



UTAH STATE OFFICE OF REHABILITATION

FEDERAL FUNDS

SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE
STAFF: STEPHEN JARDINE

ISSUE BRIEF

SUMMARY

Utah Code Annotated, Section 63J-5-201 states, "The Legislative Fiscal Analyst shall submit a federal funds request summary for each agency to the legislative appropriations subcommittee responsible for that agency's budget for review during each annual general session. Each legislative appropriations subcommittee shall review the federal funds request summary and may recommend that the agency accept the federal funds or participate in the federal program for the fiscal year under consideration or recommend that the agency not accept the federal funds or not participate in the federal program for the fiscal year under consideration." The Utah State Office of Rehabilitation (USOR) did not request an increase in its federal funds for FY 2014. The USOR FY 2014 budget includes \$67,728,300 in federal funds. The USOR FY 2015 budget request includes \$67,728,300 of federal funds. \$50,930,900 of this amount is in the Rehabilitation Services program and \$12,198,500 in the Disability Determination program. After discussions with USOR regarding its current structural imbalance, USOR is requesting its FY 2014 estimate and its FY 2015 federal funds estimate be revised down. The estimate of these federal funds is subject to any subsequent actions taken by the Legislature with regard to reductions in state appropriations.

LEGISLATIVE ACTION

The analyst recommends:

1. The Subcommittee allow the Utah State Office of Rehabilitation to accept the federal funds shown in table 2 on page 3 in this brief and direct the Fiscal Analyst to include these federal funds and associated federal programs in the annual appropriations acts.
2. The Subcommittee approve a decrease of \$14,417,800 in the USOR federal funds estimate for FY 2014 and a decrease of \$14,417,800 in the USOR federal funds estimate for FY 2015.

FY 2014 OVERVIEW

The Utah State Office of Rehabilitation is not requesting any additional FY 2014 federal funds authorization. The USOR FY 2014 authorized budget includes a total of \$67,728,300 in federal funds.

FY 2015 OVERVIEW

The Utah State Office of Rehabilitation is requesting FY 2015 authorization associated with 8 separate grants totaling \$67,728,300. The \$67,728,300 request is made up of:

1. The Rehabilitation Services program for grants totaling \$50,930,900,
2. The Disability Determination program for grants totaling \$12,198,500,
3. The Blind and Visually Impaired program for grants totaling \$3,614,900, and
4. The Executive Director for grants totaling \$984,000.

Of the total FY 2015 estimated federal funds of \$67,728,300, 95 percent is made up of two grants: 1) the Rehabilitation Basic Support Grant (76 percent) and 2) the Disability Determination Services grant (19 percent). The estimate of these federal funds is subject to any subsequent actions taken by the Legislature with regard to additions or reductions in state appropriations.

FEDERAL RESERVES OVER THREE MONTHS FOR FY 2014

Table 1 below shows that USOR has no federal grants with three months or more of reserve of spending authority. Three months was chosen because the Legislature, for example, ended FY 2013 with a nonlapsing balance of \$5.5 million on a total budget of \$20.6 million. This represents about 27% of the total budget or three months.

Division	Federal Grant Name	Authority through FY 2014	Amount in FY 2014 Budget Request	Reserve Spending Authority	# of Months of Reserves	Explanations
DDS	Social Security Disability Det	12,198,500	12,198,500	0	0	N/A
Various	Vocational Rehab Support 11	49,439,500	49,439,500	0	0	N/A
Various	In Service Training	3,526,700	3,526,700	0	0	N/A
Various	Independent Living	225,000	225,000	0	0	N/A
Various	Independent Living	338,700	338,700	0	0	N/A
DRS	Supported Employment	562,200	562,200	0	0	N/A

Table 1

THE FUTURE OF FEDERAL FUNDS OVER THE NEXT TWO YEARS

FY 2014 Federal Omnibus Appropriations Bill

"Late on Jan. 13, House and Senate Appropriations Chairmen . . . released an appropriations agreement for FY 2014. The deal, officially titled the Consolidated Appropriations Act of 2014, will fund the federal government at an overall level of \$1.012 trillion, an increase of \$45 billion in comparison to FY 2013 levels, post sequestration" ([NCSL - Overview of the FY 2014 Omnibus Appropriations](#)). Over the next several days both houses of Congress passed and the President signed this Omnibus appropriations bill. See *Appendix B* of this brief for a Federal Funds Information Service (FFIS) table comparing major and mandatory program funding between the FY 2014 Omnibus bill, the President's budget, and fiscal year 2012 and fiscal year 2013 levels.

The Bipartisan Budget Act of 2013

"Following the House of Representatives' lead, the Senate today [December 18, 2013] passed the [Bipartisan Budget Act of 2013](#). The [budget plan](#) . . . increases by \$63 billion the discretionary budget caps set in the 2011 Budget Control Act for FY 2014 and FY 2015. This will be offset, along with an additional \$23 billion in deficit reduction over 10 years, through a variety of user fees and extending sequester reductions to mandatory programs for another two years. . . It appears likely that some of the 12 appropriations bills will be combined into an omnibus bill before Jan. 15, 2014, when the current continuing resolution expires." (*Congress Gives Holiday Gift of Budget Certainty*, National Conference of State Legislatures, Capitol to Capitol, Volume 20, Issue 24, December 18, 2013). The Federal Funds Information Service (FFIS) published a Budget Brief titled [FAQs: The Bipartisan Budget Act](#) (Budget Brief 13-19, December 18, 2013) in which they provide the following basic pieces of information about the budget agreement approved in December, 2013: 1) The Bipartisan Budget Act (BBA) does not finalize the FY 2014 federal budget but instead the agreement only provides caps for total defense and total nondefense; 2) the BBA does not include funding for specific programs 3) appropriators will determine how to fund specific programs within the overall cap 4) some programs will be subject to across-the-board (ATB) sequestration under the Budget Control Act which are nonexempt mandatory programs - the Vocational Rehabilitation State grants, the Social Services Block Grant, and the Promoting Safe and Stable Families grant are three nonexempt mandatory programs subject to sequestration, 5) discretionary program would only be subject to ATB cuts "if enacted appropriations bills exceed the discretionary funding caps set by the agreement (which is unlikely);" 6) nonexempt mandatory programs will receive a 7.2% reduction from FY 2014 current-law funding levels ("not applied against already-reduced FY 2013 funding levels);" and 7) the agreement maintains the Budget Control Act enforcement ATB sequestration of these discretionary caps through FY 2021 and also "extends sequestration of nonexempt mandatory programs for two years, through FY 2023."

USOR FY 2014 AND FY 2015 FEDERAL FUNDS ESTIMATES ARE OVERSTATED

Discussions regarding the current USOR structural imbalance (see separate issue brief) brought to light an overstatement in the FY 2014 and FY 2015 USOR federal funds estimates. With regard to these overestimates, USOR stated, "The Base

Budget for federal dollars for 2014 and 2015 are substantially higher than what we will actually expend, for [several] reasons: 1) [USOR] didn't want to exceed the 125% rule again as we had in 2012, 2) [USOR] [estimated additional federal funds] in 2015 in anticipation of potential re-allotment of VR basic support funds” (USOR e-mail communication with the Fiscal Analyst, December 20, 2013). Upon further review, USOR is requesting its FY 2014 estimate and its FY 2015 federal funds estimate be revised down by \$14,417,800 for FY 2014 and \$14,417,800 for FY 2015. The Analyst agrees with this request.

USOR FY 2014 FEDERAL FUNDS REQUEST FOR AUTHORIZATION

USOR is not requesting any additional federal funds authorization for FY 2014.

UTAH STATE OFFICE OF REHABILITATION FY 2015 FEDERAL FUNDS REQUEST FOR AUTHORIZATION

The following table shows the Utah State Office of Rehabilitation federal assistance request for Fiscal Year 2015. The estimate of these federal funds is subject to any subsequent actions taken by the Legislature with regard to reductions or increases in state appropriations.

Federal Funds Request Summary for State FY 2015															
July 1, 2014 through June 30, 2015															
Grant Title	CFDA Number	ARRA mark "X"	Federal Annual Award	Annual Match Requirement							% Pass-Through	New Permanent Staff	Notes/In Kind Source/Fed Requirements		
				Matching State Funds											
				General Fund	Dedicated Credits	Restricted Funds	Other Funds	In Kind	Maint. Of Effort	Total State Match	Local/Other				
UTAH STATE OFFICE OF REHABILITATION															
1	Rehab Basic Support Grant	84.126a		\$51,707,500	\$0	\$0	\$0	\$0	\$0	\$11,274,437	\$11,274,437	\$0	0%	0.00	--
2	Disability Determination Services	96.008		\$12,860,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0%	0.00	--
3	Social Security	None		\$1,899,600	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0%	0.00	--
4	Indept Living Older Blind	84.177		\$241,800	\$25,000	\$0	\$0	\$0	\$0	\$0	\$25,000	\$0	86%	0.00	--
5	Utah Work Incentive Project	96.008		\$100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0%	0.00	--
6	Supported Employment	84.187		\$530,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0%	0.00	--
7	Indept Living Older Blind	84.169		\$341,600	\$37,956	\$0	\$0	\$0	\$0	\$0	\$37,956	\$0	86%	0.00	90/10 match with state funds.
8	Rehab Inservice	84.265		\$47,300	\$6,225	\$0	\$0	\$0	\$0	\$6,225	\$0	\$0	0%	0.00	88.37/11.63 match with state funds.
Division/Program Totals				\$67,728,300	\$69,181	\$0	\$0	\$0	\$0	\$11,274,437	\$11,343,618	\$0	2%	0.00	

Table 2

APPENDIX A – EXPLANATION OF FEDERAL FUNDS

Utah State Office of Rehabilitation:

- **Vocational Rehabilitation Basic Support Grant 84.126a:** The purpose of this funding is to assist eligible individuals with disabilities to achieve gainful employment. Services are available according to the individual needs, abilities, capabilities and informed choice. Services include but are not limited to: vocational rehabilitation counseling and guidance, physical and mental restoration, training services, assistive technology, maintenance and transportation, placement services, and other goods and services needed by the individual to achieve an employment outcome. The matching ratio for this grant is 78.7 percent federal to 21.3 percent state. There is included in this grant an estimate for the federal re-allocation of \$7,000,000. (34 CFR 361.1; 34 CFR 361.60)
- **Disability Determination Services 96.008:** This is a state administered federal program that develops, adjudicates, and processes disability claims of Utah residents for Social Security benefits, including Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI). No match is required for this grant. The grant is 100 percent federal funds. (UCA 53A-24-501)
- **Social Security Trust Fund n/a:** This is reimbursement that comes back to the agency on a case by case basis for clients who were on SSDI or SSI, were successfully placed into employment by the Vocational Rehabilitation Program, and eventually earned enough to get off of benefits. This reimbursed money can only be used for programs under Title I, VI and VII of the federal *Rehabilitation Act*, as amended. (34 CFR 361.63)
- **Independent Living 84.177:** This is a grant that is passed through and allocated to the six Independent Living Centers in Utah. The matching ratio for this grant is 90 percent federal to 10 percent state. (34 CFR 364.1)

- **Utah Work Incentive Project n/a:** This Social Security Administration funding provides a work incentive planning assistance specialist position. This position assists people on SSI/SSDI in making sure they understand all the incentives available to them if they go to work and also the impact earnings will have on a person's benefits.
- **Supported Employment 84.187:** This is funding that is specific to Supported Employment and may not be used for any other purpose. The grant is 100 percent federal with no state match required. (34 CFR 363.1)
- **Independent Living - Older Blind 84.169:** This is a grant that provides independent living services to people who are age 55 or older and are blind or severely visually impaired. It is a cooperative effort between DSBVI and the Independent Living Centers throughout Utah. The matching ratio is 90 percent federal and 10 percent state.
- **Rehabilitation In-service Training 84.265:** This funding is a competitive grant on a 5 year cycle, with annual review and outcome reporting requirements. Its purpose is to maintain/increase professional expertise of staff. The matching ratio for this grant is 90 percent federal and 10 percent state. (34 CFR 388.1).

APPENDIX B: TABLE COMPARING OMNIBUS BILL TO PREVIOUS FUNDING LEVELS

The following table prepared by the Federal Funds Information Service (FFIS) compares major overall discretionary and mandatory program funding levels for four different circumstances: 1) the FY 2014 Omnibus budget bill, 2) the President's budget, 3) FY 2013 spending authority, and 4) FY 2012 spending authority.



Major Discretionary and Mandatory Program Funding

(dollars in millions)

Major Discretionary	FY 2012	FY 2013 1/	FY 2014		FY 2014 Omnibus v. FY 2013	
			President's Budget	Omnibus	Dollar	Percent
Department of Agriculture	\$6,861	\$6,766	\$7,414	\$6,986	\$219	3.2%
Commodity Assistance Program (CAP) 12/	242	244	272	270	26	10.5%
Women, Infants & Children (WIC)	6,618	6,522	7,142	6,716	194	3.0%
Department of Commerce	220	172	282	210	37	21.6%
Economic Development Assistance (EDA)	220	172	282	210	37	21.6%
Department of Education 10/	37,273	35,341	38,398	36,514	1,174	3.3%
Title I: Education for the Disadvantaged 3/	14,516	13,760	14,516	14,385	625	4.5%
Title I: School Improvement Grants	534	506	659	506	0	0.0%
Striving Readers	160	151	0	158	7	4.4%
Ready-to-Learn Television	27	26	0	26	0	-0.1%
Effective Teaching - Literacy	0	0	187	0	0	0.0%
Mathematics and Science Partnerships	150	142	415	150	8	5.5%
English Language Acquisition	732	694	732	723	30	4.3%
Improving Teacher Quality 3/	2,467	2,338	2,467	2,350	12	0.5%
Teacher Incentive Fund	299	284	400	289	5	1.8%
Impact Aid	1,291	1,224	1,224	1,289	65	5.3%
21st Century Community Learning Centers	1,152	1,092	1,252	1,149	58	5.3%
State Assessments	389	369	389	378	9	2.5%
Special Education State Grants (Part B-611) 3/	11,578	10,975	11,578	11,473	498	4.5%
Career and Technical Education State Grants 3/	1,123	1,064	1,123	1,118	53	5.0%
Adult Basic and Literacy Education State Grants	595	575	595	564	-11	-1.9%
Federal Supplemental Ed. Opportunity Grants	735	696	735	733	37	5.3%
Work Study	977	926	1,127	975	49	5.3%
Race to the Top (RTT) 13/	549	520	1,000	250	-270	-51.9%
Department of Health and Human Services 4/ 10/	25,179	24,140	26,437	26,363	2,223	9.2%
Substance Abuse Block Grant	1,800	1,710	1,820	1,820	110	6.4%
Mental Health Block Grant	460	437	460	484	47	10.7%
Maternal & Child Health Block Grant	639	605	639	634	29	4.8%
Community Health Centers	1,567	1,479	1,567	1,495	16	1.1%
Preventive Health Block Grant 4/	80	75	0	160	85	112.2%
Family Planning	294	278	327	286	8	2.9%
Ryan White AIDS Grants	2,392	2,249	2,412	2,319	70	3.1%
Hospital Preparedness	375	358	255	255	-103	-28.8%
CDC-State & Local Capacity (Bioterrorism)	657	623	649	656	33	5.2%
Head Start	7,969	7,573	9,621	8,598	1,025	13.5%
Child Welfare Services	281	263	281	269	6	2.3%
Community Services Block Grant	677	635	350	674	39	6.1%
Child Care & Development Block Grant	2,278	2,206	2,478	2,360	154	7.0%
Low-Income Home Energy Assistance 9/	3,472	3,255	2,970	3,425	170	5.2%
Refugee Assistance	768	999	1,123	1,486	487	48.7%
Administration on Aging	1,471	1,395	1,485	1,443	49	3.5%
Department of Housing and Urban Development	40,812	39,417	43,818	42,343	2,926	7.4%
Community Development Block Grant - Entitlement (CDBG) 11/	2,066	2,157	1,961	2,123	-34	-1.6%
CDBG - Nonentitlement 11/	882	921	837	907	-14	-1.6%
Homeless Assistance Grants	1,901	1,933	2,381	2,105	172	8.9%
HOME Program 11/	1,000	948	940	1,000	52	5.5%
Public Housing Operating Fund 11/ 12/	3,962	4,054	4,600	4,400	346	8.5%
Public Housing Capital Fund 11/ 12/	1,875	1,777	2,000	1,875	98	5.5%
Tenant-Based Rental Assistance (Section 8) 11/ 12/	18,914	17,950	19,969	19,177	1,227	6.8%
Project-Based Rental Assistance (Section 8) 11/ 12/	9,340	8,851	10,272	9,917	1,065	12.0%
Housing for the Elderly 11/ 12/	375	355	400	384	28	8.0%
Housing for Persons with AIDS 11/	332	315	332	330	15	4.9%
Housing for Persons with Disabilities 11/ 12/	165	156	126	126	-30	-19.4%
Department of Energy and EPA	2,493	2,349	2,153	2,580	231	9.8%
DOE Weatherization Assistance Program 12/	68	64	184	174	110	170.0%
DOE State Energy Program 12/	50	47	57	50	3	5.5%
EPA Clean Water State Revolving Fund 10/	1,457	1,376	1,095	1,449	73	5.3%
EPA Drinking Water State Revolving Fund 10/	918	861	817	907	46	5.3%
Department of Justice	1,251	1,221	1,277	1,187	-34	-2.8%
Violence Against Women 12/	413	387	413	417	30	7.7%
COPS/21st Century Policing 12/	199	208	440	214	6	2.9%
State Criminal Alien Assistance Program (SCAAP) 12/	240	238	0	180	-58	-24.3%
Byrne Justice Assistance Grants (JAG) 12/	370	366	395	376	10	2.8%
Juvenile Accountability Block Grant (JABG) 12/ 14/	30	23	30	0	-23	-100.0%

cont.

Major Discretionary	FY 2012	FY 2013 1/	FY 2014		FY 2014 Omnibus v. FY 2013	
			President's Budget	Omnibus	Dollar	Percent
Department of Homeland Security	1,254	1,359	1,493	1,481	122	9.0%
National Preparedness Grant Program 8/	NA	NA	1,043	0	NA	NA
REAL ID	0	0	0	0	0	0.0%
State Homeland Security Grant Program (SHSGP) 5/ 8/	294	355	0	411	57	16.0%
Citizen Corps	0	0	0	0	0	0.0%
Urban Area Security Initiative (UASI)	490	559	0	600	41	7.4%
State and local grants (secretary discretion) 8/	NA	NA	NA	0	NA	NA
Emergency Food and Shelter	120	114	100	120	6	5.4%
Emergency Management Performance Grants	350	332	350	350	18	5.4%
Department of Labor 10/	6,579	6,176	6,441	6,181	6	0.1%
Dislocated Worker Assistance 3/ 6/	1,008	956	1,045	1,002	46	4.8%
Adult Training 3/ 6/	771	731	792	766	35	4.9%
Youth Training 6/	824	781	847	820	39	5.0%
Workforce Innovation Fund Programs	50	47	150	47	0	0.0%
Employment Service State Administration 6/	701	664	701	664	0	0.0%
Unemployment Insurance State Administration	3,225	2,996	2,907	2,882	-115	-3.8%
Department of Transportation	54,098	54,530	55,033	55,398	868	1.6%
Airport Obligation Limitation	3,350	3,343	2,900	3,350	7	0.2%
Highway Obligation Limitation	39,144	39,620	40,256	40,256	636	1.6%
Highway Funding Exempt from Ceiling 2/	739	700	739	693	-7	-1.0%
Highway Traffic Safety Obligation Limitation	550	553	562	562	8	1.5%
Formula and Bus Grants Obligation Limitation	8,361	8,461	8,595	8,595	134	1.6%
Capital Investment Grants (New Starts) 12/	1,955	1,853	1,981	1,943	90	4.9%
Subtotal: Discretionary	\$176,021	\$171,472	\$182,746	\$179,244	\$7,771	4.5%

Major Mandatory	FY 2012	FY 2013 1/	FY 2014		FY 2014 Current Law v. FY 2013	
			President's Budget	Current Law	Dollar	Percent
Child Nutrition 2/	18,151	19,891	20,487	19,287	-604	-3.0%
Supplemental Nutrition Assistance - State Administration	3,742	3,867	3,999	3,999	133	3.4%
Social Services Block Grant (SSBG) 2/	1,700	1,613	1,700	1,578	-36	-2.2%
Child Care Entitlements to States	2,917	2,917	3,417	2,917	0	0.0%
Temporary Assistance to Needy Families (TANF) 7/	17,198	17,199	17,199	17,199	0	0.0%
Child Support Enforcement Administrative Costs	4,146	4,278	4,349	4,339	61	1.4%
Foster Care	4,181	4,289	4,284	4,282	-7	-0.2%
Adoption Assistance	2,294	2,369	2,463	2,463	94	4.0%
Independent Living	185	182	185	183	1	0.5%
Promoting Safe and Stable Families (PSSF) 2/	423	401	423	394	-7	-1.9%
Child Health Insurance (CHIP)	15,027	17,451	19,147	19,147	1,696	9.7%
Medicaid Vendor Payments	249,698	249,401	285,962	285,714	36,313	14.6%
Medicaid Administration	17,216	16,182	16,453	16,453	271	1.7%
Vaccines for Children	4,000	3,607	4,293	4,293	686	19.0%
Payments from States for Medicare prescription drugs	-8,248	-8,577	-8,255	-8,255	322	-3.8%
Vocational Rehab. State Grants 2/	3,122	3,066	3,302	3,064	-2	-0.1%
Preschool for All	0	0	1,300	0	0	0.0%
Subtotal: Mandatory/Entitlement	\$335,752	\$338,136	\$380,708	\$377,057	\$38,921	11.5%

Total: Selected Grants-In-Aid	\$511,773	\$509,609	\$563,454	\$556,301	\$46,692	9.2%
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Footnotes:

1/ The FY 2013 spending bill (P.L. 113-6) included a -2.513% across-the-board (ATB) rescission on all Agriculture, Military Construction, and Veterans Affairs discretionary programs, a -1.877% ATB rescission on all Commerce, Justice, Science discretionary programs, and a -0.1% ATB rescission on all security discretionary programs (including Homeland Security). It also included an additional ATB rescission, as calculated by OMB, of -0.032% for discretionary security programs and -0.2% for discretionary nonsecurity programs to meet BCA spending caps. Final FY 2013 funding levels are post-rescissions, post-sequestration and, in most instances, reflect figures from agency operating plans (which include department transfers).

2/ Under the BCA, mandatory programs subject to sequestration received an automatic ATB cut, beginning October 1, 2013. OMB calculated this percentage cut to be -7.2% in FY 2014.

3/ These programs receive an advance appropriation.

4/ Amounts exclude funds appropriated in the Affordable Care Act (ACA), either directly or through the Prevention and Public Health Fund (PPHF). The exception is the Preventive Health Block Grant, which is funded entirely from PPHF transfers in FY 2014 at \$160 million.

5/ SHSGP figure excludes funds designated for Operation Stonegarden.

6/ Data reflect program years rather than fiscal years.

7/ Amounts include contingency funds. TANF and related programs are authorized through September 30, 2014.

8/ FY 2013 funding levels reflect the secretary's transfer of \$189 million to state and local programs. The president's FY 2014 budget would create a new program with funding allocated based on threat, hazard, and risk assessments, with a potential minimum allocation.

9/ The FY 2012, FY 2013, and FY 2014 appropriations do not provide funding for LIHEAP contingency funds. The president proposed \$150 million in contingency funds. The figures do not reflect the president's proposal to provide \$50 million for a new competitive grant program.

10/ The FY 2012 enacted budget includes a -0.189% rescission to discretionary funding in the departments of Labor, HHS, and Education and a -0.16% rescission to discretionary funding in the Environmental Protection Agency.

11/ FY 2014 amounts under the president's budget are net of mandated transfers to other accounts.

12/ FY 2013 amounts are FFIS estimates that reflect funding levels included in P.L. 113-6 and the BCA sequestration. These agencies have not publicly released their FY 2013 operating plans. As such, the figures do not reflect agency transfers, if applicable.

13/ The FY 2014 Omnibus would direct all RTT funds toward competitive grants to states to improve and develop preschool programs.

14/ The FY 2014 Omnibus eliminates funding for JABG. However, it includes a set-aside of up to \$10 million under the Juvenile Justice Part B State Formula Grants for activities authorized under JABG.