

**MINUTES OF THE  
SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE**

Room 30 House Building, State Capitol Complex  
Tuesday, February 5, 2013

MEMBERS PRESENT:      Sen. Allen M. Christensen, Co-Chair  
                                 Rep. Ronda Rudd Menlove, Co-Chair  
                                 Sen. Deidre M. Henderson  
                                 Sen. Luz Robles  
                                 Sen. Brian E. Shiozawa  
                                 Sen. Todd Weiler  
                                 Rep. Rebecca Chavez-Houck  
                                 Rep. Tim Cosgrove  
                                 Rep. Paul Ray  
                                 Rep. Edward H. Redd  
                                 Rep. Marc K. Roberts  
                                 Rep. Earl D. Tanner

MEMBERS ABSENT:      Rep. Daniel McCay  
                                 Sen. Peter C. Knudson  
                                 Sen. Wayne L. Niederhauser  
                                 Sen. Evan Vickers  
                                 Rep. Brad L. Dee

STAFF PRESENT:        Mr. Russell Frandsen, Fiscal Analyst  
                                 Mr. Stephen Jardine, Fiscal Analyst  
                                 Mr. Gary Ricks, Fiscal Analyst  
                                 Ms. Paula Winter, Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at <http://le.utah.gov>. A list of visitors and a copy of handouts are filed with the committee minutes.

Co-Chair Menlove called the meeting to order at 8:11 a.m.

Rep. Menlove announced that today would be focused on Health and Human Services issues related to the disability community and public comment came first.

Joyce Dolcourt, advocate, Legislative Coalition for People with Disabilities; Jacob Hansen, Citizen and son; Mark Hansen, citizen and father; Erica Head, consumer Independent Living Services; Kris Sanford, advocate, Independent Living Centers; Corby Campbell, citizen; Amber Blakesley, citizen, sonny Todd Hunter, director, RISE; Stefon Marquez, client; Emilee Wagner, parent; Charlie Luke, Executive Director, Utah Association of Community Services; Sylvia Scott, parent; Andy Curry, director, Roads to Independence; Andrew Riggle, advocate, Disability Law Center; and Troy Justesen, advocate, Utah Developmental Disabilities Council shared public testimony about varying disability issues and requests for support of the programs now in place.

Sen. Weiler asked Mr. Justesen what specific recommendations would he make to this committee different than has been done before.

Mr. Justesen replied that in his opinion a strong investment in respite services where a small investment would result in a greater savings in the overall costs of more expensive Medicaid services would be beneficial. Sen. Christensen and Mr. Justesen had a discussion about how to apply a formula to the waiting list of how to choose where to apply services without being arbitrary in giving services and agreed to address the issue in the future.

Rep. Ray informed the Committee that he had put in a request of \$350,000 for respite care for those on the DSPD waiting list. A request was put in previously but because of budget cuts the full amount was not used.

Stephen Jardine looked at 5 year history of DSPD Clients served by Services for People with Disabilities. He looked at two actions recommended by staff which includes a change for federal medical assistance percentage which are services related to Medicaid. The other is the intent language. Mr. Jardine further proceeded to look at department requests which include intent language and building blocks. The reviews being made came from the agency or are also recommended by the governor and by constitution it is the committee's authority to set the budget. Changes can be made in purpose or new requests may be added.

Sen. Robles and Mr. Jardine had a discussion to clarify if item #4 was regarding respite care and it was determined it was not, but the purpose could be changed.

Rep. Tanner stated some of the items do not have federal matching funds and wanted an explanation. Mr. Jardine explained that they are already on the waiver. The federal money is built into the budget. The request is only for state money. Once someone is on the waiver they are entitled to all the services on the waiver if they need them.

In response to a question by Rep. Redd, Mr. Jardine clarified what a waiver is. He stated that Medicaid has its rules and a waiver is approval received from the federal government to waive those rules and replace them with rules that still comply with their agreement through their authorization. An explanation was given by Mr. Jardine about how the care services are provided in the community under the waiver. If the 70 percent federal money is desired, participation must be done with government approval of the waiver.

Mr. Jardine addressed the division Services for People with Disabilities Performance Measures. An 8 year history is given. He specified some points in this part of the brief. Mr. Jardine explained that there is a brief with a large display from several years ago that is organized by category but covers many areas and is there for background information. Some of the funds are controlled by other committees but quite a bit is controlled by this committee. Mr. Jardine directed the committee to the brief, Option for a Tier Approach to DSPD Community Services, which is in response to intent language from last year. There is no legislative action to be taken.

Palmer DePaulis, Director of Human Services, is with Paul Smith, Director of the Division for Services of People with Disabilities. Mr. DePaulis commented on the most important Building Blocks they have requested which are replacing one time funds so there are ongoing funds for the future, covering the mandated needs, and money for kids in DCFS that are aging out.

Sen. Robles had a question about the tier and Mr. DePaulis emphasized that this issue requires a lot of participation and involves a lot of people and indicated this would solve a lot of issues but needs to be addressed with all the stakeholders.

Stephen Jardine stated that USOR has no motions only the base budget. They have included their building blocks, agency list, a brief on follow up language, and a brief explaining the independent living centers.

Don Uchida, Executive Director of Vocational Rehabilitation, presented a handout including their Building Blocks as well as the 2012 Annual Performance Report and reviewed the handout information. He also included the Assistive Technology list which is growing and includes a request for \$250,000 in one time money.

Rep. Menlove questioned if the committee were to grant additional one time funds how far down on the

waiting list for assisted technology would the USOR get. And Mr. Uchida responded that they would probably complete the waiting list. We used the funds of \$200,000 from last year and those funds were gone by September. This waiting list began after that. He stated that they did try to recycle but rebuilding technology sometimes is not cost effective.

Sen. Christensen motioned to adjourn

Co-chair Menlove adjourned the meeting at 9:51 a.m.

Minutes were reported by Ms. Paula Winter, Senate Secretary

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Sen. Allen M. Christensen, Co-Chair  
Rep. Ronda Rudd Menlove, Co-Chair