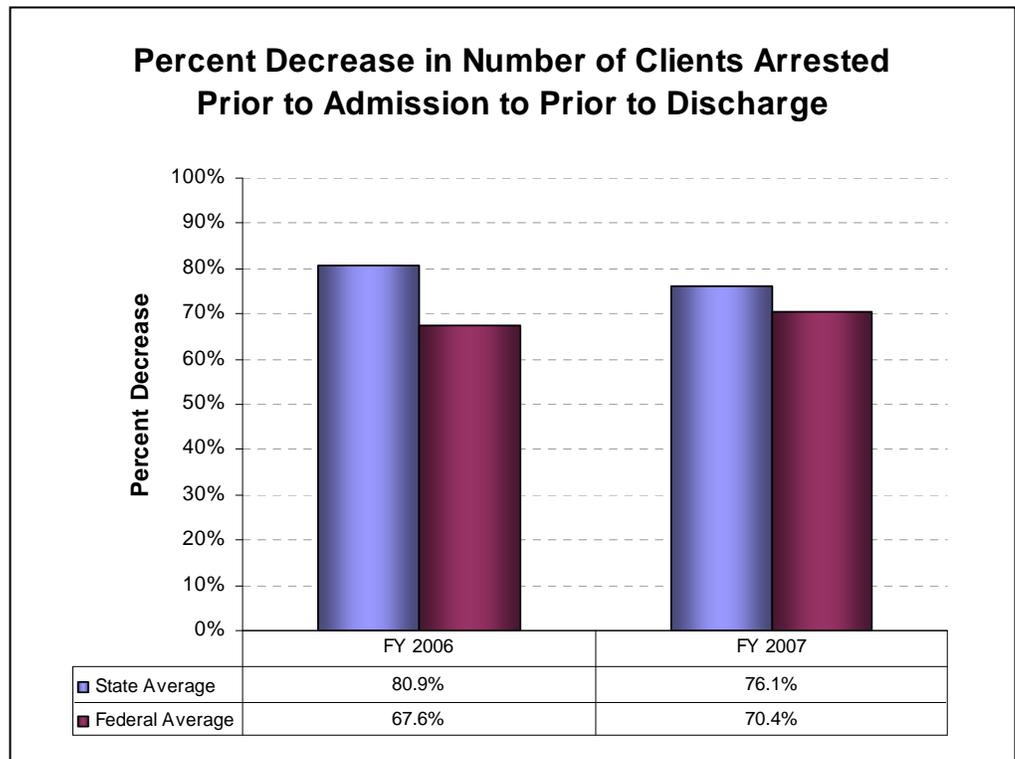


Figure 4-2

Figure 4-3 shows the increase in abstinence of individuals treated for alcohol and other drug disorders. The percent increase of abstinent clients from admission to discharge is 25.9% for alcohol use. The percent increase of abstinent clients from admission to discharge is 55.3% for any other drug use.

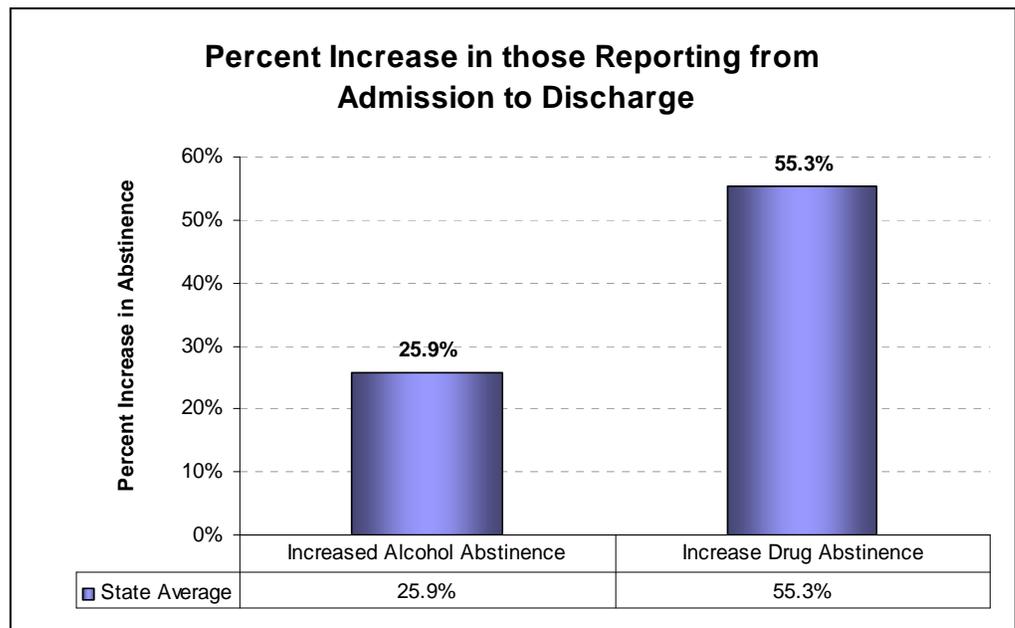


Figure 4-3

Trend data is not available. The outcome measures changed in 2007 to align with federal measure.

**Funding Detail**

The majority of funds for the FY 2007 budget for the Division of Substance Abuse and Mental Health come from State General Fund (66.4 percent). Federal grants and Medicaid transfers make up 30.4 percent of the appropriation. The balance of the funding comes from The Intoxicated Driver Rehabilitation Account, dedicated credits and transfers from other agencies.

<b>Budget History - Human Services - Substance Abuse &amp; Mental Health</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	65,611,000	67,214,100	71,643,200	76,062,000	84,632,600
General Fund, One-time	0	2,266,400	2,358,700	2,109,900	700,000
Federal Funds	24,426,400	26,235,200	25,083,200	24,291,800	26,015,900
Dedicated Credits Revenue	2,953,200	3,468,500	1,935,700	2,955,200	2,549,800
GFR - Intoxicated Driver Rehab	1,200,000	1,200,000	1,500,000	1,500,000	1,500,000
Transfers - H - Medical Assistance	9,728,000	9,604,400	10,080,400	10,388,800	13,108,500
Transfers - Other Agencies	254,600	64,000	201,400	122,300	65,000
Beginning Nonlapsing	0	76,900	56,000	78,000	0
Closing Nonlapsing	(76,900)	(56,000)	(8,000)	(126,700)	0
Lapsing Balance	0	(518,600)	(474,800)	(291,500)	0
<b>Total</b>	<b>\$104,096,300</b>	<b>\$109,554,900</b>	<b>\$112,375,800</b>	<b>\$117,089,800</b>	<b>\$128,571,800</b>
<b>Programs</b>					
Administration	2,151,100	2,381,800	2,602,200	2,891,700	2,862,200
Community Mental Health Services	5,710,000	5,880,100	7,103,500	7,010,600	5,796,400
Mental Health Centers	22,794,800	23,290,500	23,649,900	24,069,300	27,832,100
Residential Mental Health Services	2,595,700	2,532,700	2,563,100	2,417,600	2,819,800
State Hospital	41,746,600	44,378,200	45,684,800	50,585,400	51,930,700
State Substance Abuse Services	4,867,700	5,970,600	4,457,700	3,870,100	11,364,400
Local Substance Abuse Services	23,030,400	23,921,000	24,946,200	24,770,300	24,466,200
Drivers Under the Influence	1,200,000	1,200,000	1,368,400	1,474,800	1,500,000
<b>Total</b>	<b>\$104,096,300</b>	<b>\$109,554,900</b>	<b>\$112,375,800</b>	<b>\$117,089,800</b>	<b>\$128,571,800</b>
<b>Categories of Expenditure</b>					
Personal Services	35,986,200	38,007,100	38,853,200	41,923,600	44,694,100
In-State Travel	37,600	48,000	43,300	148,600	46,100
Out of State Travel	38,600	42,300	50,600	59,700	48,700
Current Expense	9,670,400	9,909,000	10,668,700	12,507,700	11,624,200
DP Current Expense	704,000	1,088,800	1,066,000	2,282,700	1,707,700
DP Capital Outlay	40,200	22,800	41,000	5,400	0
Capital Outlay	(6,600)	96,900	215,100	16,600	6,500
Other Charges/Pass Thru	57,625,900	60,340,000	61,437,900	60,145,500	70,444,500
<b>Total</b>	<b>\$104,096,300</b>	<b>\$109,554,900</b>	<b>\$112,375,800</b>	<b>\$117,089,800</b>	<b>\$128,571,800</b>
<b>Other Data</b>					
Budgeted FTE	781.6	808.2	794.7	804.2	837.4
Vehicles	48	48	48	48	48

**Table 4-1**

**ADMINISTRATION**

**Function**

The DSAMH'S Administration 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. Administration 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 Driving under the Influence (DUI) program and the alcohol servers program.

**Funding Detail**

The budget for Administration for FY 2008 is 46.2 percent from State General Fund and the balance from federal grants including Medicaid funds and dedicated credits.

<b>Budget History - Human Services - Substance Abuse &amp; Mental Health - Administration</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	1,093,200	1,202,400	1,188,200	1,047,100	1,322,800
General Fund, One-time	0	7,000	0	210,000	0
Federal Funds	1,078,400	1,050,300	1,201,700	1,447,400	1,412,500
Dedicated Credits Revenue	19,100	22,600	22,900	60,000	74,100
Transfers - H - Medical Assistance	26,800	33,100	29,900	37,600	52,800
Transfers - Other Agencies	0	0	32,100	(3,100)	0
Beginning Nonlapsing	0	66,400	0	0	0
Closing Nonlapsing	(66,400)	0	0	(50,000)	0
Lapsing Balance	0	0	127,400	142,700	0
<b>Total</b>	<b>\$2,151,100</b>	<b>\$2,381,800</b>	<b>\$2,602,200</b>	<b>\$2,891,700</b>	<b>\$2,862,200</b>
<b>Categories of Expenditure</b>					
Personal Services	1,672,300	1,973,800	2,094,000	2,419,200	2,459,600
In-State Travel	28,100	40,400	34,200	41,800	34,200
Out of State Travel	29,800	23,000	24,400	29,600	24,400
Current Expense	340,800	247,400	349,900	267,500	245,500
DP Current Expense	80,100	87,200	99,700	133,600	98,500
Other Charges/Pass Thru	0	10,000	0	0	0
<b>Total</b>	<b>\$2,151,100</b>	<b>\$2,381,800</b>	<b>\$2,602,200</b>	<b>\$2,891,700</b>	<b>\$2,862,200</b>
<b>Other Data</b>					
Budgeted FTE	27.8	32.0	30.0	33.0	31.6

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.
- **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. This grant was completed September 29, 2007.

- **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 2007 of \$445,000 and \$462,312 for FY 2008.
- **Mental Health Block Grant:** This \$2.8 million grant provides various statewide mental health services.
- **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.

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).
- **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 56.1 percent of this budget with federal grants and Medicaid transfers providing the balance of 43.9 percent.

<b>Budget History - Human Services - Substance Abuse &amp; Mental Health - Community Mental Health Services</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	2,193,000	2,355,600	2,518,800	2,764,900	2,553,700
General Fund, One-time	0	50,000	2,000,000	1,500,000	700,000
Federal Funds	3,008,700	2,976,100	1,969,400	2,031,800	2,017,100
Dedicated Credits Revenue	0	0	0	29,800	0
Transfers - H - Medical Assistance	508,300	498,400	501,500	479,800	525,600
Transfers - Other Agencies	0	0	95,000	3,400	0
Beginning Nonlapsing	0	0	0	78,000	0
Closing Nonlapsing	0	0	(8,000)	(76,700)	0
Lapsing Balance	0	0	26,800	199,600	0
<b>Total</b>	<b>\$5,710,000</b>	<b>\$5,880,100</b>	<b>\$7,103,500</b>	<b>\$7,010,600</b>	<b>\$5,796,400</b>
<b>Categories of Expenditure</b>					
Personal Services	115,400	18,600	29,600	56,300	64,800
In-State Travel	1,800	1,100	2,400	91,800	2,300
Out of State Travel	1,000	2,500	9,100	8,200	9,100
Current Expense	1,578,300	1,303,600	1,318,300	1,772,700	1,509,500
DP Current Expense	0	63,500	186,400	387,900	186,200
Other Charges/Pass Thru	4,013,500	4,490,800	5,557,700	4,693,700	4,024,500
<b>Total</b>	<b>\$5,710,000</b>	<b>\$5,880,100</b>	<b>\$7,103,500</b>	<b>\$7,010,600</b>	<b>\$5,796,400</b>
<b>Other Data</b>					
Budgeted FTE	1.9	0.3	0.4	0.1	1.0

**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 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.

<b>Local Mental Health Centers</b>		
<b>Center</b>	<b>Private / County</b>	<b>Counties Served</b>
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 and federal 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 8 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.

<b>Budget History - Human Services - Substance Abuse &amp; Mental Health - Mental Health Centers</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	20,554,600	21,006,600	21,321,500	21,741,700	25,588,500
General Fund, One-time	0	165,900	0	0	0
Federal Funds	2,240,200	2,118,000	2,328,400	2,327,600	2,243,600
<b>Total</b>	<b>\$22,794,800</b>	<b>\$23,290,500</b>	<b>\$23,649,900</b>	<b>\$24,069,300</b>	<b>\$27,832,100</b>
<b>Categories of Expenditure</b>					
Other Charges/Pass Thru	22,794,800	23,290,500	23,649,900	24,069,300	27,832,100
<b>Total</b>	<b>\$22,794,800</b>	<b>\$23,290,500</b>	<b>\$23,649,900</b>	<b>\$24,069,300</b>	<b>\$27,832,100</b>

**Table 4-5**

**RESIDENTIAL MENTAL HEALTH SERVICES**

**Function**

The purpose of this program is to prevent or reduce the time of institutionalization for children and adolescents. Funding is allocated to centers where adolescents and children are placed. Once the patients are stabilized, the funding is used to provide wrap-around services that will keep children and youth in their community. The wrap-around services that are developed are specific to the child and family’s needs. Approximately 24 children and youth were served in state fiscal year 2007.

**Funding Detail**

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

<b>Budget History - Human Services - Substance Abuse &amp; Mental Health - Residential Mental Health Services</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	2,595,700	2,615,000	2,819,800	2,819,800	2,819,800
Lapsing Balance	0	(82,300)	(256,700)	(402,200)	0
<b>Total</b>	<b>\$2,595,700</b>	<b>\$2,532,700</b>	<b>\$2,563,100</b>	<b>\$2,417,600</b>	<b>\$2,819,800</b>
<b>Categories of Expenditure</b>					
Other Charges/Pass Thru	2,595,700	2,532,700	2,563,100	2,417,600	2,819,800
<b>Total</b>	<b>\$2,595,700</b>	<b>\$2,532,700</b>	<b>\$2,563,100</b>	<b>\$2,417,600</b>	<b>\$2,819,800</b>

**Table 4-6**

**STATE HOSPITAL**

**Function**

The State Hospital is also an IMD (Institutions for Mental Disease) that 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 patients in the State Hospital are not eligible for Medicaid because of the federal Omnibus Reconciliation Act (OBRA) regulations which 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.

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.

**Legislative Audit of the Utah State Hospital**

During the 2007 General Session the Legislature requested the Legislative Auditor General (LAG) to perform an audit of the Utah State Hospital. The audit is to focus on the quality of care and bed capacity. This audit report will be available by the 2008 General Session.

**State Hospital Cost History**

The following Table 4-7 shows a history the average number of available beds, average patient days and the average daily occupancy rate at the State Hospital. It also shows the total Hospital budget, average cost per patient per day and per year, and cost per bed per day and per year. For FY 2007, the average cost per patient/day (highlighted) was \$435, up 11 percent since 2003.

STATE HOSPITAL BUDGET HISTORY & COST PER PATIENT AND PER BED						
	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	Five Year % Change
Average number Beds Available	333	335	346	333	359	7.24%
Average Patients Per Day	284	276	286	292	318	10.69%
Average Occupancy Rate	85.3%	82.4%	82.7%	87.7%	88.6%	3.30%
Hospital Budget (Actuals)	\$40,097,000	\$41,746,600	\$44,378,071	\$45,654,800	\$50,588,871	11%
Average Cost per Patient / Day	\$387	\$414	\$425	\$428	\$435	11.0%
Average Cost per Patient / Year	\$141,187	\$151,256	\$155,168	\$156,184	\$159,084	11.3%
Average Cost per Bed / Day	\$330	\$341	\$351	\$375	\$386	14.5%
Average Cost per Bed / Year	\$120,411	\$124,617	\$128,260	\$137,101	\$140,916	14.6%
FY02, USH closed one of two geriatric wings (30 beds)						
FY03, USH closed one of four forensic wings ( 26 beds)						
FY03, at the request of MHC's 5 acute care beds were opened						
FY05, 26 Forensic Bed Reopened						
FY06, Geriatric unit closed and Adult Unit Opened						

Table 4-7

**Funding Detail**

The major funding for the State Hospital comes from the State General Fund (75.8 percent). For qualified Medicaid patients, the Hospital draws down Medicaid funds (19.3 percent of the budget). The balance of its budget comes from dedicated credits and a small amount of other agency transfers.

Budget History - Human Services - Substance Abuse & Mental Health - State Hospital					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	29,560,100	30,351,900	33,974,700	37,682,300	39,385,600
General Fund, One-time	0	1,609,600	358,700	399,900	0
Dedicated Credits Revenue	2,934,100	3,445,900	1,912,800	2,751,000	2,475,700
Transfers - H - Medical Assistance	9,192,900	9,072,900	9,549,000	9,871,400	10,004,400
Transfers - Other Agencies	70,000	64,000	74,300	87,000	65,000
Beginning Nonlapsing	0	10,500	56,000	0	0
Closing Nonlapsing	(10,500)	(56,000)	0	0	0
Lapsing Balance	0	(120,600)	(240,700)	(206,200)	0
<b>Total</b>	<b>\$41,746,600</b>	<b>\$44,378,200</b>	<b>\$45,684,800</b>	<b>\$50,585,400</b>	<b>\$51,930,700</b>
Categories of Expenditure					
Personal Services	34,187,400	36,014,700	36,729,600	39,448,100	42,169,700
In-State Travel	7,700	6,000	6,700	6,600	9,600
Out of State Travel	7,800	16,300	16,700	20,100	15,200
Current Expense	6,886,300	7,382,700	7,971,300	9,491,900	8,382,200
DP Current Expense	623,800	838,800	704,400	1,596,700	1,347,500
DP Capital Outlay	40,200	22,800	41,000	5,400	0
Capital Outlay	(6,600)	96,900	215,100	16,600	6,500
<b>Total</b>	<b>\$41,746,600</b>	<b>\$44,378,200</b>	<b>\$45,684,800</b>	<b>\$50,585,400</b>	<b>\$51,930,700</b>
Other Data					
Budgeted FTE	751.6	775.9	764.3	771.1	804.8
Vehicles	48	48	48	48	48

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 \$1.7 million federal Substance Abuse Prevention and Treatment (SAPT) block grant funds for statewide programs, including:

- **State Office of Education** which provides curriculum and training in drug abuse prevention for Utah's schools.
- **Department of Corrections** which provides substance abuse treatment services at the Utah State Prison.
- **University of Utah** which 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.
- **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 through September of 2007.

➤ **Award for Strategic Prevention Framework – State Incentive Grant (SPF-SIG)** was received by DHS September of 2006. This grant is to prevent the onset and reduce the progression of substance abuse, including childhood and underage drinking; reduce substance abuse related problems in the community; and build the infrastructure and capacity of prevention programs at the state and community level. This grant provides funding of \$2.1 million annually through September of 2011.

**Funding Detail** The majority of funding for this program comes from various federal grants including Medicaid (t 73.5 percent). The balance comes from the State General Fund (26.5 percent).

<b>Budget History - Human Services - Substance Abuse &amp; Mental Health - State Substance Abuse Services</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	516,200	881,900	516,200	516,200	3,016,800
Federal Funds	4,166,900	5,404,400	3,941,500	3,204,700	5,821,900
Dedicated Credits Revenue	0	0	0	114,400	0
Transfers - H - Medical Assistance	0	0	0	0	2,525,700
Transfers - Other Agencies	184,600	0	0	35,000	0
Lapsing Balance	0	(315,700)	0	(200)	0
<b>Total</b>	<b>\$4,867,700</b>	<b>\$5,970,600</b>	<b>\$4,457,700</b>	<b>\$3,870,100</b>	<b>\$11,364,400</b>
<b>Categories of Expenditure</b>					
Personal Services	11,100	0	0	0	0
In-State Travel	0	500	0	8,400	0
Out of State Travel	0	500	400	1,800	0
Current Expense	865,000	975,300	1,029,200	975,600	1,487,000
DP Current Expense	100	99,300	75,500	164,500	75,500
Other Charges/Pass Thru	3,991,500	4,895,000	3,352,600	2,719,800	9,801,900
<b>Total</b>	<b>\$4,867,700</b>	<b>\$5,970,600</b>	<b>\$4,457,700</b>	<b>\$3,870,100</b>	<b>\$11,364,400</b>
<b>Other Data</b>					
Budgeted FTE	0.3	0.0	0.0	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 substance abuse authorities consists of federal funds (59.4 percent) and state funds (40.6 percent).

<b>Budget History - Human Services - Substance Abuse &amp; Mental Health - Local Substance Abuse Services</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	9,098,200	8,800,700	9,304,000	9,490,000	9,945,400
General Fund, One-time	0	433,900	0	0	0
Federal Funds	13,932,200	14,686,400	15,642,200	15,280,300	14,520,800
<b>Total</b>	<b>\$23,030,400</b>	<b>\$23,921,000</b>	<b>\$24,946,200</b>	<b>\$24,770,300</b>	<b>\$24,466,200</b>
<b>Categories of Expenditure</b>					
Other Charges/Pass Thru	23,030,400	23,921,000	24,946,200	24,770,300	24,466,200
<b>Total</b>	<b>\$23,030,400</b>	<b>\$23,921,000</b>	<b>\$24,946,200</b>	<b>\$24,770,300</b>	<b>\$24,466,200</b>

**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).

<b>Budget History - Human Services - Substance Abuse &amp; Mental Health - Drivers Under the Influence</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
GFR - Intoxicated Driver Rehab	1,200,000	1,200,000	1,500,000	1,500,000	1,500,000
Lapsing Balance	0	0	(131,600)	(25,200)	0
<b>Total</b>	<b>\$1,200,000</b>	<b>\$1,200,000</b>	<b>\$1,368,400</b>	<b>\$1,474,800</b>	<b>\$1,500,000</b>
<b>Categories of Expenditure</b>					
Other Charges/Pass Thru	1,200,000	1,200,000	1,368,400	1,474,800	1,500,000
<b>Total</b>	<b>\$1,200,000</b>	<b>\$1,200,000</b>	<b>\$1,368,400</b>	<b>\$1,474,800</b>	<b>\$1,500,000</b>

**Table 4-11**

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

<b>Restricted Funds Summary - Drivers Under the Influence</b>				
<b>Fund/Account Name</b>	<b>Statutory Authority</b>	<b>Revenue Source</b>	<b>Prescribed Uses</b>	<b>FY 2007 Balance</b>
Intoxicated Drivers Rehabilitation Account	62A-15-503 & 63-63a-7	7.5% surcharge on court fines & penalties	Education, intervention & treatment of DUI drivers	\$7,715

**Table 4-12**



CHAPTER 5 DIVISION OF SERVICES FOR PEOPLE WITH DISABILITIES

<b>Function</b>	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 severe mental retardation and other related conditions, including brain injury and physical disabilities. To receive services, individuals 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; or 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.
<b>Statutory Authority</b>	Utah Code Title 62A, Chapters 5, 5a and 6 describes the State's program of services for people with disabilities.  Chapter 5: <ul style="list-style-type: none"> <li>➤ Part 1: Creation and duties of State Board and the Division</li> <li>➤ Part 2: Utah State Developmental Center</li> <li>➤ Part 3: Admission to Mental Retardation Facility</li> <li>➤ Part 4: Support to Families for Home-based Services</li> </ul> Chapter 5a creates the Coordinating Council for Persons with Disabilities. Chapter 6 deals with sterilization of handicapped persons.
<b>Intent Language</b>	The 2007 Legislature adopted the following intent language applicable to the Division of Services for People with Disabilities:  <i>Under Section 62A-5-102 (7) of the Utah Code the Legislature intends that any remaining amount of the \$179,436,200 provided by Item 106 of House Bill 1, State Agency and Higher Education Base Budget Appropriations (2007 General Session) for the Department of Human Services, the Division of Services for People with Disabilities (DSPD), and funding allocated in this item not lapse at the close of fiscal year 2008 to provide services for individuals with disabilities needing emergency services, additional waiver services, who turn 18 years old and leave state custody from the Divisions of Child and Family Services and Juvenile Justice Services, or who are court ordered into DSPD services. It is further the intent of the Legislature that DSPD report to the Office of Legislative Fiscal Analyst on the use of these funds.</i>  <b>Agency Response:</b> During FY-2007 no non-lapse funds were used. The Division ended the year with a non-lapse total of \$1,874,800. This represents an increase of almost \$575,000 during the year. The Division expects to spend \$874,800 of this non-lapse amount during

FY-2008 for the purposes listed in Legislative Intent language from the 2007 General Session.

**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 Clients Served			
	1995	2007	% Change
Developmental Center	330	235	-28.79%
Residential Services	1,276	2,905	127.66%
Day Services *	1,706	2,723	59.61%
Family Support/Respite Svc	998	1,474	47.70%
Personal Assistants	54	442	718.52%
* 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:

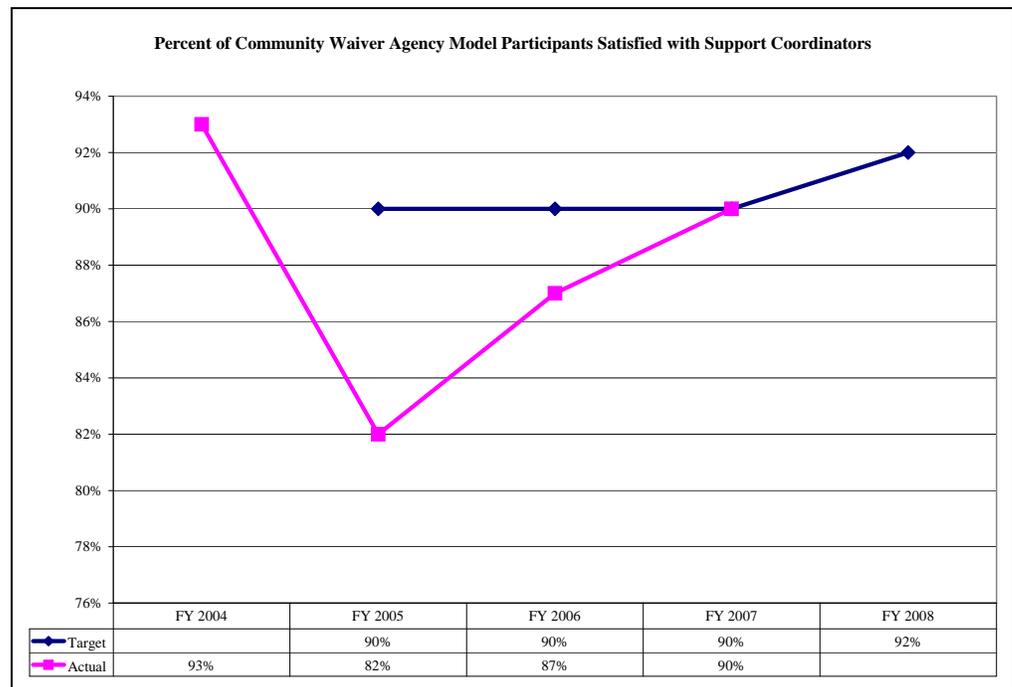


Figure 5-1

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

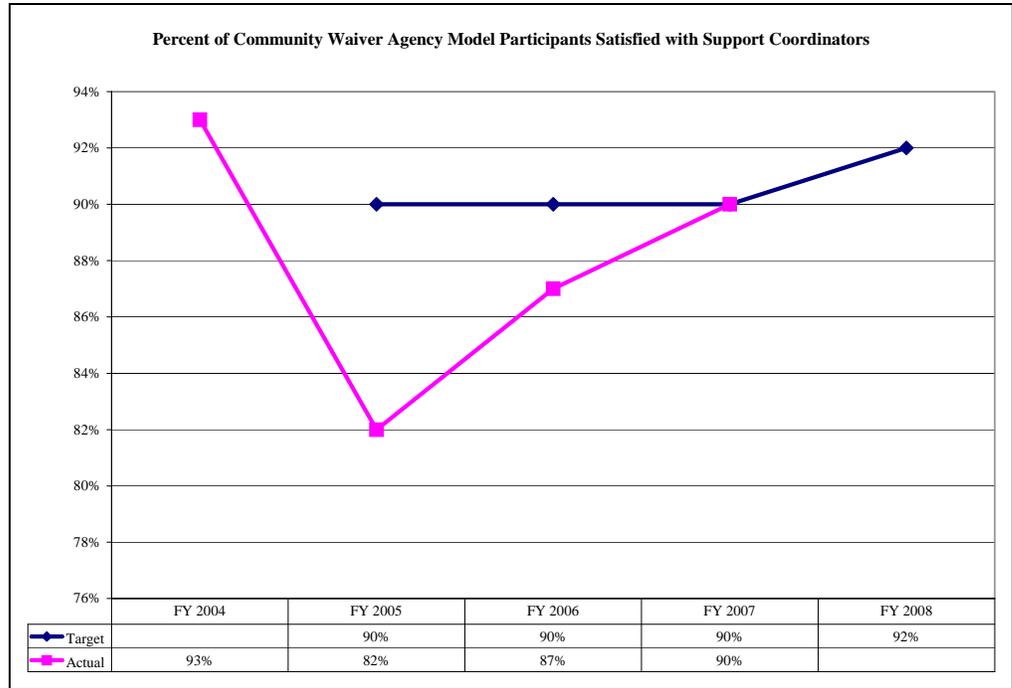


Figure 5-2

The following Table 5-2 shows a 13 year history of DSPD funding. As the table indicates, DSPD has effectively leveraged state dollars to draw down federal funds to provide services. The budgets have been adjusted by annual changes in the Consumer Price Index for FY 1995 through 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	120,243,829	35,027,553	85,216,275	29.13%	70.87%	
2007	172,883,200	52,147,600	120,735,600	30.16%	69.84%	
% Change :	58.95%	44.66%	65.67%	-8.99%	4.23%	

**Note: Dollars for FY 1995 through 2006 were adjusted for inflation based on the CPI. 2007 CPI data not yet available.**

Table 5-2

**Funding Detail**

The majority of funding for FY 2007 (69.8 percent) for disability services comes from federal grants and Medicaid funds. State General Funds make up 28.5 percent of the budget with the balance comes from dedicated credits, Trust for People with Disabilities General Fund Restricted Account and transfers from other agencies. The Division has statutory non-lapsing authority and will typically a Beginning Non-lapsing Fund balance available. The statute restricts use of non-lapsing funds for one-time purposes unless authorized by the Legislature.

<b>Budget History - Human Services - Svcs for People w/Disabilities</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	42,429,400	42,941,300	46,484,300	52,034,200	55,399,800
General Fund, One-time	0	397,600	(83,300)	113,400	350,000
Federal Funds	2,031,200	2,442,600	2,344,500	2,272,100	2,615,900
Dedicated Credits Revenue	1,246,700	1,526,800	1,836,500	2,399,200	2,285,300
General Fund Restricted	11,000	0	0	0	0
GFR - Trust for People with Disabilities	235,000	0	100,000	100,000	100,000
Transfers - H - Medical Assistance	107,358,900	110,711,400	112,300,300	118,463,400	133,670,200
Transfers - Other Agencies	395,000	321,800	337,100	306,900	431,300
Beginning Nonlapsing	3,389,600	3,903,300	3,151,500	1,286,400	500,000
Closing Nonlapsing	(3,903,300)	(3,151,500)	(1,286,400)	(1,849,800)	0
Lapsing Balance	0	0	0	(100,000)	0
<b>Total</b>	<b>\$153,193,500</b>	<b>\$159,093,300</b>	<b>\$165,184,500</b>	<b>\$175,025,800</b>	<b>\$195,352,500</b>
<b>Programs</b>					
Administration	2,514,600	3,488,500	3,988,000	3,759,100	4,668,500
Service Delivery	12,603,600	13,417,800	13,816,100	15,400,000	16,461,800
State Developmental Center	33,325,500	33,787,000	34,296,600	35,641,700	39,495,000
Community Waiver	98,475,700	102,872,100	106,562,500	113,867,000	126,974,200
Brain Injury Waiver Services	2,167,500	1,769,800	1,877,800	2,035,200	2,889,600
Physical Disability Waiver Services	1,712,100	1,754,500	1,809,500	1,897,900	1,830,500
Non-waiver Services	2,394,500	2,003,600	2,834,000	2,424,900	3,032,900
<b>Total</b>	<b>\$153,193,500</b>	<b>\$159,093,300</b>	<b>\$165,184,500</b>	<b>\$175,025,800</b>	<b>\$195,352,500</b>
<b>Categories of Expenditure</b>					
Personal Services	39,651,500	41,485,400	41,928,700	44,141,300	49,470,900
In-State Travel	164,600	194,400	220,200	220,800	249,500
Out of State Travel	4,300	11,700	13,900	16,900	24,100
Current Expense	6,986,900	7,110,700	7,700,700	8,401,200	8,467,600
DP Current Expense	1,287,200	1,280,800	1,477,600	1,888,800	1,528,400
DP Capital Outlay	0	0	0	0	6,000
Capital Outlay	211,300	142,300	292,200	52,200	50,000
Other Charges/Pass Thru	104,887,700	108,868,000	113,551,200	120,304,600	135,556,000
<b>Total</b>	<b>\$153,193,500</b>	<b>\$159,093,300</b>	<b>\$165,184,500</b>	<b>\$175,025,800</b>	<b>\$195,352,500</b>
<b>Other Data</b>					
Budgeted FTE	954.7	959.6	935.7	921.5	981.5
Vehicles	92	80	80	80	80

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, preparing revisions and renewals of Utah's Home and Community-Based Services (HCBS) Waiver receiving billings, processing reimbursements of Medicaid dollars, and compliance training and monitoring. DSPD administers three HCBS; the Mentally Retard/Related Condition (MR/RC), the Acquired Brain Injury (ABI) and the Physical Disabilities (PD) waivers. 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  
(ICFsMR)***

The other system of providing Medicaid supported services for people with disabilities is the mix of privately 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 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.

***Medicaid  
Home and  
Community  
Based Services  
(HCBS)  
Waiver***

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 70 percent funded by Medicaid transfers through its waiver program. The Home and Community Based Service is not an entitlement to the program, but can be used only as far as resources permit. Therefore, most states have waiting lists for services in the HCBS program. The HCBS system is funded through DSPD, which determines eligibility for services and serves as the “gatekeeper” in both the ICF/MR and the HCBS systems.

***Waiting List for  
Medicaid Home and  
Community Based  
Services Waiver***

There are more eligible people desiring home and community based services under the Medicaid Waiver than there are resources available. In FY 2008, the Legislature appropriated approximately \$1 million in General Funds to help with the waiting list (resulting in about 235 people on the list receiving services). DSPD has a current waiting list of 1,839 individuals waiting for services. This list has grown from 498 in 1990 to 1,835 in 2007. The number of people served since 1990 has grown to 4,674, which is a 135 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:

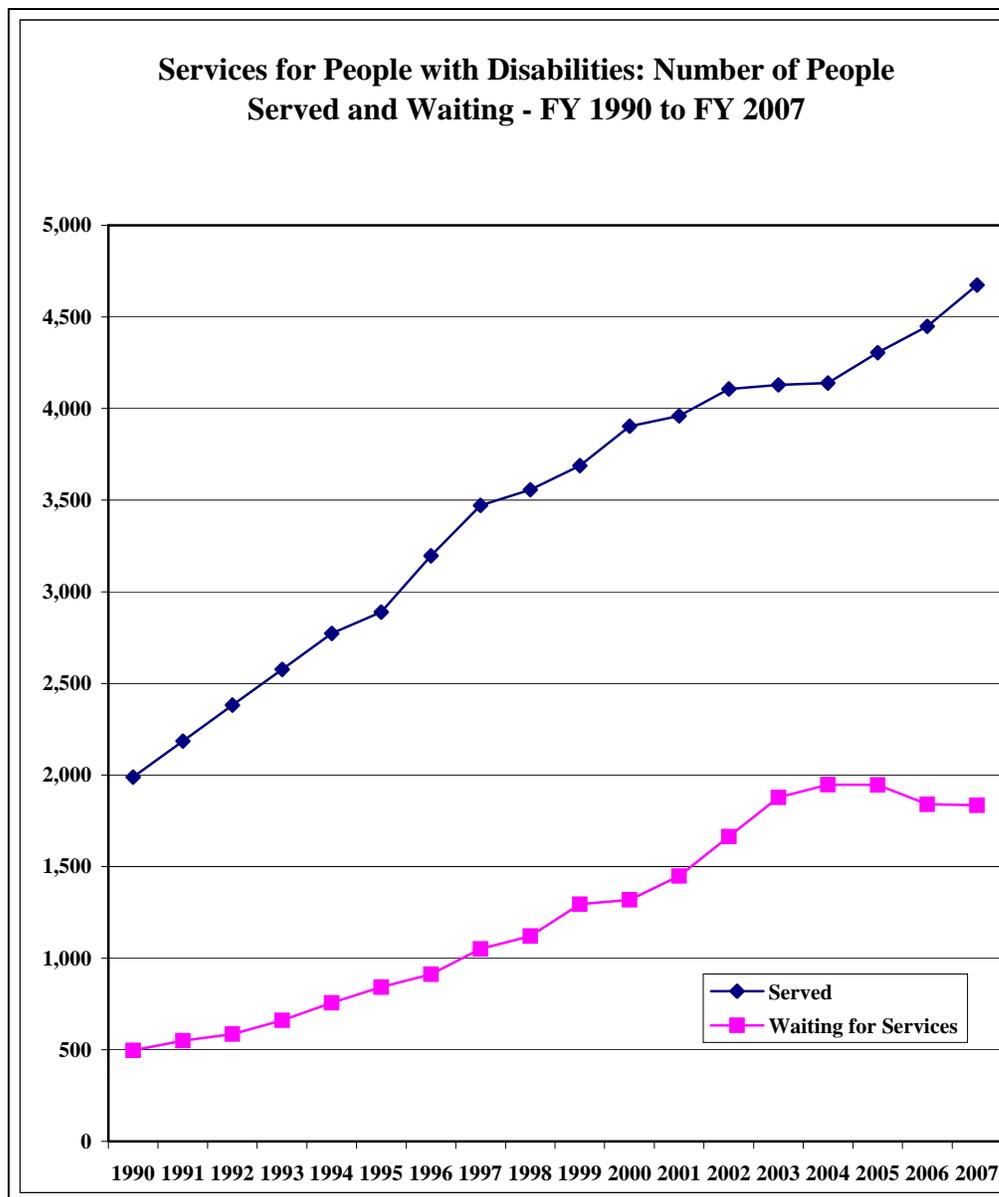


Figure 5-3

**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 stated that states must place institutionalized people with disabilities in community settings, if appropriate, 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.

***Waiting List 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 the 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, lawsuits seeking community services for individuals with developmental disabilities have been filed in 25 states. Presently, five states with waiting list lawsuits (AL, NE, OH, TX and WA) are still active. Settlement agreements have been reached in 14 lawsuits (AK, CT, DE, FL, HI, IL, KY, ME, MA, MT, OR, TN, VA, and WV). Five states have had their lawsuits dismissed (AR, CO, NH, NM, PA, and UT). **(More details may be obtained from: <http://www.hsri.org/docs/litigation100404.PDF>)**

***Utah Sued Over Its Pass Through***

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 did 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 portion of the claims of the lawsuit.

In February of 2006, U.S. District Court Judge Dale E. Kimball dismissed Utah’s class action waiting list lawsuit because the “plaintiffs have not demonstrated that they meet the ‘essential eligibility requirements’ for Home and Community Based waiver services...” The judge also shared that “DSPD has demonstrated that they manage the waiting list in a reasonable and effective way and that the state had demonstrated a commitment to people with disabilities with the past Legislative increases in funding.”

***Emergency Services***

Each year, there are emergencies requiring immediate assistance from the Division. Crisis arises when persons with disabilities grow older and develop behavior problems, or 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 \$800,000 and \$1,400,000 each year for these emergency services needs.

***Non-lapsing Authority and Attrition***

DSPD has non-lapsing authority to use carry-forward monies for one-time expenditures unless otherwise authorized by the Legislature. DSPD also generates savings through attrition when individuals receiving services exit

the program. Attrition can occur when an individual moves out of state, moves into institutional care, the person dies, or person no longer meets the eligibility requirements. 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 2007, the Division generated \$1,160,000 in savings from attrition which will be used to cover ongoing costs associated with emergency services and individuals who age out of foster care.

***Portability between ICFs/MRs and Home and Community Based 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. Since FY 2000, approximately 85 people 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. In FY 2003 budget, the Legislature transferred this amount from the Health Department's base budget to the DSPD budget.

As individuals transfer 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 along with the funding transferred from the Department of Health. However, both the Department of 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. The Health Department transferred \$130,000 of one-time funding in FY 2005 to DSPD for HCBS.

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

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 2007 year end balance was \$3,781,500 of which \$640,900 was from interest and lease payments.

Trust Funds for People with Disabilities				
Fund/Account Name	Statutory Authority	Revenue Source	Prescribed Uses	FY 2007 Balance
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	\$3,781,500

Table 5-4

## 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. In addition, they contract for private and public service providers. They also oversee 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 (48.8 percent), federal and Medicaid funds (41.9 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					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,338,900	1,476,300	1,552,800	2,292,300	1,926,400
General Fund, One-time	0	8,300	0	137,300	350,000
Federal Funds	0	221,000	266,000	256,700	600,500
Dedicated Credits Revenue	20,900	53,800	116,900	134,800	102,200
GFR - Trust for People with Disabilities	0	0	100,000	100,000	100,000
Transfers - H - Medical Assistance	1,061,800	1,125,100	1,708,400	1,647,300	1,352,100
Transfers - Other Agencies	109,700	132,600	280,200	272,700	237,300
Beginning Nonlapsing	0	16,700	0	0	0
Closing Nonlapsing	(16,700)	454,700	(36,300)	(982,000)	0
Lapsing Balance	0	0	0	(100,000)	0
<b>Total</b>	<b>\$2,514,600</b>	<b>\$3,488,500</b>	<b>\$3,988,000</b>	<b>\$3,759,100</b>	<b>\$4,668,500</b>
<b>Categories of Expenditure</b>					
Personal Services	1,766,500	2,137,200	2,352,500	2,441,700	2,595,400
In-State Travel	27,400	25,700	21,600	25,000	38,500
Out of State Travel	4,100	11,000	12,400	14,300	14,700
Current Expense	453,900	580,000	603,100	587,300	333,500
DP Current Expense	215,900	350,100	548,000	611,200	611,700
Capital Outlay	0	0	5,600	0	0
Other Charges/Pass Thru	46,800	384,500	444,800	79,600	1,074,700
<b>Total</b>	<b>\$2,514,600</b>	<b>\$3,488,500</b>	<b>\$3,988,000</b>	<b>\$3,759,100</b>	<b>\$4,668,500</b>
<b>Other Data</b>					
Budgeted FTE	28.7	32.8	34.1	34.8	36.5

Table 5-5

**SERVICE DELIVERY**

**Function** The Division has divided the state into three regions for service delivery (In 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 private providers and oversee and evaluate the quality of services delivered.

**Funding Details** This budget is funded from State funds (38.1 percent), and from federal grants and Medicaid funds (61.9 percent).

<b>Budget History - Human Services - Svcs for People w/Disabilities - Service Delivery</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	4,925,800	5,037,900	5,380,300	5,815,100	6,274,200
General Fund, One-time	0	43,400	0	(8,500)	0
Federal Funds	184,000	226,400	67,900	0	0
Dedicated Credits Revenue	0	24,500	0	0	0
General Fund Restricted	11,000	0	0	0	0
Transfers - H - Medical Assistance	7,560,000	8,443,200	8,527,900	9,676,800	10,187,600
Transfers - Other Agencies	0	0	0	1,000	0
Beginning Nonlapsing	0	77,200	0	0	0
Closing Nonlapsing	(77,200)	(434,800)	(160,000)	(84,400)	0
<b>Total</b>	<b>\$12,603,600</b>	<b>\$13,417,800</b>	<b>\$13,816,100</b>	<b>\$15,400,000</b>	<b>\$16,461,800</b>
<b>Categories of Expenditure</b>					
Personal Services	10,814,600	11,429,100	11,770,000	13,198,900	13,880,700
In-State Travel	134,500	165,900	195,900	194,100	198,900
Out of State Travel	200	600	1,500	2,600	2,200
Current Expense	1,175,500	1,306,900	1,384,000	1,415,300	1,700,100
DP Current Expense	469,900	488,500	453,500	589,100	610,500
Capital Outlay	0	13,000	0	0	0
Other Charges/Pass Thru	8,900	13,800	11,200	0	69,400
<b>Total</b>	<b>\$12,603,600</b>	<b>\$13,417,800</b>	<b>\$13,816,100</b>	<b>\$15,400,000</b>	<b>\$16,461,800</b>
<b>Other Data</b>					
Budgeted FTE	214.5	219.6	221.3	234.6	232.9
Vehicles	28	28	29	29	29

**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.

In December of 1989, a class action lawsuit, known as “Lisa P.” was filed against the State by the Disability Law Center and the Association of Retarded Citizens of Utah on behalf of all residents of the USDC. A settlement agreement was entered into in October of 1993 that required an evaluation of each resident to determine appropriate placement. The Center has seen its

population decrease from about 425 in 1991 to 237 today, largely due to the out movement of clients to community placements mandated by this lawsuit settlement.

The Developmental 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 the behavior problems 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 27.3 percent of its budget. Dedicated credits and other agency transfers make up the balance of the funding mix. During FY 2005, the Developmental 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.

<b>Budget History - Human Services - Svcs for People w/Disabilities - State Developmental Center</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	8,301,300	8,836,300	9,565,100	10,421,900	10,763,800
General Fund, One-time	0	97,200	(83,300)	(15,400)	0
Dedicated Credits Revenue	1,225,800	1,448,500	1,719,600	2,264,400	2,183,100
GFR - Trust for People with Disabilities	235,000	0	0	0	0
Transfers - H - Medical Assistance	23,370,000	23,230,500	23,200,500	22,962,200	26,393,100
Transfers - Other Agencies	246,300	189,200	56,900	33,200	155,000
Beginning Nonlapsing	0	52,900	0	0	0
Closing Nonlapsing	(52,900)	(67,600)	(162,200)	(24,600)	0
<b>Total</b>	<b>\$33,325,500</b>	<b>\$33,787,000</b>	<b>\$34,296,600</b>	<b>\$35,641,700</b>	<b>\$39,495,000</b>
<b>Categories of Expenditure</b>					
Personal Services	27,070,400	27,919,100	27,806,200	28,500,700	32,682,600
In-State Travel	2,700	2,800	2,700	1,700	6,700
Out of State Travel	0	100	0	0	7,200
Current Expense	5,357,500	5,223,800	5,713,600	6,398,600	6,392,800
DP Current Expense	601,400	442,200	476,100	688,500	299,700
DP Capital Outlay	0	0	0	0	6,000
Capital Outlay	211,300	129,300	286,600	52,200	50,000
Other Charges/Pass Thru	82,200	69,700	11,400	0	50,000
<b>Total</b>	<b>\$33,325,500</b>	<b>\$33,787,000</b>	<b>\$34,296,600</b>	<b>\$35,641,700</b>	<b>\$39,495,000</b>
<b>Other Data</b>					
Budgeted FTE	711.5	707.2	680.3	652.1	706.3
Vehicles	64	52	51	51	51

Table 5-7

### COMMUNITY SUPPORT WAIVER

#### Function

The Community Support (Medicaid Home and Community- Based Services) Waiver allows states to provide services to individuals 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 include family support to 24-hour residential services.

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**Residential Services** include five basic models, which fall into two broad categories of supported living and supervised living:

1. **Supported Living** – Trained staff are available to provide support services as needed for less than 24 hours a day. There are two models of supported living services:
  - 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.
  
2. **Supervised Living** – Trained staff are available to provide supervision and support 24 hours a day. There are three models of supervised living services:
  - 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 services are provided for individuals who turn 18 years of age who have been living in professional parent homes, and wish 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.

1. **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 \$51.21.

2. **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, or 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 on the job training and to help solve problems that may arise. The cost of supported employment is \$27.90 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 consumer is about \$5,157.

**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 2007, 2,229 people received transportation services.

### Funding Detail

Nearly three-fourths (72.8 percent) of the Community Services waiver program is funded by federal Medicaid funds. The State General Fund provides 26.8 percent of the funding, with the balance coming 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 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 - Community Waiver					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	26,056,500	25,922,400	27,842,600	31,388,000	34,059,500
General Fund, One-time	0	248,700	0	0	0
Transfers - H - Medical Assistance	72,532,100	75,257,700	76,456,100	81,414,400	92,414,700
Beginning Nonlapsing	3,389,600	3,502,500	3,151,500	1,286,400	500,000
Closing Nonlapsing	(3,502,500)	(2,059,200)	(887,700)	(221,800)	0
<b>Total</b>	<b>\$98,475,700</b>	<b>\$102,872,100</b>	<b>\$106,562,500</b>	<b>\$113,867,000</b>	<b>\$126,974,200</b>
Other Charges/Pass Thru	98,475,700	102,872,100	106,562,500	113,867,000	126,608,900
<b>Total</b>	<b>\$98,475,700</b>	<b>\$102,872,100</b>	<b>\$106,562,500</b>	<b>\$113,867,000</b>	<b>\$126,974,200</b>
<b>Other Data</b>					
Budgeted FTE	0.0	0.0	0.0	0.0	5.8

Table 5-8

**BRAIN INJURY WAIVER**

**Function**

The Brain Injury Home and Community-Based Services 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 of the job coach for 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; and

- **Community Living Supports:** Intensive to intermittent residential services in host homes, supervised apartments and supported living.

**Funding Detail**

The Acquired Brain Injury Waiver program is funded with General Funds (28.9 percent) and federal Medicaid funds (71.1 percent).

<b>Budget History - Human Services - Svcs for People w/Disabilities - Brain Injury Waiver Services</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	547,000	538,100	792,900	783,600	834,500
Transfers - H - Medical Assistance	1,645,000	1,395,000	1,102,400	1,276,200	2,055,100
Beginning Nonlapsing	0	24,500	0	0	0
Closing Nonlapsing	(24,500)	(187,800)	(17,500)	(24,600)	0
<b>Total</b>	<b>\$2,167,500</b>	<b>\$1,769,800</b>	<b>\$1,877,800</b>	<b>\$2,035,200</b>	<b>\$2,889,600</b>
<b>Categories of Expenditure</b>					
Other Charges/Pass Thru	2,167,500	1,769,800	1,877,800	2,035,200	2,889,600
<b>Total</b>	<b>\$2,167,500</b>	<b>\$1,769,800</b>	<b>\$1,877,800</b>	<b>\$2,035,200</b>	<b>\$2,889,600</b>

**Table 5-9**

**PHYSICAL DISABILITIES WAIVER**

**Function**

The Physical Disabilities Home and Community-Based Services 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 Waiver provides monthly expenditure allocations between \$589.05 and \$2,319.43 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 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**

The majority (69.2 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.

<b>Budget History - Human Services - Svcs for People w/Disabilities - Physical Disability Waiver Services</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	494,200	508,200	511,300	494,000	523,900
Transfers - H - Medical Assistance	1,190,000	1,259,900	1,305,000	1,425,500	1,267,600
Transfers - Other Agencies	39,000	0	0	0	39,000
Beginning Nonlapsing	0	11,100	0	0	0
Closing Nonlapsing	(11,100)	(24,700)	(6,800)	(21,600)	0
<b>Total</b>	<b>\$1,712,100</b>	<b>\$1,754,500</b>	<b>\$1,809,500</b>	<b>\$1,897,900</b>	<b>\$1,830,500</b>
<b>Categories of Expenditure</b>					
Other Charges/Pass Thru	1,712,100	1,754,500	1,809,500	1,897,900	1,830,500
<b>Total</b>	<b>\$1,712,100</b>	<b>\$1,754,500</b>	<b>\$1,809,500</b>	<b>\$1,897,900</b>	<b>\$1,830,500</b>

**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 2007, there were 202 people remaining in this program. The individuals 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, 13 non-waiver individuals paid a monthly fee in FY 2007 which generated \$10,023.

**Funding Detail**

Funding for this program is from the federal Social Services Block Grant (66.5 percent of the budget). State General Funds make up the balance (33.5 percent).

<b>Budget History - Human Services - Svcs for People w/Disabilities - Non-waiver Services</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	765,700	622,100	839,300	839,300	1,017,500
Federal Funds	1,847,200	1,995,200	2,010,600	2,015,400	2,015,400
Transfers - H - Medical Assistance	0	0	0	61,000	0
Beginning Nonlapsing	0	218,400	0	0	0
Closing Nonlapsing	(218,400)	(832,100)	(15,900)	(490,800)	0
<b>Total</b>	<b>\$2,394,500</b>	<b>\$2,003,600</b>	<b>\$2,834,000</b>	<b>\$2,424,900</b>	<b>\$3,032,900</b>
<b>Categories of Expenditure</b>					
Other Charges/Pass Thru	2,394,500	2,003,600	2,834,000	2,424,900	3,032,900
<b>Total</b>	<b>\$2,394,500</b>	<b>\$2,003,600</b>	<b>\$2,834,000</b>	<b>\$2,424,900</b>	<b>\$3,032,900</b>

Table 5-11

CHAPTER 6 OFFICE OF RECOVERY SERVICES

<b>Function</b>	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. The federal Deficit Reduction Act impacted ORS by disallowing the use of federal incentive funds as state match. The 2007 Legislature provided \$2,427,400 in General Funds to meet the state match requirements.
<b>Statutory Authority</b>	<p><b>Utah Code Title 62A</b>, Chapter 11 describes the State’s Office of Recovery Services programs and administration:</p> <ul style="list-style-type: none"> <li>Part 1: Creation and duties of State Office of Recovery Services</li> <li>Part 3: Child Support Services Act</li> <li>Part 4: Requires income withholding in Title IV-D cases</li> </ul> <p><b>Utah Code Title 78:</b></p> <ul style="list-style-type: none"> <li>Chapter 45: Uniform Civil Liability for Support Act</li> <li>Chapter 45g: Uniform Parentage Act</li> <li>Chapter 45f: Uniform Interstate Family Support Act</li> </ul> <p><b>Other Code Sections:</b></p> <ul style="list-style-type: none"> <li>26-19: Medical Benefits Recovery Act</li> <li>62A-1-117: Assignment of support – Children in state custody</li> <li>78-3a-906: Child support obligation when custody of a minor is vested in an individual or institution.</li> </ul>
<b>Legislative Audit Report of ORS</b>	<p>The Legislative Auditor General (LAG) presented to the Legislature in December of 2005, a report entitled, “A Performance Audit of the Office of Recovery Services (Report # 2005-13).” The following are some of the recommendations from LAG and the follow-up and implementation by ORS based on the audit findings:</p> <p><b>LAG Recommendation:</b> ORS should lower the threshold for seizing funds from checking accounts.</p> <p><b>ORS Response:</b> ORS lowered the threshold from \$2,000 to \$1,000.</p>

**LAG Recommendation:** ORS should track or require the Attorney General to track the amount of child support collected as a result of civil enforcement proceedings as well as the action taken on the case.

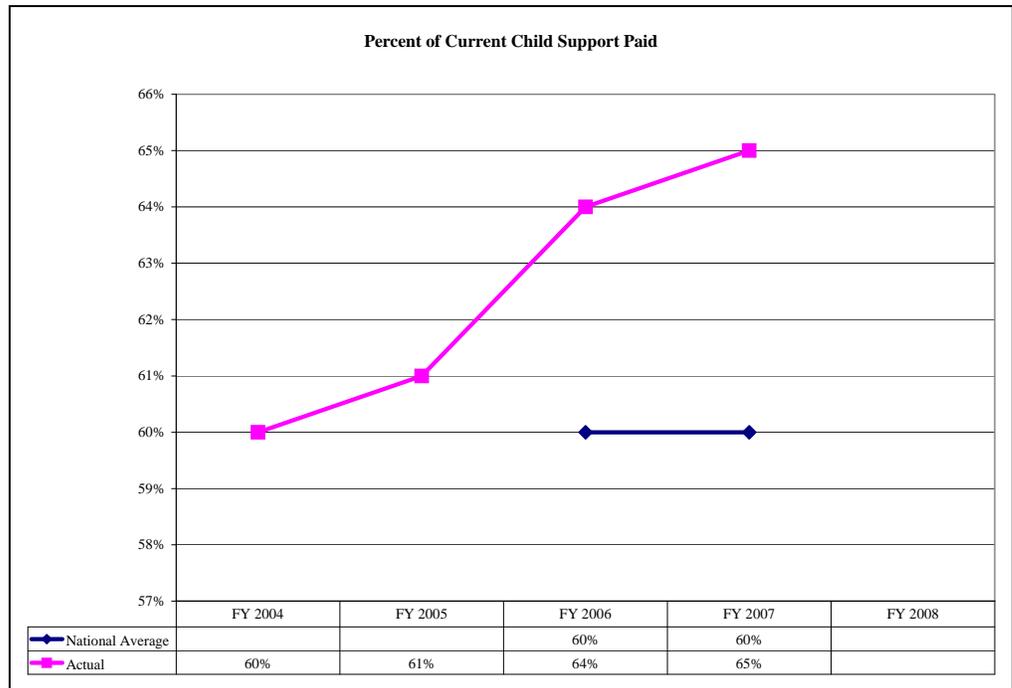
**ORS Response:** ORS implemented a new tracking system to track billable hours, collections, and actions taken on cases.

**LAG Recommendation:** ORS should evaluate and determine the best utilization of the civil enforcement Attorney Generals.

**ORS Response:** ORS implemented a new tracking system to track billable hours, collections, and actions taken on cases.

**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:

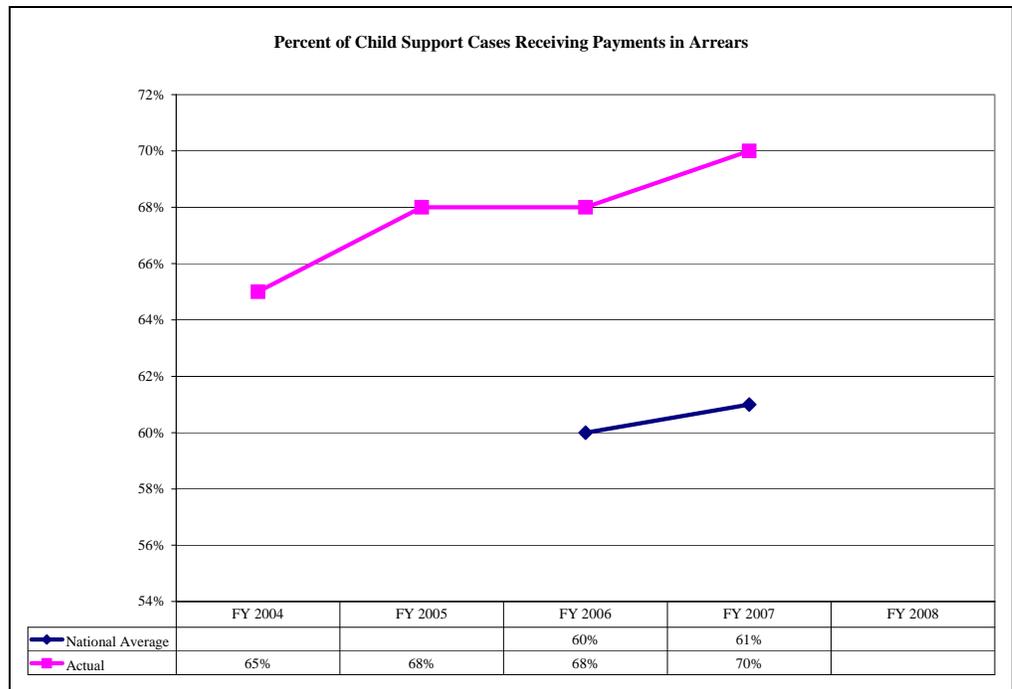


Figure 6-2

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:

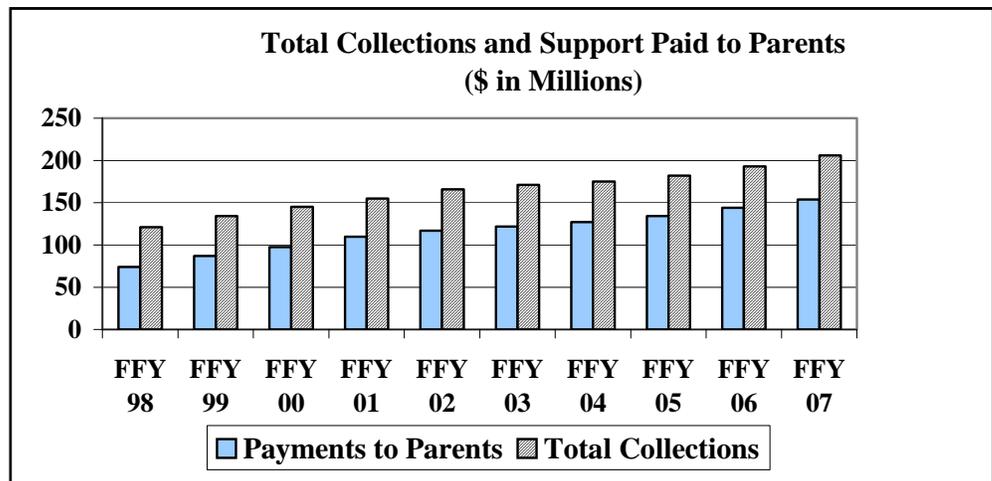


Figure 6-3

**Funding Detail**

The Office of Recovery Services is funded with State General Funds (27.7percent), federal Title IVD funds and Medicaid funds (65.9 percent), dedicated credits (6 percent) and the balance from other agency transfers.

<b>Budget History - Human Services - Office of Recovery Services</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	10,019,000	10,617,000	11,756,300	12,409,600	15,506,500
General Fund, One-time	0	72,300	0	41,300	(606,800)
Federal Funds	27,552,600	29,073,700	29,624,100	31,204,300	33,293,200
Dedicated Credits Revenue	2,340,600	2,396,800	2,254,100	2,401,100	3,204,500
Transfers - H - Medical Assistance	1,777,900	1,990,000	2,034,600	2,131,600	2,104,900
Transfers - Other Agencies	121,100	67,900	63,000	193,500	209,300
Beginning Nonlapsing	0	45,500	45,500	37,400	0
Closing Nonlapsing	(45,500)	(45,500)	(37,400)	(8,200)	0
Lapsing Balance	(1,200)	(2,600)	(1,800)	(800)	0
<b>Total</b>	<b>\$41,764,500</b>	<b>\$44,215,100</b>	<b>\$45,738,400</b>	<b>\$48,409,800</b>	<b>\$53,711,600</b>
<b>Programs</b>					
Administration	1,222,700	1,350,600	1,235,400	1,546,500	1,611,200
Financial Services	5,020,700	5,293,900	5,424,000	5,578,300	6,138,900
Electronic Technology	7,660,300	7,530,600	7,732,600	8,439,800	8,162,700
Child Support Services	20,774,800	22,622,800	23,434,400	24,399,100	28,831,500
Children in Care Collections	1,797,600	1,954,300	1,997,700	2,024,900	2,376,700
Attorney General Contract	3,287,500	3,279,000	3,689,000	4,081,800	4,058,300
Medical Collections	2,000,900	2,183,900	2,225,300	2,339,400	2,532,300
<b>Total</b>	<b>\$41,764,500</b>	<b>\$44,215,100</b>	<b>\$45,738,400</b>	<b>\$48,409,800</b>	<b>\$53,711,600</b>
<b>Categories of Expenditure</b>					
Personal Services	27,096,300	29,598,900	30,174,200	31,309,100	36,008,100
In-State Travel	13,000	28,400	37,400	58,600	31,900
Out of State Travel	2,000	4,900	21,600	18,000	3,000
Current Expense	8,654,300	8,790,500	9,275,100	9,772,800	10,887,900
DP Current Expense	5,988,700	5,792,400	6,144,100	7,251,300	6,749,800
DP Capital Outlay	10,200	0	86,000	0	30,900
<b>Total</b>	<b>\$41,764,500</b>	<b>\$44,215,100</b>	<b>\$45,738,400</b>	<b>\$48,409,800</b>	<b>\$53,711,600</b>
<b>Other Data</b>					
Budgeted FTE	544.4	549.1	537.5	520.6	537.0
Vehicles	9	9	8	7	8

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**

78 percent of this budget comes from federal Title IVD funds and Medicaid transfers with the remaining 18 percent from state General Funds.

<b>Budget History - Human Services - Office of Recovery Services - Administration</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	205,700	240,800	264,100	279,100	289,500
General Fund, One-time	0	1,700	0	(700)	0
Federal Funds	909,500	900,900	895,500	1,131,900	1,155,800
Transfers - H - Medical Assistance	78,700	207,200	75,800	86,700	100,400
Transfers - Other Agencies	28,800	0	0	49,500	65,500
<b>Total</b>	<b>\$1,222,700</b>	<b>\$1,350,600</b>	<b>\$1,235,400</b>	<b>\$1,546,500</b>	<b>\$1,611,200</b>
<b>Categories of Expenditure</b>					
Personal Services	1,111,600	1,230,500	1,111,700	1,059,300	1,115,800
In-State Travel	1,700	2,600	4,000	3,700	3,400
Out of State Travel	0	500	2,600	2,200	0
Current Expense	109,300	117,000	117,100	481,300	492,000
DP Current Expense	100	0	0	0	0
<b>Total</b>	<b>\$1,222,700</b>	<b>\$1,350,600</b>	<b>\$1,235,400</b>	<b>\$1,546,500</b>	<b>\$1,611,200</b>
<b>Other Data</b>					
Budgeted FTE	17.3	18.3	16.6	13.8	14.0

**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 \$206 million in collections and issued over 900,000 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 79.2 percent of this budget with the State General Fund contributing 20.8 percent.

Budget History - Human Services - Office of Recovery Services - Financial Services					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,080,400	1,122,900	1,142,000	1,170,000	1,274,800
General Fund, One-time	0	3,300	0	68,100	0
Federal Funds	3,669,600	3,929,900	4,036,500	4,079,700	4,563,100
Dedicated Credits Revenue	(400)	0	0	0	0
Transfers - H - Medical Assistance	272,300	237,800	245,500	260,500	301,000
Lapsing Balance	(1,200)	0	0	0	0
<b>Total</b>	<b>\$5,020,700</b>	<b>\$5,293,900</b>	<b>\$5,424,000</b>	<b>\$5,578,300</b>	<b>\$6,138,900</b>
Categories of Expenditure					
Personal Services	1,346,400	1,450,900	1,490,700	1,595,800	1,804,400
In-State Travel	500	900	2,000	300	300
Current Expense	3,673,800	3,842,000	3,931,300	3,982,200	4,334,200
DP Current Expense	0	100	0	0	0
<b>Total</b>	<b>\$5,020,700</b>	<b>\$5,293,900</b>	<b>\$5,424,000</b>	<b>\$5,578,300</b>	<b>\$6,138,900</b>
Other Data					
Budgeted FTE	30.8	32.0	31.9	31.4	34.3
Vehicles	9	9	8	7	8

Table 6-3

## ELECTRONIC TECHNOLOGY

### Function

This bureau is responsible for the operation and maintenance of the Office of Recovery Services Information System (ORSIS), client server subsystem 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 the status of payments. In FY 2007, it handled over 1.3 million telephone calls.

### New ORS AIS

ORS initiated a request for proposal (RFP) for the replacement of their existing automated information system (AIS). There were three respondents with the contract of \$2 million being awarded to InterVocie. The replacement system will be capable of handling 60 percent of the calls, 20 percent more than the existing system. This would allow the agents to concentrate on child support collections. In addition, the new system capacity will allow for new technology such as: quality assurance monitoring, coaching features for new staff, recording capabilities, notification of appointment reminders, payment transfers to custodial parent's accounts, online payments, screen pop-ups, and improved reporting capabilities.

The funding for this contract will come from three sources: 1) federal incentive funds of \$1,500,000; 2) dedicated credits of \$300,000 based on mandated annual fee of \$25 for child support services required by the federal Deficit Reduction Act (passage of S.B. 104, "Office of Recovery Services Fee" during the 2007 General Session); and turnover savings of \$200,000 from payroll.

**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 the DWS’ data system to provide 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 2007, the division has expended \$37,300 in General Funds for this project leaving a non-lapsing balance of \$8,200.

**Intent Language**

The following intent language was adopted during the 2007 General Session:

*Under Section 63-38-8.1 of the Utah Code the Legislature intends that any remaining amount up to \$37,400 provided by Item 107 of House Bill 1, State Agency and Higher Education Base Budget Appropriations (2007 General Session) to the Department of Human Services, the Office of Recovery Services for e-REP enhancements not lapse at the close of FY 2008.*

**Agency Response:** As of FY 2007, ORS has expended \$37,300 for this project leaving a balance of \$8,200 to be expended in FY 2008.

**Funding Detail**

Funding comes from federal Title IVD and Medicaid funds (83.9 percent) and State General Funds (16.1 percent).

<b>Budget History - Human Services - Office of Recovery Services - Electronic Technology</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	1,315,500	1,280,900	1,278,500	1,298,400	1,310,400
General Fund, One-time	0	2,000	0	(800)	0
Federal Funds	6,032,400	6,020,800	6,082,400	6,727,100	6,475,000
Dedicated Credits Revenue	0	(100)	(700)	0	0
Transfers - H - Medical Assistance	357,900	229,600	366,100	386,700	377,300
Beginning Nonlapsing	0	45,500	45,500	37,400	0
Closing Nonlapsing	(45,500)	(45,500)	(37,400)	(8,200)	0
Lapsing Balance	0	(2,600)	(1,800)	(800)	0
<b>Total</b>	<b>\$7,660,300</b>	<b>\$7,530,600</b>	<b>\$7,732,600</b>	<b>\$8,439,800</b>	<b>\$8,162,700</b>
<b>Categories of Expenditure</b>					
Personal Services	1,529,300	1,566,000	1,533,200	1,136,600	1,198,900
In-State Travel	500	200	700	0	800
Out of State Travel	1,400	0	5,300	1,500	0
Current Expense	175,500	206,600	219,000	216,500	219,000
DP Current Expense	5,943,400	5,757,800	5,888,400	7,085,200	6,713,100
DP Capital Outlay	10,200	0	86,000	0	30,900
<b>Total</b>	<b>\$7,660,300</b>	<b>\$7,530,600</b>	<b>\$7,732,600</b>	<b>\$8,439,800</b>	<b>\$8,162,700</b>
<b>Other Data</b>					
Budgeted FTE	22.5	22.8	21.5	14.6	14.7

**Table 6-4**

**CHILD SUPPORT SERVICES**

**Function** Child Support Services 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** The major source of funds for this budget is the federal Title IVD funds (57.5 percent). The State General Fund makes up 31.2 percent and dedicated credits provide 10.8 percent. There is also a small amount from other agency transfers. The Legislature provided \$1,820,600 (\$2,427,400 ongoing and (\$606,800) one-time) General Funds to replace the ability of ORS to use the federal incentive funds as State match.

<b>Budget History - Human Services - Office of Recovery Services - Child Support Services</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	5,069,600	5,548,300	6,453,900	6,903,300	9,608,000
General Fund, One-time	0	49,100	0	(17,400)	(606,800)
Federal Funds	13,346,900	14,560,600	14,662,700	14,973,600	16,574,900
Dedicated Credits Revenue	2,266,000	2,396,900	2,254,800	2,401,100	3,111,600
Transfers - Other Agencies	92,300	67,900	63,000	138,500	143,800
<b>Total</b>	<b>\$20,774,800</b>	<b>\$22,622,800</b>	<b>\$23,434,400</b>	<b>\$24,399,100</b>	<b>\$28,831,500</b>
<b>Categories of Expenditure</b>					
Personal Services	19,336,100	21,259,000	21,857,400	23,196,100	27,033,100
In-State Travel	9,700	15,800	18,900	29,100	15,500
Out of State Travel	600	1,200	6,300	6,400	3,000
Current Expense	1,428,200	1,346,600	1,327,900	1,040,300	1,779,900
DP Current Expense	200	200	223,900	127,200	0
<b>Total</b>	<b>\$20,774,800</b>	<b>\$22,622,800</b>	<b>\$23,434,400</b>	<b>\$24,399,100</b>	<b>\$28,831,500</b>
<b>Other Data</b>					
Budgeted FTE	393.9	397.0	389.7	385.6	396.5

**Table 6-5**

**CHILDREN IN CARE COLLECTIONS**

**Function** The Children in Care Collections 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 federal Title XIX (Medicaid) and/or Title IV-E (Foster Care) 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 and SSI (Supplemental Security Income) interim assistance for the Department of Work Force Services. It also provides non IV-D (Child Support Enforcement) 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 (74.2 percent) from federal Title IVD and Medicaid funds. The balance comes from State funds (25.8 percent).

<b>Budget History - Human Services - Office of Recovery Services - Children in Care Collections</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	468,900	508,200	538,700	581,100	612,500
General Fund, One-time	0	5,000	0	(1,800)	0
Federal Funds	1,261,800	1,376,100	1,392,400	1,384,300	1,691,500
Transfers - H - Medical Assistance	66,900	65,000	66,600	61,300	72,700
<b>Total</b>	<b>\$1,797,600</b>	<b>\$1,954,300</b>	<b>\$1,997,700</b>	<b>\$2,024,900</b>	<b>\$2,376,700</b>
<b>Categories of Expenditure</b>					
Personal Services	1,772,600	1,927,200	1,971,100	2,001,600	2,346,400
In-State Travel	300	700	700	300	1,200
Current Expense	24,700	26,400	25,900	23,000	29,100
<b>Total</b>	<b>\$1,797,600</b>	<b>\$1,954,300</b>	<b>\$1,997,700</b>	<b>\$2,024,900</b>	<b>\$2,376,700</b>
<b>Other Data</b>					
Budgeted FTE	36.7	36.1	35.3	33.4	35.0

**Table 6-6**

**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 are considered to be related staff (55 employees are housed in ORS offices). The AG Office bills ORS monthly based on the actual number of attorneys at ORS and the time they spend on ORS matters. The contract with the Attorney General’s office is adjusted annually to match compensation increases given to other state employees.

**Funding Detail**

This budget consists of federal Title IVD and Medicaid funds (71.8 percent) and State funds (28.2 percent).

<b>Budget History - Human Services - Office of Recovery Services - Attorney General Contract</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	878,500	910,200	1,041,500	1,084,900	1,144,100
General Fund, One-time	0	0	0	(2,500)	0
Federal Funds	2,332,400	2,285,400	2,554,600	2,907,700	2,832,900
Transfers - H - Medical Assistance	76,600	83,400	92,900	91,700	81,300
<b>Total</b>	<b>\$3,287,500</b>	<b>\$3,279,000</b>	<b>\$3,689,000</b>	<b>\$4,081,800</b>	<b>\$4,058,300</b>
<b>Categories of Expenditure</b>					
Personal Services	13,300	0	0	0	0
In-State Travel	0	8,000	11,100	25,200	2,300
Out of State Travel	0	3,200	7,400	7,900	0
Current Expense	3,229,200	3,233,500	3,638,700	4,009,800	4,019,300
DP Current Expense	45,000	34,300	31,800	38,900	36,700
<b>Total</b>	<b>\$3,287,500</b>	<b>\$3,279,000</b>	<b>\$3,689,000</b>	<b>\$4,081,800</b>	<b>\$4,058,300</b>

Table 6-7

**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 PCN (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 (50 percent), Medicaid Title XIX (46.3 percent), and dedicated credits (3.7 percent).

<b>Budget History - Human Services - Office of Recovery Services - Medical Collections</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	1,000,400	1,005,700	1,037,600	1,092,800	1,267,200
General Fund, One-time	0	11,200	0	(3,600)	0
Dedicated Credits Revenue	75,000	0	0	0	92,900
Transfers - H - Medical Assistance	925,500	1,167,000	1,187,700	1,244,700	1,172,200
Transfers - Other Agencies	0	0	0	5,500	0
<b>Total</b>	<b>\$2,000,900</b>	<b>\$2,183,900</b>	<b>\$2,225,300</b>	<b>\$2,339,400</b>	<b>\$2,532,300</b>
<b>Categories of Expenditure</b>					
Personal Services	1,987,000	2,165,300	2,210,100	2,319,700	2,509,500
In-State Travel	300	200	0	0	8,400
Current Expense	13,600	18,400	15,200	19,700	14,400
<b>Total</b>	<b>\$2,000,900</b>	<b>\$2,183,900</b>	<b>\$2,225,300</b>	<b>\$2,339,400</b>	<b>\$2,532,300</b>
<b>Other Data</b>					
Budgeted FTE	43.1	42.9	42.4	41.7	42.5

Table 6-8

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

<b>Function</b>	The Division of Child and Family Services (DCFS), is “the child, youth, and family services authority of the state.” The primary purpose is to provide 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 assistance, health care for children in State custody, family preservation, protective supervision 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.
<b>Statutory Authority</b>	<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"> <li>➤ Part 1: Creation and duties of Division, its State Board, and the case management information system and database.</li> <li>➤ Part 2: Describes the rights of parents and children and the State’s interest and responsibilities and details the various child welfare programs.</li> <li>➤ Part 3: Child abuse and neglect prevention and treatment</li> <li>➤ Part 4: Child abuse and neglect reporting requirements</li> <li>➤ Part 5: Providing shelter and services to runaways</li> <li>➤ Part 6: Discusses child placing agencies</li> <li>➤ Part 7: Interstate Compact on Placement of Children</li> <li>➤ Part 8: Describes the process for “Safe Relinquishment of a Newborn Child”</li> <li>➤ Part 9: Details the Division’s child adoption assistance plan</li> </ul> <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"> <li>➤ Part 3: Abuse, Neglect and Dependency Proceedings</li> <li>➤ Part 3a: Minors in Custody on Grounds Other Than Abuse or Neglect</li> <li>➤ Part 4: Termination of Parental Rights Act</li> <li>➤ Part 9: (Paragraphs 911-912): Guardian Ad Litem Program</li> </ul>
<b>Intent Language</b>	<p>The 2007 Legislature adopted the following legislative intent language for DCFS:</p> <p style="text-align: center;"><i>Under Section 63-38-8 of the Utah Code the Legislature intends that any remaining amount of the \$150,392,100 provided in House Bill</i></p>

*1, State Agency and Higher Education Base Budget Appropriations (2007 General Session) Item 108, and funding allocated in this item for the Department of Human Services, the Division of Child and Family Services not lapse at the close of FY 2008. It is further the intent of the Legislature that these funds be used for Adoption Assistance and Out of Home Care programs, the purchase of 12 vehicles for the Division of Child and Family Services and the David C. court monitor.*

**Agency Response:** The division is using part of the non-lapsing amount to hire nine caseworkers and three supervisors to meet client needs due to continued growth in the number of children requiring state support. The caseworkers and supervisors will work in the Adoption Assistance and Out of Home Care programs. The ability to manage according to client needs rather than manage based on available funding has allowed the division to affect efficiencies in meeting client needs allowing the saved funds to be carried into the next year. The David C. court monitor is funded in FY 2008 from the non-lapsing amount. The division requests that this intent language be continued for FY 2009.

*It is the intent of the Legislature that the Division of Substance Abuse and Mental Health in conjunction with the Division of Child and Family Services provide a written report to the Health and Human Services Appropriations Subcommittee by the 2008 General Session on the use of the funds, how many individuals were served, the effectiveness of the treatment services, and the fiscal impact on current funding levels for children in state custody.*

**Agency Response:** Substance Abuse and Mental Health received funding for two Women Treatment Centers that allow mothers to keep their children with them while going through treatment. A report will be prepared for the 2008 General Session that will be a collaboration of Division of Substance Abuse and Mental Health and the Division of Child and Family Services.

*It is the intent of the Legislature that the Adoption Assistance and the Out of Home Care programs use \$762,900 in ongoing General Funds (\$132,200 from Adoption Assistance and \$630,700 from Out-of-Home Care) to hire 12 additional caseworkers for the Division of Child and Family Services.*

**Agency Response:** The division is using the ongoing General Fund to hire 12 additional caseworkers. In conjunction with the 12 hired from non-lapsing funds, six caseworkers and one supervisor will be placed in the Northern Region, ten caseworkers and two supervisors in the Western Region and two caseworkers in the Southwest Region. The addition of 21 caseworkers reduces the average caseload per worker.

Accountability

The following Figure 7-1 shows the timely response to abuse reports:

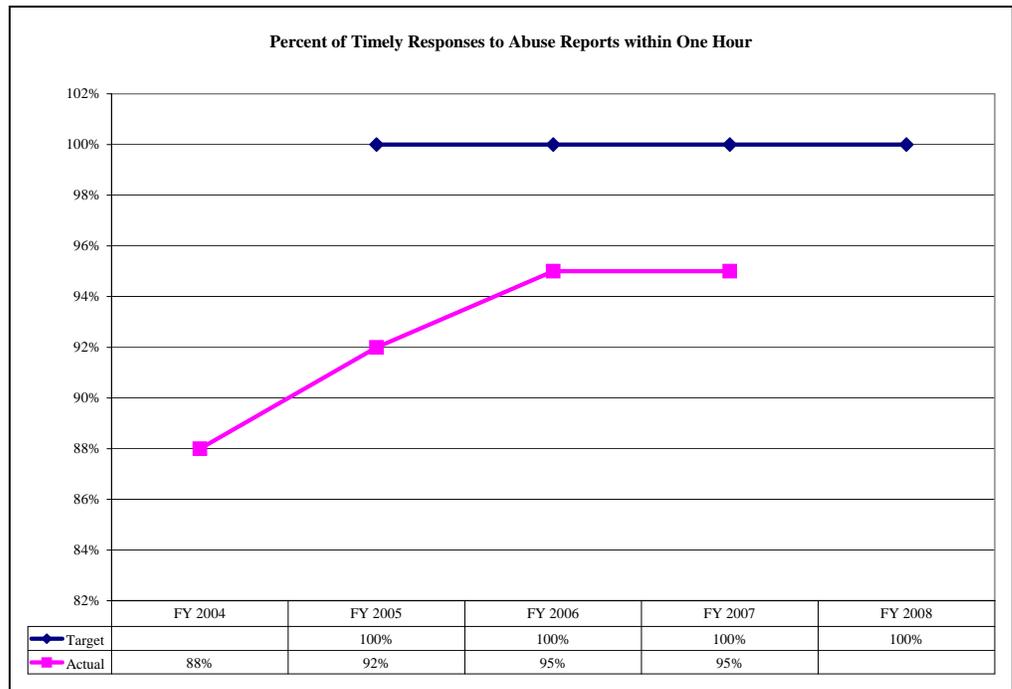


Figure 7-1

Figure 7-2 shows the percent of children being readmitted to state custody within 12 months based on federal requirements:

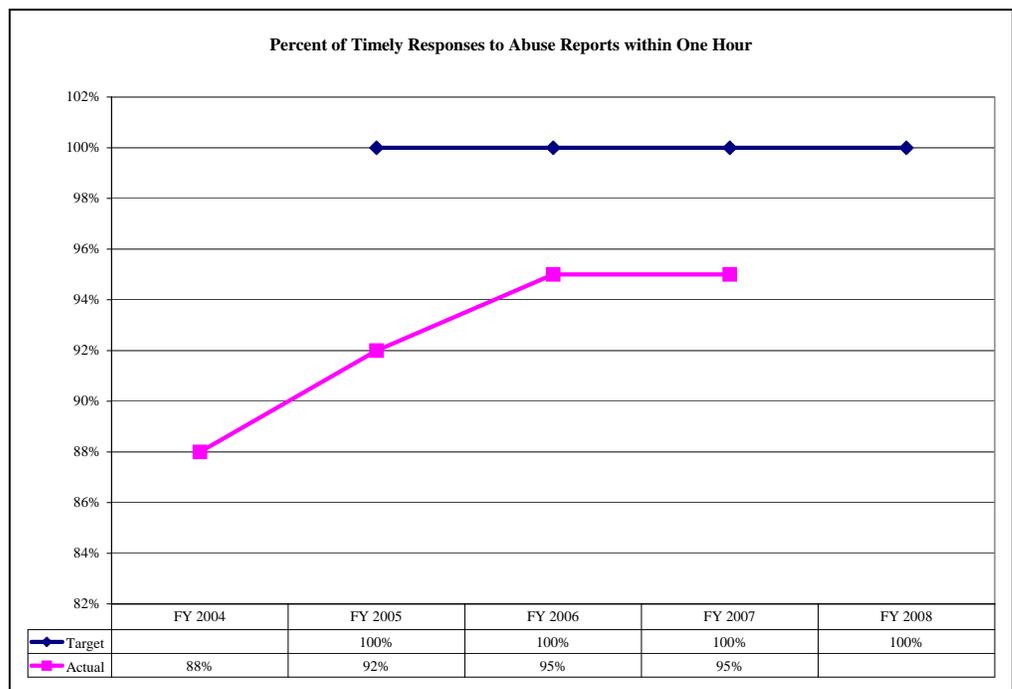


Figure 7-2

Funding Detail

The Division is largely financed from the State General Fund (61.6 percent) and from federal grants and Medicaid funds (35.5 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. Passage of the Federal Deficit Reduction Act during the 2006 General Session resulted in a loss of federal funds (Title IVE and Medicaid) for DCFS. The Legislature appropriated state funds of \$9.5 million for FY 2006 and \$17.8 million for FY 2007 to replace the loss of federal funds.

<b>Budget History - Human Services - Child and Family Services</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	62,905,400	64,596,500	69,448,800	92,494,000	98,151,800
General Fund, One-time	0	1,235,400	10,511,400	253,200	113,600
Federal Funds	45,852,000	44,945,000	44,286,500	43,047,200	47,500,700
Dedicated Credits Revenue	1,726,400	1,802,600	1,911,500	2,037,500	1,776,700
GFR - Children's Trust	350,000	400,000	400,000	400,000	400,000
GFR - Domestic Violence	650,000	700,000	712,200	734,800	754,100
Transfers - H - Medical Assistance	19,388,500	19,702,200	15,622,100	10,338,200	9,150,300
Transfers - Other Agencies	183,800	150,700	193,700	556,400	363,900
Beginning Nonlapsing	763,000	2,161,800	1,667,500	5,058,000	3,404,000
Closing Nonlapsing	(2,161,800)	(1,667,500)	(5,058,000)	(6,610,900)	(2,178,500)
Lapsing Balance	(1,950,000)	(352,400)	(1,510,100)	(64,900)	0
<b>Total</b>	<b>\$127,707,300</b>	<b>\$133,674,300</b>	<b>\$138,185,600</b>	<b>\$148,243,500</b>	<b>\$159,436,600</b>
<b>Programs</b>					
Administration	2,861,300	3,277,500	3,538,100	3,685,000	4,836,200
Service Delivery	57,475,600	58,897,200	60,614,900	65,370,300	70,090,100
In-Home Services	2,000,500	2,201,400	2,096,700	2,174,800	2,236,000
Out-of-Home Care	30,410,100	33,000,700	33,929,500	37,614,600	40,820,600
Facility Based Services	3,743,300	3,963,500	3,922,900	3,957,100	4,269,900
Minor Grants	4,647,400	4,396,400	4,844,300	4,729,800	5,248,700
Selected Programs	2,558,400	3,173,600	3,179,200	2,497,700	3,234,600
Special Needs	1,853,600	1,924,400	2,067,800	2,411,900	2,003,200
Domestic Violence Services	5,051,700	5,554,000	5,552,100	5,698,300	6,348,000
Children's Trust Fund	301,000	290,600	368,100	372,500	402,300
Adoption Assistance	11,242,500	12,181,200	13,000,900	13,906,000	13,837,100
Child Welfare Management Information Sy	5,561,900	4,813,800	5,071,100	5,825,500	6,109,900
<b>Total</b>	<b>\$127,707,300</b>	<b>\$133,674,300</b>	<b>\$138,185,600</b>	<b>\$148,243,500</b>	<b>\$159,436,600</b>
<b>Categories of Expenditure</b>					
Personal Services	51,198,300	53,769,700	55,169,300	59,718,300	64,085,300
In-State Travel	705,800	760,000	819,700	875,200	960,000
Out of State Travel	43,500	47,400	76,800	55,900	77,900
Current Expense	16,183,200	16,442,000	17,044,300	17,348,800	18,586,000
DP Current Expense	4,697,100	3,805,500	4,274,700	4,951,700	5,245,800
DP Capital Outlay	47,400	84,300	0	183,200	0
Capital Outlay	0	0	0	0	261,200
Other Charges/Pass Thru	54,832,000	58,765,400	60,800,800	65,110,400	70,220,400
<b>Total</b>	<b>\$127,707,300</b>	<b>\$133,674,300</b>	<b>\$138,185,600</b>	<b>\$148,243,500</b>	<b>\$159,436,600</b>
<b>Other Data</b>					
Budgeted FTE	1,043.3	1,064.5	1,064.7	1,074.4	1,056.3
Vehicles	189	183	184	185	196

Table 7-1

***Background of Court Oversight of DCFS***

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 the 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 the Plan in 1999, and directed DCFS to regularly report on compliance. The court also 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. The 2007 Legislature provided \$762,000 in General Funds and \$762,900 was transferred from internal savings for DCFS to hire 24 additional caseworkers.

***Current Status of Lawsuit – Exit Agreement Approved***

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. Judge Campbell signed an exit agreement and dismissed the case without prejudice on June 28, 2007. The plaintiff acknowledged that Utah has made significant strides to develop “one of the best child welfare systems in the country.”

The exit agreement requires the Division to “continue operating in accordance with the Milestone Conditions until at least December 30, 2010” and that “appropriate mechanisms are in place to ensure that the system will sustain positive outcomes for children and families in the absence of on-going federal court oversight and monitoring by Plaintiffs and the court monitor.” The Division will be reviewed by the court monitor with regard to the exit stipulations during the period of July through October 2008.” A final hearing is scheduled for December 2008. If the Division has met the stipulations of the exit agreement, the case will be dismissed with prejudice and the court monitoring should come to an end.

***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, DCFS has paid out over \$5.8 million for costs related to the David C. lawsuit, as shown in the following table:

<b>Payments for David C. Case</b>							
<b>Fiscal Year</b>	<b>Plaintiff Attorney</b>	<b>Court Monitor Direct Pmt.</b>	<b>Travel for Court Monitor</b>	<b>Monitoring Panel Direct Pmt.</b>	<b>Practice Model Training</b>	<b>Monitoring Contract</b>	<b>Total</b>
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
2006		220,382	63,485				283,867
2007		213,127	44,527				257,655
<b>Total</b>	<b>\$1,989,504</b>	<b>\$2,435,439</b>	<b>\$277,796</b>	<b>\$495,829</b>	<b>\$362,038</b>	<b>\$328,708</b>	<b>\$5,889,315</b>

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 \$697,335

**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 to meet the mission and goals of the Division.

**Funding Detail**

The Division State Administrative Office is largely funded by federal grants and Medicaid funds (59.52 percent) and State funds (34.9 percent). The non-lapsing balance of \$269,500 was used to pay for the David C. Settlement court monitor for FY 2008.

<b>Budget History - Human Services - Child and Family Services - Administration</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	734,600	861,900	623,300	1,131,700	1,574,700
General Fund, One-time	0	12,100	404,900	263,500	113,600
Federal Funds	2,605,700	2,416,400	2,468,100	2,254,400	2,832,200
Transfers - H - Medical Assistance	42,200	39,400	43,100	38,400	46,200
Transfers - Other Agencies	(24,000)	(99,300)	0	0	0
Beginning Nonlapsing	0	50,000	0	0	269,500
Closing Nonlapsing	(50,000)	0	0	0	0
Lapsing Balance	(447,200)	(3,000)	(1,300)	(3,000)	0
<b>Total</b>	<b>\$2,861,300</b>	<b>\$3,277,500</b>	<b>\$3,538,100</b>	<b>\$3,685,000</b>	<b>\$4,836,200</b>
<b>Categories of Expenditure</b>					
Personal Services	2,129,300	2,295,700	2,446,700	2,522,900	3,113,600
In-State Travel	14,500	28,400	31,200	27,900	62,600
Out of State Travel	16,100	14,700	15,800	12,400	15,800
Current Expense	574,700	821,400	925,100	839,700	1,408,900
DP Current Expense	126,700	117,300	119,300	159,900	119,300
DP Capital Outlay	0	0	0	122,200	0
Capital Outlay	0	0	0	0	116,000
<b>Total</b>	<b>\$2,861,300</b>	<b>\$3,277,500</b>	<b>\$3,538,100</b>	<b>\$3,685,000</b>	<b>\$4,836,200</b>
<b>Other Data</b>					
Budgeted FTE	35.0	36.9	37.5	37.2	40.8

**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 Valley (Salt Lake and Tooele Counties)). 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 (70.3 percent), and federal grants (29.5 percent). There is a small portion of the funding from transfers from other agencies and dedicated credits.

Budget History - Human Services - Child and Family Services - Service Delivery					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	26,688,900	27,068,700	28,515,300	51,056,800	49,270,200
General Fund, One-time	0	240,300	7,755,100	(8,200)	0
Federal Funds	22,188,100	21,678,100	19,846,900	14,333,000	20,645,300
Dedicated Credits Revenue	11,100	5,600	4,300	(3,800)	2,500
Transfers - H - Medical Assistance	9,915,800	9,930,400	4,832,300	1,100	0
Transfers - Other Agencies	0	28,000	0	0	26,900
Beginning Nonlapsing	0	0	50,000	0	145,200
Closing Nonlapsing	0	(50,000)	0	0	0
Lapsing Balance	(1,328,300)	(3,900)	(389,000)	(8,600)	0
<b>Total</b>	<b>\$57,475,600</b>	<b>\$58,897,200</b>	<b>\$60,614,900</b>	<b>\$65,370,300</b>	<b>\$70,090,100</b>
Categories of Expenditure					
Personal Services	43,951,300	45,479,300	46,558,500	50,671,200	54,691,000
In-State Travel	639,700	657,000	706,500	756,600	812,400
Out of State Travel	10,200	18,200	33,700	22,600	33,700
Current Expense	11,773,800	11,706,400	12,269,500	12,831,700	13,232,000
DP Current Expense	201,200	99,700	166,000	116,200	221,300
Capital Outlay	0	0	0	0	145,200
Other Charges/Pass Thru	899,400	936,600	880,700	972,000	954,500
<b>Total</b>	<b>\$57,475,600</b>	<b>\$58,897,200</b>	<b>\$60,614,900</b>	<b>\$65,370,300</b>	<b>\$70,090,100</b>
Other Data					
Budgeted FTE	895.6	900.3	902.2	903.5	914.4
Vehicles	186	179	178	179	190

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 2007, the Division provided services to 8,844 children in their homes. In addition to in-home services provided by DCFS staff, other contractual services are provided for families that require less structured intervention to prevent disruption of the family. The services to the families 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.
- **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.

<b>Budget History - Human Services - Child and Family Services - In-Home Services</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	1,978,700	2,039,500	2,082,900	2,175,200	2,236,000
General Fund, One-time	0	0	0	4,200	0
Lapsing Balance	21,800	161,900	13,800	(4,600)	0
<b>Total</b>	<b>\$2,000,500</b>	<b>\$2,201,400</b>	<b>\$2,096,700</b>	<b>\$2,174,800</b>	<b>\$2,236,000</b>
<b>Categories of Expenditure</b>					
In-State Travel	600	0	0	0	0
Out of State Travel	0	0	0	500	0
Current Expense	443,100	478,200	513,500	569,900	518,100
Other Charges/Pass Thru	1,556,800	1,723,200	1,583,200	1,604,400	1,717,900
<b>Total</b>	<b>\$2,000,500</b>	<b>\$2,201,400</b>	<b>\$2,096,700</b>	<b>\$2,174,800</b>	<b>\$2,236,000</b>

**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 room and board, personal care, clothing, and allowance. In FY 2007, the Division provided foster care and institutional care to 4,263 children. As of June 30, 2007, there were 2,613 children in foster care.

**Funding Detail**

This program’s major funding source is the State General Fund (55 percent), with federal grants and Medicaid funds providing 37.7 percent. The balance comes from dedicated credits, transfers from other agencies and non-lapsing balances (6.9 percent).

<b>Budget History - Human Services - Child and Family Services - Out-of-Home Care</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	15,990,800	16,520,300	18,267,500	20,642,600	22,637,500
General Fund, One-time	0	143,800	1,833,000	0	0
Federal Funds	4,253,200	3,302,600	3,772,400	4,200,600	4,859,000
Dedicated Credits Revenue	1,609,900	1,761,600	1,876,800	2,035,800	1,761,600
Transfers - H - Medical Assistance	10,375,700	10,613,700	11,699,700	11,367,400	10,522,100
Transfers - Other Agencies	74,700	(25,000)	8,900	298,400	160,500
Beginning Nonlapsing	0	1,894,200	1,210,400	4,000,000	879,900
Closing Nonlapsing	(1,894,200)	(1,210,400)	(4,000,000)	(4,930,100)	0
Lapsing Balance	0	(100)	(739,200)	(100)	0
<b>Total</b>	<b>\$30,410,100</b>	<b>\$33,000,700</b>	<b>\$33,929,500</b>	<b>\$37,614,600</b>	<b>\$40,820,600</b>
<b>Categories of Expenditure</b>					
Current Expense	72,800	85,800	65,000	78,400	65,000
Other Charges/Pass Thru	30,337,300	32,914,900	33,864,500	37,536,200	40,755,600
<b>Total</b>	<b>\$30,410,100</b>	<b>\$33,000,700</b>	<b>\$33,929,500</b>	<b>\$37,614,600</b>	<b>\$40,820,600</b>

**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 (now know as the Division of Juvenile Justice Services) in FY 2003 as a result of S.B.12 (2002 General Session).

Ten crisis nurseries are partially 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 (75.2 percent) with federal funds making up most of the balance.

Budget History - Human Services - Child and Family Services - Facility Based Services					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	2,706,400	2,938,800	2,987,900	2,674,400	3,212,800
General Fund, One-time	0	13,300	0	(4,300)	0
Federal Funds	1,078,100	1,005,200	1,005,200	1,290,200	1,057,100
Dedicated Credits Revenue	600	500	0	0	0
Transfers - Other Agencies	30,700	14,300	0	0	0
Lapsing Balance	(72,500)	(8,600)	(70,200)	(3,200)	0
<b>Total</b>	<b>\$3,743,300</b>	<b>\$3,963,500</b>	<b>\$3,922,900</b>	<b>\$3,957,100</b>	<b>\$4,269,900</b>
Categories of Expenditure					
Personal Services	745,000	932,700	906,900	863,700	1,026,900
In-State Travel	1,000	2,600	3,600	600	3,600
Current Expense	206,300	151,100	130,800	116,400	153,000
DP Current Expense	800	1,500	100	2,000	100
Other Charges/Pass Thru	2,790,200	2,875,600	2,881,500	2,974,400	3,086,300
<b>Total</b>	<b>\$3,743,300</b>	<b>\$3,963,500</b>	<b>\$3,922,900</b>	<b>\$3,957,100</b>	<b>\$4,269,900</b>
Other Data					
Budgeted FTE	25.9	28.7	31.7	29.1	32.3
Vehicles	2	2	3	3	3

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 this grant is to reduce child abuse and neglect by providing leadership in statewide prevention efforts and supporting community based child abuse prevention and family support programs. Current grant funding provides for four child abuse prevention and family support programs through contract, including a child abuse prevention program manager, support of child abuse prevention network activities, funding evaluation of prevention program outcomes, and support for a statewide conference on child abuse and neglect.
- ***Promoting 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.
- ***Transition to Adult Living:*** Two grants support the Transition to Adult Living Program (TAL), including the Chafee Foster Care

Independent Program and the Education and Training Voucher Program (authorized by Section 477, Social Security Act). TAL assists youth 14 years and older to prepare to transition successfully from foster care to adult living. The program includes skills development, educational support, employment preparation, mentoring, financial support for post-secondary education and training for older youth that have already aged out of foster care or who were adopted at the age of 16 or older from foster care. This program also provides support and resources for youth 18 to 21 that have exited from foster care.

**Funding Detail**

Federal grants make up 74.2 percent of this budget. The State General Fund provides matching funds (25.8 percent).

Budget History - Human Services - Child and Family Services - Minor Grants					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,428,200	1,141,200	1,142,200	1,334,200	1,353,600
General Fund, One-time	0	5,400	0	(1,200)	0
Federal Funds	3,247,500	3,370,700	3,615,200	3,399,800	3,894,000
Dedicated Credits Revenue	89,600	13,000	10,000	0	1,100
Transfers - Other Agencies	0	0	78,900	0	0
Lapsing Balance	(117,900)	(133,900)	(2,000)	(3,000)	0
<b>Total</b>	<b>\$4,647,400</b>	<b>\$4,396,400</b>	<b>\$4,844,300</b>	<b>\$4,729,800</b>	<b>\$5,248,700</b>
Categories of Expenditure					
Personal Services	1,446,300	1,498,900	1,569,300	1,671,500	1,152,800
In-State Travel	25,700	30,800	34,200	39,000	37,200
Out of State Travel	8,200	11,300	15,700	9,900	16,800
Current Expense	706,000	303,400	310,300	289,800	340,800
DP Current Expense	22,400	49,300	24,500	28,100	27,500
DP Capital Outlay	0	0	0	61,000	0
Other Charges/Pass Thru	2,438,800	2,502,700	2,890,300	2,630,500	3,673,600
<b>Total</b>	<b>\$4,647,400</b>	<b>\$4,396,400</b>	<b>\$4,844,300</b>	<b>\$4,729,800</b>	<b>\$5,248,700</b>
Other Data					
Budgeted FTE	30.8	31.1	25.7	23.1	18.8

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) and BSW (Bachelor of Social Work) programs. 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 2008 and is expected to continue on an annual basis. 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 (96.4 percent) with smaller amounts of other agency transfers and dedicated credits.

<b>Budget History - Human Services - Child and Family Services - Selected Programs</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
Federal Funds	2,441,800	3,054,300	3,165,400	2,366,700	3,118,000
Dedicated Credits Revenue	13,800	16,400	13,900	0	11,500
Transfers - Other Agencies	102,400	104,500	0	136,500	105,100
Lapsing Balance	400	(1,600)	(100)	(5,500)	0
<b>Total</b>	<b>\$2,558,400</b>	<b>\$3,173,600</b>	<b>\$3,179,200</b>	<b>\$2,497,700</b>	<b>\$3,234,600</b>
<b>Categories of Expenditure</b>					
Out of State Travel	800	0	1,200	3,100	1,200
Current Expense	1,407,900	1,913,000	1,887,000	1,358,300	1,942,400
Other Charges/Pass Thru	1,149,700	1,260,600	1,291,000	1,136,300	1,291,000
<b>Total</b>	<b>\$2,558,400</b>	<b>\$3,173,600</b>	<b>\$3,179,200</b>	<b>\$2,497,700</b>	<b>\$3,234,600</b>

**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 services 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. An average of \$566 was paid per child in FY 2007. 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 funded with State funds (88.4 percent) with the balance coming from federal Title IVE funds.

Budget History - Human Services - Child and Family Services - Special Needs					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
General Fund	1,749,800	1,678,600	1,726,500	752,500	1,770,300
Federal Funds	243,400	213,000	246,800	1,662,100	232,900
Dedicated Credits Revenue	0	3,500	0	0	0
Transfers - Other Agencies	0	37,500	0	0	0
Lapsing Balance	(139,600)	(8,200)	94,500	(2,700)	0
<b>Total</b>	<b>\$1,853,600</b>	<b>\$1,924,400</b>	<b>\$2,067,800</b>	<b>\$2,411,900</b>	<b>\$2,003,200</b>
Categories of Expenditure					
Out of State Travel	5,400	1,700	6,300	2,400	6,300
Current Expense	661,100	643,300	682,300	1,028,000	682,300
Other Charges/Pass Thru	1,187,100	1,279,400	1,379,200	1,381,500	1,314,600
<b>Total</b>	<b>\$1,853,600</b>	<b>\$1,924,400</b>	<b>\$2,067,800</b>	<b>\$2,411,900</b>	<b>\$2,003,200</b>

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 (UCA 63-63a-6), 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. Shelter staff can help victims assess their situation and evaluate available options to end the abuse. Victims 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. DCFS contracts for services with shelters such as Salt Lake's

YWCA program and operates its own shelters in three rural communities.

**Funding Detail**

The State provides 59.6 percent of funding for domestic violence programs. Another 11.9 percent (\$754,100) comes from the Domestic Violence Services Account (General Fund Restricted) and the balance comes from various federal grants and transfers from other agencies.

<b>Budget History - Human Services - Child and Family Services - Domestic Violence Services</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	2,952,000	3,231,600	3,316,200	675,300	3,780,800
General Fund, One-time	0	13,600	91,300	(100)	0
Federal Funds	1,680,900	1,810,400	1,729,200	4,191,800	1,741,700
Dedicated Credits Revenue	1,400	2,000	6,500	5,500	0
GFR - Domestic Violence	650,000	700,000	712,200	734,800	754,100
Transfers - Other Agencies	0	38,400	77,500	94,200	71,400
Lapsing Balance	(232,600)	(242,000)	(380,800)	(3,200)	0
<b>Total</b>	<b>\$5,051,700</b>	<b>\$5,554,000</b>	<b>\$5,552,100</b>	<b>\$5,698,300</b>	<b>\$6,348,000</b>
<b>Categories of Expenditure</b>					
Personal Services	1,972,500	2,555,000	2,643,600	2,740,200	2,811,600
In-State Travel	19,500	39,700	39,200	45,500	39,200
Out of State Travel	700	100	1,500	4,200	1,500
Current Expense	122,700	150,100	153,200	132,500	142,100
DP Current Expense	7,100	8,500	7,500	19,000	7,500
Other Charges/Pass Thru	2,929,200	2,800,600	2,707,100	2,756,900	3,346,100
<b>Total</b>	<b>\$5,051,700</b>	<b>\$5,554,000</b>	<b>\$5,552,100</b>	<b>\$5,698,300</b>	<b>\$6,348,000</b>
<b>Other Data</b>					
Budgeted FTE	40.9	52.3	52.0	64.5	48.1
Vehicles	1	2	3	3	3

**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 (0.5 percent) goes to the Attorney General’s Office for training. Four percent of funds go to DCFS for services to victims of domestic violence. Actual collections for FY 2007 from all sources totaled \$5,701,500, with an ending balance of \$3,200 after expenditures of \$5,698,300.

Table 7-12 shows the General Fund Restricted – Victims of Domestic Violence Services Account statute and ending balance for FY 2007:

<b>Restricted Funds Summary - Domestic Violence</b>				
<b>Fund/Account Name</b>	<b>Statutory Authority</b>	<b>Revenue Source</b>	<b>Prescribed Uses</b>	<b>FY 2007 Balance</b>
Victims of Domestic Violence Services Account	63-63a-6	4.5% of surcharges on court fines & penalties	Domestic violence services	\$1,224,499

**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 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 2007 totaled \$402,300, with an ending balance of \$29,800 after expenditures of \$372,500.

**Funding Detail**

This program budget consists of appropriations mainly from the Children’s Trust Account (General Fund Restricted) with a small amount from the General Fund.

<b>Budget History - Human Services - Child and Family Services - Children's Trust Fund</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	0	0	0	2,300	2,300
GFR - Children's Trust	350,000	400,000	400,000	400,000	400,000
Lapsing Balance	(49,000)	(109,400)	(31,900)	(29,800)	0
<b>Total</b>	<b>\$301,000</b>	<b>\$290,600</b>	<b>\$368,100</b>	<b>\$372,500</b>	<b>\$402,300</b>
<b>Categories of Expenditure</b>					
Current Expense	0	0	12,700	16,600	12,700
Other Charges/Pass Thru	301,000	290,600	355,400	355,900	389,600
<b>Total</b>	<b>\$301,000</b>	<b>\$290,600</b>	<b>\$368,100</b>	<b>\$372,500</b>	<b>\$402,300</b>

**Table 7-13**

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

<b>Restricted Funds Summary - Children's Trust Account</b>				
<b>Fund/Account Name</b>	<b>Statutory Authority</b>	<b>Revenue Source</b>	<b>Prescribed Uses</b>	<b>FY 2007 Balance</b>
Children's Trust Account	62A-4a-309	\$3 surcharge on birth certificates and private contributions	Child abuse prevention programs	\$517,632

**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.

**“Carve Out” for Treatment Services**

Prior to FY 2002, children adopted from foster care were provided mental health services by the Community Mental Health Centers (CMHC) through the State’s “capitated” plan. CMHC pays the state match on the Medicaid funding they receive from the State. However, since 1998, children in foster care were able to “carved out” of the “capitated” plan allowing each case worker to determine the appropriate provider based on the needs of the child.

DCFS pays the match on “carve outs” rather than CMHC. DCFS also allowed adoptive parents to obtain treatment services for their adopted child outside of the “captivated” system with DCFS paying the full cost of as “special needs” payments. This allowed the child to receive treatment from the same provider while the child was in foster care.

With the budget shortfalls experienced in FY 2000, DCFS determined that many adopted children were eligible for Medicaid and should be served by Medicaid providers under the “capitated” plan for treatment services. This would allow DCFS to pay only the State match portion rather than the full bill. Many adoptive parents expressed concern about not being able to continue with the provider who had treated the child while in foster care under the “carve out” plan. The Legislature allowed adoptive parents to “carve out” for treatment services as long as the provider would accept Medicaid clients. DCFS would pay the Medicaid match costs rather than the CMHCs.

As the number of families opting to “carve out” continued to grow, it placed a financial burden on DCFS. For FY 2006, the Legislature approved the hiring of six additional staff to assist adoptive parents in the selection of the most appropriate services for adopted children. The objective was to encourage using the “capitated” system rather than “carving out”. The new staff was able to effectively reduce the costs to DCFS as shown in the following chart:

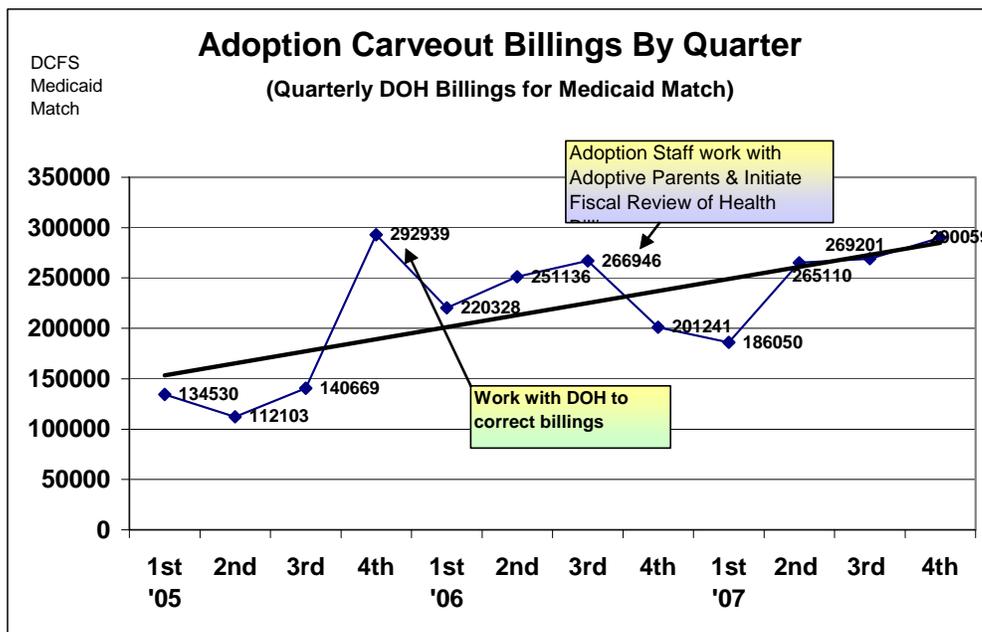


Figure 7-3

The above graph shows, since 2006, the non-lapsing balances and the quarterly billing from the Department of Health (DOH) for “carve out” services show the savings DCFS has been able to generate by providing the most effective treatment services and reducing the movement of children to the “carve out” system. In addition, there was a correction in billing from the DOH found in FY 2006.

**Funding Detail**

A little over half (65.4 percent) for this budget comes from the State General Funds, and another 35.1 percent comes from federal funds and Medicaid transfers. Funds for adoption subsidies are usually given non-lapsing status.

<b>Budget History - Human Services - Child and Family Services - Adoption Assistance</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	6,168,900	6,595,100	8,518,600	9,220,600	9,047,500
General Fund, One-time	0	801,200	0	(100)	0
Federal Funds	5,473,500	5,855,800	6,087,100	6,377,000	6,276,700
Transfers - H - Medical Assistance	(945,200)	(881,300)	(953,000)	(1,068,700)	(1,418,000)
Beginning Nonlapsing	763,000	217,600	407,100	1,058,000	2,109,400
Closing Nonlapsing	(217,600)	(407,100)	(1,058,000)	(1,680,800)	(2,178,500)
Lapsing Balance	(100)	(100)	(900)	0	0
<b>Total</b>	<b>\$11,242,500</b>	<b>\$12,181,200</b>	<b>\$13,000,900</b>	<b>\$13,906,000</b>	<b>\$13,837,100</b>
<b>Categories of Expenditure</b>					
Personal Services	0	0	32,700	142,600	145,600
In-State Travel	0	0	0	900	0
Current Expense	0	0	300	200	300
Other Charges/Pass Thru	11,242,500	12,181,200	12,967,900	13,762,300	13,691,200
<b>Total</b>	<b>\$11,242,500</b>	<b>\$12,181,200</b>	<b>\$13,000,900</b>	<b>\$13,906,000</b>	<b>\$13,837,100</b>
<b>Other Data</b>					
Budgeted FTE	0.0	0.0	0.5	1.7	2.0

**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 53.5 percent of the program’s budget comes from the State General Fund and 46.5 percent from federal funds.

<b>Budget History - Human Services - Child and Family Services - Child Welfare Management Information System</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	2,507,100	2,520,800	2,268,400	2,828,400	3,266,100
General Fund, One-time	0	5,700	427,100	(600)	0
Federal Funds	2,639,800	2,238,500	2,350,200	2,971,600	2,843,800
Transfers - Other Agencies	0	52,300	28,400	27,300	0
Lapsing Balance	415,000	(3,500)	(3,000)	(1,200)	0
<b>Total</b>	<b>\$5,561,900</b>	<b>\$4,813,800</b>	<b>\$5,071,100</b>	<b>\$5,825,500</b>	<b>\$6,109,900</b>
<b>Categories of Expenditure</b>					
Personal Services	953,900	1,008,100	1,011,600	1,106,200	1,143,800
In-State Travel	4,800	1,500	5,000	4,700	5,000
Out of State Travel	2,100	1,400	2,600	800	2,600
Current Expense	214,800	189,300	94,600	87,300	88,400
DP Current Expense	4,338,900	3,529,200	3,957,300	4,626,500	4,870,100
DP Capital Outlay	47,400	84,300	0	0	0
<b>Total</b>	<b>\$5,561,900</b>	<b>\$4,813,800</b>	<b>\$5,071,100</b>	<b>\$5,825,500</b>	<b>\$6,109,900</b>
<b>Other Data</b>					
Budgeted FTE	15.2	15.3	15.2	15.3	0.0

Table 7-16



CHAPTER 8 DIVISION OF AGING AND ADULT SERVICES

<b>Function</b>	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. The programs are administered by the State's twelve local Area Agencies on Aging (AAA) under the direction of DAAS. Programs funded through the Older Americans Act are distributed to 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.
<b>Statutory Authority</b>	<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"> <li>➤ Part 1: Creation and duties of Division, its State Board, and functions of the local Area Agencies on Aging.</li> <li>➤ Part 2: Long Term Ombudsman Program.</li> <li>➤ Part 3: Abuse, Neglect, or Exploitation of Vulnerable Adults</li> </ul> <p>Utah Code 76-5-111 describes abuse, neglect or exploitation of adults and penalties.</p>
<b>Intent Language</b>	<p>The following intent language was adopted in the 2007 General Session:</p> <p style="padding-left: 40px;"><i>Under Section 63-38-8.1 of the Utah Code the Legislature intends that up to \$100,000 of funds provided for the Department of Human Services, the Division of Aging and Adult Services in Chapter 1, Laws of Utah 2006, Item 103 not lapse at the close of FY 2007 with \$45,000 to be used for senior center renovations and to assist with vehicle maintenance and replacements within the local area agencies on aging, and \$55,000 to be used for the Senior Transportation Ride Share Pilot Program.</i></p> <p><b>Agency Response:</b> As had been the case with non-lapsing funds in prior years, the Division will send out requests for proposals for senior center renovations and/or vehicle maintenance requests. Senior centers and AAA's will have the opportunity to present their proposal to the Board of Aging and Ault Services. The Board will determine how to award the funding based on objective criteria. In prior years, funds have been used for projects like resolving plumbing/flooding problems, leaking roofs, and to purchase Meal on Wheels delivery vehicles.</p>
<b>Accountability</b>	Figure 8-1 shows the difference in the cost of the Adult Medicaid Waiver program versus skilled nursing facility:

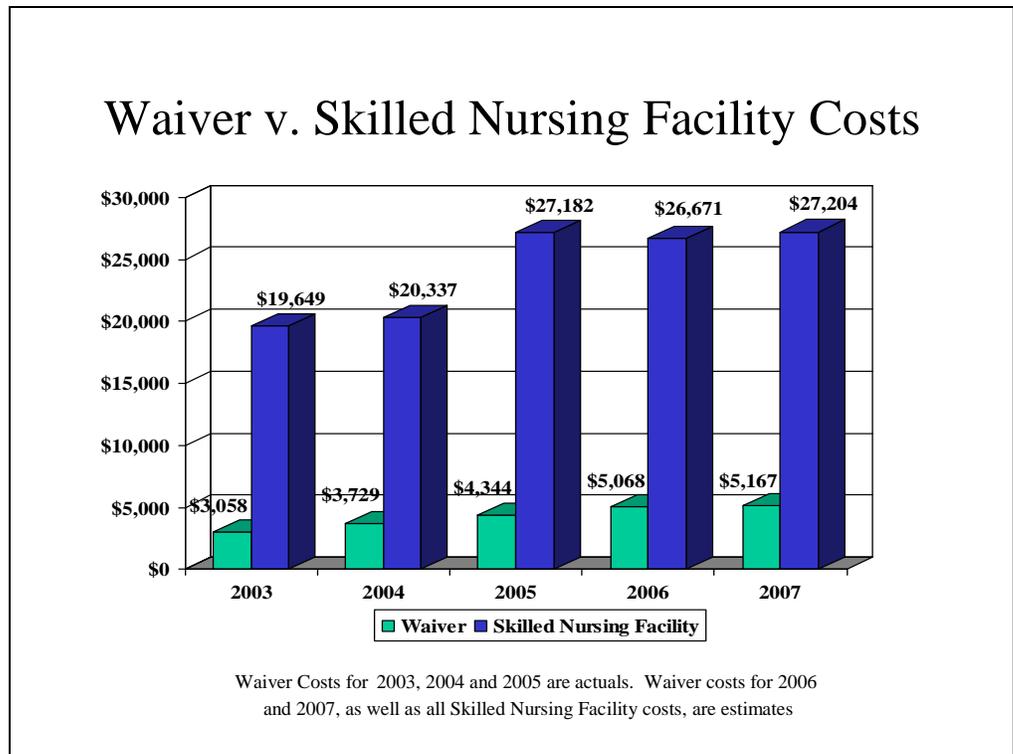


Figure 8-1

**Funding Detail**

The Division receives 60.9 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.

<b>Budget History - Human Services - Aging and Adult Services</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	11,520,900	12,073,900	12,485,600	12,938,800	13,874,200
General Fund, One-time	0	271,700	300,000	295,300	355,000
Federal Funds	8,789,700	8,972,800	8,330,900	8,154,300	8,691,800
Dedicated Credits Revenue	5,400	12,200	500	17,800	13,200
Transfers - H - Medical Assistance	331,200	353,600	483,700	1,110,500	427,700
Transfers - Other Agencies	0	1,500	0	0	0
Pass-through	2,200	2,500	0	0	0
Beginning Nonlapsing	0	0	100,000	0	0
Closing Nonlapsing	0	(100,000)	0	(98,900)	0
Lapsing Balance	(5,400)	(4,100)	(9,400)	0	0
<b>Total</b>	<b>\$20,644,000</b>	<b>\$21,584,100</b>	<b>\$21,691,300</b>	<b>\$22,417,800</b>	<b>\$23,361,900</b>
<b>Programs</b>					
Administration	1,369,100	1,424,700	1,499,700	1,643,900	2,831,500
Local Government Grants	13,884,200	14,567,300	14,543,600	15,058,700	14,639,300
Non-Formula Funds	2,368,800	2,550,500	2,572,700	2,529,500	2,358,600
Adult Protective Services	3,021,900	3,041,600	3,075,300	3,185,700	3,532,500
<b>Total</b>	<b>\$20,644,000</b>	<b>\$21,584,100</b>	<b>\$21,691,300</b>	<b>\$22,417,800</b>	<b>\$23,361,900</b>
<b>Categories of Expenditure</b>					
Personal Services	3,555,500	3,619,500	3,696,300	3,913,700	4,248,400
In-State Travel	66,000	73,500	82,800	84,100	86,000
Out of State Travel	9,000	11,100	12,100	20,900	14,100
Current Expense	457,300	544,600	501,800	502,700	524,500
DP Current Expense	315,000	308,500	303,700	368,000	329,200
Other Charges/Pass Thru	16,241,200	17,026,900	17,094,600	17,528,400	18,159,700
<b>Total</b>	<b>\$20,644,000</b>	<b>\$21,584,100</b>	<b>\$21,691,300</b>	<b>\$22,417,800</b>	<b>\$23,361,900</b>
<b>Other Data</b>					
Budgeted FTE	64.0	63.4	63.9	63.5	65.0
Vehicles	9	9	9	9	9

Table 8-1

**“Out and About  
Transportation  
Assistance Fund”**

The Legislature, in the 2002 General Session, passed H.B. 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 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 2008 General Session.

In the 2007 General Session, the Legislature approved a senior transportation program. This program allows seniors to turn in their vehicles for an equivalent value in rides. The Division is currently working with the

Mountainlands Association of Governments to implement this program. It is anticipated that the first rides will be offered in the fall of 2008.

**ADMINISTRATION**

**Function**

The 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 (35.1 percent) and State funds (64.9 percent).

<b>Budget History - Human Services - Aging and Adult Services - Administration</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	557,700	581,500	675,000	505,300	1,483,800
General Fund, One-time	0	3,600	0	298,800	355,000
Federal Funds	713,000	726,500	730,100	620,200	835,000
Dedicated Credits Revenue	3,400	11,100	0	(7,500)	0
Transfers - H - Medical Assistance	94,200	102,100	104,000	227,100	157,700
Transfers - Other Agencies	0	1,500	0	0	0
Pass-through	2,200	2,500	0	0	0
Lapsing Balance	(1,400)	(4,100)	(9,400)	0	0
<b>Total</b>	<b>\$1,369,100</b>	<b>\$1,424,700</b>	<b>\$1,499,700</b>	<b>\$1,643,900</b>	<b>\$2,831,500</b>
<b>Categories of Expenditure</b>					
Personal Services	1,123,000	1,113,700	1,177,600	1,292,300	1,325,700
In-State Travel	21,400	25,500	32,100	33,700	31,700
Out of State Travel	9,000	9,800	12,100	16,700	12,300
Current Expense	155,800	182,500	174,300	140,200	160,400
DP Current Expense	59,900	93,200	103,600	161,000	127,400
Other Charges/Pass Thru	0	0	0	0	1,174,000
<b>Total</b>	<b>\$1,369,100</b>	<b>\$1,424,700</b>	<b>\$1,499,700</b>	<b>\$1,643,900</b>	<b>\$2,831,500</b>
<b>Other Data</b>					
Budgeted FTE	18.2	17.6	18.4	18.8	18.1

**Table 8-2**

**LOCAL GOVERNMENT GRANTS – FORMULA FUNDS**

**Function**

Funding for programs through the Older Americans Act is 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:

Mountainlands (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 typically 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 2007, there were 796,000 units of service provided.
- **Nutrition:** The Area Agencies of Aging provide both group (congregate) and home-delivered meals. Approximately 35,100 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 4,300 complaints in FY 2007, an increase of over 18 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 2007, the program provided caregiver respite 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 2007, 1,068 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 (42.1 percent) and State General Funds (57.9 percent).

<b>Budget History - Human Services - Aging and Adult Services - Local Government Grants</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	7,544,600	7,957,800	8,504,900	8,068,600	8,478,700
General Fund, One-time	0	251,600	0	0	0
Federal Funds	6,339,600	6,457,900	6,039,300	6,965,100	6,160,600
Dedicated Credits Revenue	0	0	(600)	25,000	0
Closing Nonlapsing	0	(100,000)	0	0	0
<b>Total</b>	<b>\$13,884,200</b>	<b>\$14,567,300</b>	<b>\$14,543,600</b>	<b>\$15,058,700</b>	<b>\$14,639,300</b>
<b>Categories of Expenditure</b>					
Current Expense	0	80,500	6,700	25,000	27,900
Other Charges/Pass Thru	13,884,200	14,486,800	14,536,900	15,033,700	14,611,400
<b>Total</b>	<b>\$13,884,200</b>	<b>\$14,567,300</b>	<b>\$14,543,600</b>	<b>\$15,058,700</b>	<b>\$14,639,300</b>

**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 2007, this program received 14,800 requests for information.

- **Employment Services:** This federally funded program subsidizes part-time employment and training for low-income seniors. During FY 2007, this program served 397 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 784 Utah senior citizens enabling them to continue residing in their own homes.

**Funding Detail**

This program is financed with State General Fund (61.7 percent), federal grants and Medicaid funds (37.7 percent). There is also a small amount of dedicated credits.

<b>Budget History - Human Services - Aging and Adult Services - Non-Formula Funds</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	1,291,500	1,366,200	1,064,200	1,176,000	1,455,100
General Fund, One-time	0	0	300,000	0	0
Federal Funds	844,300	932,800	728,800	569,000	620,300
Dedicated Credits Revenue	0	0	0	0	13,200
Transfers - H - Medical Assistance	237,000	251,500	379,700	883,400	270,000
Beginning Nonlapsing	0	0	100,000	0	0
Closing Nonlapsing	0	0	0	(98,900)	0
Lapsing Balance	(4,000)	0	0	0	0
<b>Total</b>	<b>\$2,368,800</b>	<b>\$2,550,500</b>	<b>\$2,572,700</b>	<b>\$2,529,500</b>	<b>\$2,358,600</b>
<b>Categories of Expenditure</b>					
In-State Travel	200	0	0	0	0
Current Expense	17,200	19,000	21,000	39,700	13,200
Other Charges/Pass Thru	2,351,400	2,531,500	2,551,700	2,489,800	2,345,400
<b>Total</b>	<b>\$2,368,800</b>	<b>\$2,550,500</b>	<b>\$2,572,700</b>	<b>\$2,529,500</b>	<b>\$2,358,600</b>

**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. In FY 2007, APS investigated 2,149 referrals.

**Funding Detail**

This program's main funding source is the State General Fund (69.5 percent) with the balance coming from the federal Social Services Block grant (30.5 percent).

<b>Budget History - Human Services - Aging and Adult Services - Adult Protective Services</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
General Fund	2,127,100	2,168,400	2,241,500	3,188,900	2,456,600
General Fund, One-time	0	16,500	0	(3,500)	0
Federal Funds	892,800	855,600	832,700	0	1,075,900
Dedicated Credits Revenue	2,000	1,100	1,100	300	0
<b>Total</b>	<b>\$3,021,900</b>	<b>\$3,041,600</b>	<b>\$3,075,300</b>	<b>\$3,185,700</b>	<b>\$3,532,500</b>
<b>Categories of Expenditure</b>					
Personal Services	2,432,500	2,505,800	2,518,700	2,621,400	2,922,700
In-State Travel	44,400	48,000	50,700	50,400	54,300
Out of State Travel	0	1,300	0	4,200	1,800
Current Expense	284,300	262,600	299,800	297,800	323,000
DP Current Expense	255,100	215,300	200,100	207,000	201,800
Other Charges/Pass Thru	5,600	8,600	6,000	4,900	28,900
<b>Total</b>	<b>\$3,021,900</b>	<b>\$3,041,600</b>	<b>\$3,075,300</b>	<b>\$3,185,700</b>	<b>\$3,532,500</b>
<b>Other Data</b>					
Budgeted FTE	45.8	45.8	45.5	44.7	46.9
Vehicles	9	9	9	9	9

**Table 8-5**

The following figure 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 2005 and projected growth for FY 2008:

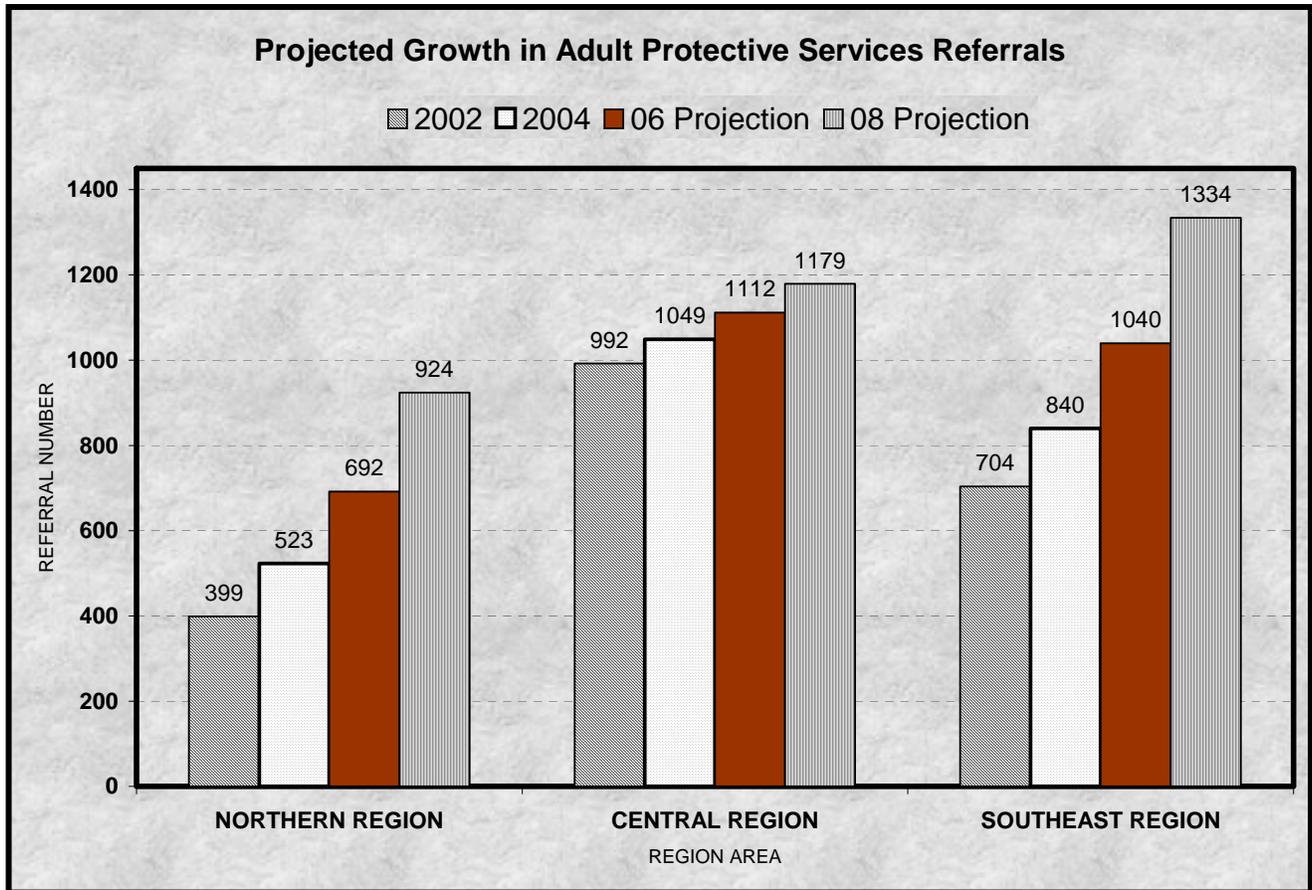


Figure 8-2



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**CHAPTER 9 DEPARTMENT OF HUMAN SERVICES INTERNAL SERVICE FUNDS**

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<b>Function</b>	<p>The Department of Human Services operates two internal service fund (ISF) that provide services to the Department.</p> <p>General Services collects funds from the divisions for building maintenance and rent for the Department’s main office in Salt Lake City.</p> <p>Data Processing is an account used to distribute cost for programming services. With the passage of House Bill 109, “Information Technology Governance Amendments” data processing was consolidated into the Department of Technology Services including the transfer of 33 full time equivalent employees (FTE).</p>
<b>Statutory Authority</b>	<p>The departmental internal service funds are not listed specifically in statute, however; <b>Utah Code Section 63-38-3.5</b> places the following legislative controls on the operation of Internal Service Funds:</p> <ol style="list-style-type: none"><li>1. All Internal Service Fund budgets must be approved by the Legislature.</li><li>2. The number of full time equivalent (FTE) positions must be approved for each Internal Service Fund.</li><li>3. The Legislature must approve all capital acquisitions made by an Internal Service Fund.</li><li>4. No capital assets can be transferred to an Internal Service Fund without Legislative approval.</li><li>5. Rate structures must be approved by the Legislature.</li><li>6. Working capital must be acquired in the following order: First from operating revenues, second from long-term debt, and lastly from appropriation.</li><li>7. Borrowing from the General Fund (long term debt) is allowed as long as: <p style="margin-left: 40px;">The debt is repaid over the useful life of the asset and borrowing does not exceed 90 percent of the net value of its capital asset.</p></li></ol>
<b>Accountability</b>	<p>Performance measures are included with measures used by the “Office of Fiscal Operations,” Bureau of Administrative Support and the Department of Technology Services.</p>
<b>Funding Detail</b>	<p>The Department’s internal service fund is funded by “Dedicated Credits – Intra-governmental Revenues.”</p>

Budget History - ISF - Human Services - ISF - DHS Internal Service Funds					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Dedicated Credits - Intragvt Rev	3,817,686	3,960,275	4,357,008	4,502,852	4,590,600
<b>Total</b>	<b>\$3,817,686</b>	<b>\$3,960,275</b>	<b>\$4,357,008</b>	<b>\$4,502,852</b>	<b>\$4,590,600</b>
<b>Programs</b>					
ISF - DHS General Services	1,352,249	1,351,773	1,396,310	1,417,127	1,442,500
ISF - DHS Data Processing	2,465,437	2,608,502	2,960,698	3,085,725	3,148,100
<b>Total</b>	<b>\$3,817,686</b>	<b>\$3,960,275</b>	<b>\$4,357,008</b>	<b>\$4,502,852</b>	<b>\$4,590,600</b>
<b>Categories of Expenditure</b>					
Personal Services	2,279,761	2,428,563	2,606,677	29,000	65,600
In-State Travel	522	6,593	3,554	0	6,600
Current Expense	1,447,591	1,354,906	1,437,721	1,400,451	1,443,200
DP Current Expense	112,242	144,019	119,662	3,080,957	3,178,200
Other Charges/Pass Thru	11,108	10,936	10,489	0	10,500
Depreciation	449	2,988	2,197	1,919	1,900
<b>Total</b>	<b>\$3,851,673</b>	<b>\$3,948,005</b>	<b>\$4,180,300</b>	<b>\$4,512,327</b>	<b>\$4,706,000</b>
<b>Profit/Loss</b>	<b>(\$33,987)</b>	<b>\$12,270</b>	<b>\$176,708</b>	<b>(\$9,475)</b>	<b>(\$115,400)</b>
<b>Other Data</b>					
Budgeted FTE	29.8	29.8	34.0	1.0	2.0
Retained Earnings	142,449.0	154,719.0	333,867.0	321,952.0	92,667.0
Vehicles	1	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 for a charge based on 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."

Budget History - ISF - Human Services - ISF - DHS Internal Service Funds - ISF - DHS General Services					
	2004	2005	2006	2007	2008
Sources of Finance	Actual	Actual	Actual	Actual	Appropriated
Dedicated Credits - Intragvt Rev	1,352,249	1,351,773	1,396,310	1,417,127	1,442,500
<b>Total</b>	<b>\$1,352,249</b>	<b>\$1,351,773</b>	<b>\$1,396,310</b>	<b>\$1,417,127</b>	<b>\$1,442,500</b>
Categories of Expenditure					
Personal Services	26,276	30,899	31,947	34,066	65,600
Current Expense	1,381,070	1,284,625	1,363,774	1,337,377	1,370,000
DP Current Expense	4,644	3,265	2,337	55,159	6,900
Depreciation	449	1,078	269	0	0
<b>Total</b>	<b>\$1,412,439</b>	<b>\$1,319,867</b>	<b>\$1,398,327</b>	<b>\$1,426,602</b>	<b>\$1,442,500</b>
Profit/Loss	<b>(\$60,190)</b>	<b>\$31,906</b>	<b>(\$2,017)</b>	<b>(\$9,475)</b>	<b>\$0</b>
Other Data					
Budgeted FTE	1.0	1.0	1.0	1.0	2.0
Retained Earnings	50,437.0	82,343.0	82,765.0	70,851.0	73,765.0
Vehicles	1	1	1	1	1

Table 9-2

**DATA PROCESSING INTERNAL SERVICE FUND****Function**

The Department Data Processing Internal Service Fund provides accounting for new applications development and programming services for the Department. With passage of House Bill 109, "Information Technology Governance Amendments" during the 2005 General Session, data processing functions were consolidated into the Department of Technology Services including the transfer of 33 FTE. A portion of the funding was left in this program to cover DTS' service rate.

**Funding Detail**

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

<b>Budget History - ISF - Human Services - ISF - DHS Internal Service Funds - ISF - DHS Data Processing</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Sources of Finance</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Appropriated</b>
Dedicated Credits - Intragvt Rev	2,465,437	2,608,502	2,960,698	3,085,725	3,148,100
<b>Total</b>	<b>\$2,465,437</b>	<b>\$2,608,502</b>	<b>\$2,960,698</b>	<b>\$3,085,725</b>	<b>\$3,148,100</b>
<b>Categories of Expenditure</b>					
Personal Services	2,253,485	2,397,664	2,574,730	(5,066)	0
In-State Travel	522	6,593	3,554	0	6,600
Current Expense	66,521	70,281	73,947	63,074	73,200
DP Current Expense	107,598	140,754	117,325	3,025,798	3,171,300
Other Charges/Pass Thru	11,108	10,936	10,489	0	10,500
Depreciation	0	1,910	1,928	1,919	1,900
<b>Total</b>	<b>\$2,439,234</b>	<b>\$2,628,138</b>	<b>\$2,781,973</b>	<b>\$3,085,725</b>	<b>\$3,263,500</b>
<b>Profit/Loss</b>	<b>\$26,203</b>	<b>(\$19,636)</b>	<b>\$178,725</b>	<b>\$0</b>	<b>(\$115,400)</b>
<b>Other Data</b>					
Budgeted FTE	28.8	28.8	33.0	0.0	0.0
Retained Earnings	92,012.0	72,376.0	251,102.0	251,101.0	18,902.0

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

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

**Expenditure categories used by the state are:**

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

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

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

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

***FTE***

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

***Line Item***

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



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