



# DEPARTMENT OF HUMAN SERVICES - SERVICES FOR PEOPLE WITH DISABILITIES

HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE  
STAFF: STEPHEN JARDINE

BUDGET BRIEF

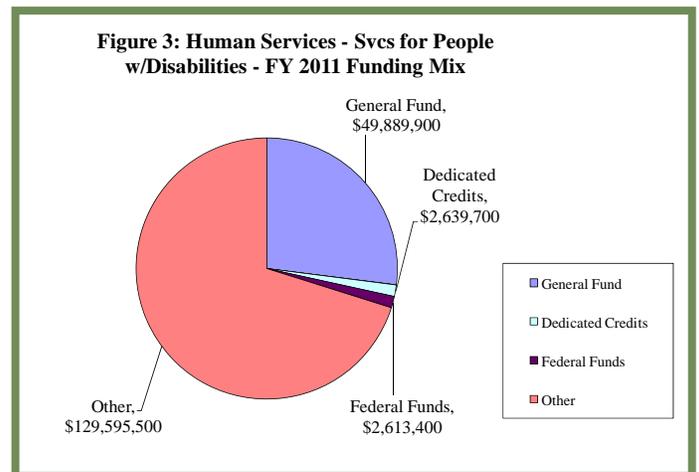
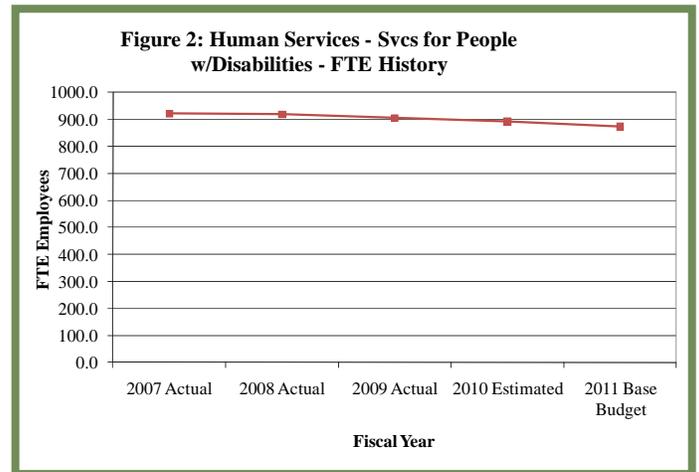
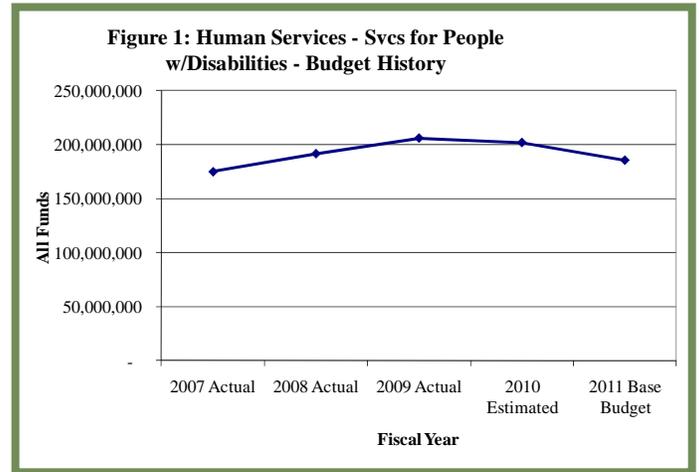
**SUMMARY**

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 intellectual disabilities or other related conditions, brain injuries, or physical disabilities. To receive services, people must have substantial functional limitations in three or more of the following life activities: self care, receptive and expressive language, learning, mobility, self direction, capacity for independent living, 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 funded in the Department of Health.

DSPD has divided the state into three regions for service delivery. The division contracts for services with local private providers and oversees and evaluates the quality of services provided.

DSPD, under the State Medicaid plan, has an interagency agreement with the Department of Health to act as the operating agency to administer the Home- and Community-based Services Waiver program which allows services to be provided in a less restrictive setting than institutional care while still qualifying for Medicaid. DSPD, under the State Medicaid Plan, administers three waiver programs: 1) Community Supports Waiver, 2) Acquired Brain Injury Waiver, and 3) Physical Disability Waiver. Waiver programs are exceptions to the regular Medicaid State Plan allowing states more flexibility than the regular State Medicaid Plan. DSPD also offers non-waiver services for individuals who do not qualify for the Medicaid waivers.

For additional information on DSPD, please refer to the Compendium of Budget Information for the 2010 General Session found at <http://le.utah.gov/lfa/reports/cobi2010/COBI2010.htm>



**ISSUES*****Base Budget Adoption***

Adoption of the base budget enables the programs to continue for the next fiscal year at the level outlined. Some changes in the base budget may occur, namely non-state fund increases or decreases (i.e. federal funds, transfers, dedicated credits and non-lapsing balances) and program shifts within a line item.

***Department Requests for Consideration***

The department requests the following actions from the subcommittee for the Division of Services for People with Disabilities:

1. *Request for \$1,764,800 in General Fund and \$4,412,000 in federal Medicaid funds to pay for required additional needs of individuals as a condition of participation in the Medicaid waiver programs.* Utah serves 4,648 individuals in these Medicaid waiver programs. Of the 4,648 covered individuals, 505 or 10.9 percent have been identified as having increased health and safety needs at the present time. These are individuals already receiving services whose needs have grown due to worsened condition. In order for a person to meet the test to receive additional services, the person must have lost a primary caregiver or had a dramatic change in his or her health or behavior. Whether a person meets the test is determined by a review administered by a services review committee operating in each of the division's regions. It is a Medicaid requirement that the health and safety service needs of individuals receiving services under these waivers be met. The Governor has recommended funding the above request with ongoing funds for FY 2011.
2. Authorize the following item of intent language for inclusion in FY 2011:

*The Legislature intends that the Division of Services for People with Disabilities (DSPD) use FY 2011 beginning nonlapsing funds to offer emergency services, services for individuals who turn 18 years old and leave state custody from the divisions of Child and Family Services and Juvenile Justice Services, and services for individuals that are court ordered into DSPD services.*

***Statewide Waiting List***

The division maintains a statewide waiting list for services. Calculation of costs of service for individuals on the statewide waiting list is based on the average cost of providing each service for each person who is waiting. The waiting list is updated using an ongoing review process. People no longer needing services or who no longer wish to wait for services are removed from the waiting list. As of August 17, 2009, there were 1,990 individuals with severe disabilities waiting for services at a total calculated cost of \$23,477,000 (\$11,389,200 in state General Fund). At the beginning of the current budget process, the department made a request of the Governor to fund \$2,433,000 in General Fund and \$6,085,100 in federal Medicaid funds to bring 20 percent or 397 of the most critical individuals on the disabilities waiting list into services. The Governor did not recommend this request.

**ACCOUNTABILITY DETAIL**

For a discussion of accountability detail, see Issue Brief *Department of Human Services Accountability Detail*.

**BUDGET DETAIL**

The following table shows the budget history for the DSPD line item including the base budget for adoption. The Executive Appropriations Committee adopted FY 2011 General and Education Fund revenue estimates that are 98 percent of the original FY 2010 ongoing appropriations. The FY 2011 base budget bills (S.B. 1 and H.B. 1) reduce appropriations for all line items and programs proportionately to match revenues. However, the Executive Appropriations Committee allocated 95 percent of original FY 2010 ongoing appropriations to each subcommittee and directed the subcommittees to compile a list of options equal

to a 5 percent ongoing reduction. The Executive Appropriations Committee will use these options to make final adjustments to the FY 2011 budget.

<b>Human Services - Svcs for People w/Disabilities</b>						
<b>Sources of Finance</b>	<b>FY 2009 Actual</b>	<b>FY 2010 Appropriated</b>	<b>Changes</b>	<b>FY 2010 Revised</b>	<b>Changes</b>	<b>FY 2011* Base Budget</b>
General Fund	55,862,200	50,908,100	0	50,908,100	(1,018,200)	49,889,900
General Fund, One-time	(8,524,000)	(12,786,400)	0	(12,786,400)	12,786,400	0
Federal Funds	2,597,000	2,849,500	(236,100)	2,613,400	0	2,613,400
American Recovery and Reinvestment Act	12,253,300	16,281,400	0	16,281,400	(16,281,400)	0
Dedicated Credits Revenue	2,621,800	2,639,700	0	2,639,700	0	2,639,700
GFR - Trust for People with Disabilities	100,000	100,000	0	100,000	0	100,000
Transfers	0	0	50,000	50,000	0	50,000
Transfers - H - Medical Assistance	142,180,000	140,035,100	(10,900)	140,024,200	(11,383,400)	128,640,800
Transfers - Other Agencies	827,600	354,700	(72,000)	282,700	0	282,700
Transfers - Within Agency	22,000	0	22,000	22,000	0	22,000
Beginning Nonlapsing	2,117,800	1,000,000	1,449,400	2,449,400	(1,949,400)	500,000
Closing Nonlapsing	(2,449,400)	0	(500,000)	(500,000)	500,000	0
Lapsing Balance	(1,439,400)	0	0	0	0	0
<b>Total</b>	<b>\$206,168,900</b>	<b>\$201,382,100</b>	<b>\$702,400</b>	<b>\$202,084,500</b>	<b>(\$17,346,000)</b>	<b>\$184,738,500</b>
<b>Programs</b>						
Administration	4,220,100	4,604,000	(54,000)	4,550,000	(160,000)	4,390,000
Brain Injury Waiver	2,385,200	2,979,600	0	2,979,600	(6,400)	2,973,200
Community Supports Waiver	140,075,700	133,380,000	3,774,500	137,154,500	(15,519,900)	121,634,600
Non-waiver Services	2,493,000	2,428,400	0	2,428,400	(1,900)	2,426,500
Physical Disability Waiver	2,027,200	1,887,200	0	1,887,200	18,700	1,905,900
Service Delivery	16,435,300	16,573,100	(3,018,100)	13,555,000	(1,463,300)	12,091,700
Utah State Developmental Center	38,532,400	39,529,800	0	39,529,800	(213,200)	39,316,600
<b>Total</b>	<b>\$206,168,900</b>	<b>\$201,382,100</b>	<b>\$702,400</b>	<b>\$202,084,500</b>	<b>(\$17,346,000)</b>	<b>\$184,738,500</b>
<b>Categories of Expenditure</b>						
Personnel Services	48,020,800	48,829,600	(2,630,700)	46,198,900	(1,130,500)	45,068,400
In-state Travel	174,600	260,200	(78,400)	181,800	(52,200)	129,600
Out-of-state Travel	5,500	23,100	(23,100)	0	0	0
Current Expense	8,667,000	8,691,400	(52,300)	8,639,100	(525,400)	8,113,700
DP Current Expense	2,073,600	2,526,600	(234,600)	2,292,000	(114,300)	2,177,700
DP Capital Outlay	41,400	6,000	0	6,000	0	6,000
Capital Outlay	55,500	0	50,000	50,000	0	50,000
Other Charges/Pass Thru	147,130,500	141,045,200	3,671,500	144,716,700	(15,523,600)	129,193,100
<b>Total</b>	<b>\$206,168,900</b>	<b>\$201,382,100</b>	<b>\$702,400</b>	<b>\$202,084,500</b>	<b>(\$17,346,000)</b>	<b>\$184,738,500</b>
<b>Other Data</b>						
Budgeted FTE	906	916	(24)	892	(19)	873
Vehicles	75	80	(5)	75	0	75

\*Does not include amounts in excess of subcommittee's state fund allocation that may be recommended by the Fiscal Analyst.

**LEGISLATIVE ACTION**

The Analyst recommends the Legislature:

1. Adopt a total FY 2011 base appropriation of \$184,738,500 with the plan of financing shown above for the Division of Services for People with Disabilities line item.
2. Approve the item of intent language shown earlier on page 2.
3. Consider funding the division request for \$1,764,800 in General Fund and \$4,412,000 in federal Medicaid funds to pay for additional health and safety needs of individuals already covered under the Medicaid waiver programs. The Governor has recommended this item.