

## Social Services Subcommittee - Motions for Subcommittee Consideration

Ref #	I move to approve the following....	Health	Human Svcs	Workforce Svcs	USOR	Other
Underline represents something new and <del>cross-out</del> represents deletions since the 2/10/2014 7:39 PM version.						
2	<b>Fee approval</b>					
2A	All of the fees for the Department of Health, the Department of Human Services, and the Department of Workforce Services as found in the following Issue Briefs: 1) <i>Fees in the Department of Health</i> ; 2) <i>Fees - The Department of Human Services</i> , 3) <i>Workforce Services Fee</i> , and 4) <i>Fees- Utah State Office of Rehabilitation</i> .	2/5A	2/11P	2/7A	2/7P	
2B	<u>Accept the four proposed fee increases for the Department of Human Services as found on pages three through five of the issue brief titled <i>Fees - The Department of Human Services</i>.</u> <u><i>These four fees were studied during the interim in conjunction with the requirements found in UCA 63J-1-504 that states, "Each fee agency shall adopt a schedule of fees assessed for services provided by the fee agency that are: reasonable, fair, and reflect the cost of services provided."</i></u>					
3	<b>Agency Requested Intent Language - Granting Nonlapsing Authority to an Agency Authorizes the Legislative Fiscal Analyst to Adjust the Budget Where Needed to Reflect the New Nonlapsing Authority</b>					
3T	Under Section 63J-1-603 of the Utah Code the Legislature intends that all appropriations provided for the Department of Health's Medicaid Mandatory Services in Item 8 of Chapter 6, Laws of Utah 2013 shall not lapse at the close of Fiscal Year 2014. The use of any nonlapsing funds is limited to the provision of Medicaid services.					
3U	Under Section 63J-1-603 of the Utah Code the Legislature intends that all appropriations provided for the Department of Health's Medicaid Optional Services in Item 9 of Chapter 6, Laws of Utah 2013 shall not lapse at the close of Fiscal Year 2014. The use of any nonlapsing funds is limited to the provision of Medicaid services.					
4	<b>Other special intent language</b>					
4D	The Legislature intends that the Department of Health report quarterly to the Office of the Legislative Fiscal Analyst on the status of replacing the Medicaid Management Information System replacement beginning September 30, 2014. The reports should include, where applicable, the responses to any requests for proposals.					
4E	The subcommittee intends that if funding is provided in FY 2014 for "DOH - MMIS Replacement" that the following intent language be included: Under Section 63J-1-603 of the Utah Code, the Legislature intends that up to [insert amount funded] for the Medicaid Mandatory Services line item not lapse at the close of Fiscal Year 2014. The use of any non-lapsing funds is limited to the redesign and replacement of the Medicaid Management Information System.					
4F	<u>If the Legislature includes funding for "Increased Funding for Transportation for the DSPD for Individuals with Disabilities," then authorize the following intent language: The Legislature intends the Department of Human Services provide a report to the Office of the Legislative Fiscal Analyst no later than September 1, 2014. The report shall include, at a minimum: 1) detailed information reflecting current transportation funding and expenditures for individuals with disabilities provided in the Division of Services for People with Disabilities (DSPD), 2) current and historical rates paid by DSPD for transportation, 3) comparisons with other similar rates paid in other agencies, 4) analysis of relevant fiscal implications, 4) review of options for improvement, 5) and a listing of similar rates as paid in surrounding and other selected states.</u>					

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6	<b>Other FY 2014 or FY 2015 budgets motions</b>					
6J	Approve the committee-determined amount for Department of Workforce Services in FY 2015 one-time funding from the Special Administrative Expense Account to fund Job Growth Projects.					
6K	Approve the committee-determined amount for Department of Workforce Services in FY 2015 one-time federal Reed Act funds to maintain increased efforts to provide employment and other job connecting activities to individuals and employers. If approved, include the following intent language in an FY 2015 appropriations act: The Legislature intends Reed Act funds appropriated for Fiscal Year 2015 to the Department of Workforce Services be used for workforce development and labor exchange activities consistent with UCA 35A-4-501(3)(b)."					
6M	<u>Actual savings of (\$ insert amount of savings and fund type) in (agency name)'s (line item) is dependent upon actual savings realized from (insert reduction name)- Up to (insert estimated reduction) General Funds appropriated to the (agency name) - (line item name) line item are contingent upon actual savings from (insert name of reduction). If actual savings in the (line item name) line item from (insert name of reduction) are less than amounts appropriated to the (line item name) line item from (insert name of reduction) in (insert year), the Division of Finance shall increase the General Fund allocations to the (line item name) line item by one dollar for every one dollar that are less than appropriations for (insert name of reduction). (This intent language can be inserted wherever the Legislature agrees that the actual amount of savings is unknown).</u>					
6N	<u>Appropriations of (\$ insert amount of savings and fund type) in (agency name)'s (line item) for (insert building block) is dependent upon actual savings realized from (insert reduction name) in (agency name)'s (line item)- Up to (insert dollar amount) General Funds appropriated to the (agency name) - (line item name) line item for (insert name of building block) are contingent upon actual savings realized from (insert name of reduction) in (agency name) - (line item name) line item. If actual savings realized from (insert name of reduction) in (agency name) - (line item name) line item are less than amounts appropriated to the (agency name) - (line item name) line item for (insert name of building block), the Division of Finance shall reduce the General Fund allocations to the (line item name) line item by one dollar for every one dollar that exceed actual savings from (insert name of reduction) in (agency name) - (line item name) line item. (This intent language can be inserted wherever the Legislature agrees that the actual amount of savings is unknown).</u>					
6O	(requested by the nursing homes) Increase the ongoing appropriation to the Department of Health Medicaid Optional Services line item from the General Fund Restricted Nursing Care Facilities Account by \$411,000 and \$1,385,700 from federal funds in FY 2015. This has the effect of increasing assessments on ICFs/ID by 1.1% (from 4.0% to 5.1% of revenues).					
6P	Authorize an additional \$50,000 in FY 2015 ongoing funding authority for the Department of Human Services' Children's Account to more closely match annual spending with deposits into the account.					
6Q	<u>(For instances where the Legislature provides one-time federal Temporary Assistance for Needy Families (TANF) funding greater than 75% of the original one-time request the following intent language will be included): The Legislature intends that the (insert amount of money funded above original request) provided to the (insert department name) for the (insert building block name) from federal Temporary Assistance for Needy Families (TANF) funding spent over future years in equal amount each year. If federal Temporary Assistance for Needy Families (TANF) funding is provided above the base budget amount in excess of (\$ insert amount of additional TANF funding) in (agency name)'s (line item) for (insert building block), the additional amount in excess is intended to be used in future years for the same purpose. (This intent language can be inserted wherever the Legislature specifies that TANF funding can be provided for a multi-year purpose).</u>					

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6R	If the Legislature includes funding for "DOH - Primary Care Grants," then include the following intent language: The Legislature intends that the (insert dollar amount funded) in new funding provided for Primary Care Grants to the Department of Health be dependent upon the State of Utah not expanding optional Medicaid under federal health care reform. Funding can be obligated on a quarterly basis.					
6S-1	The Legislature intends that the Inspector General of Medicaid Services pay the full state cost of the one attorney FTE that it is using at the Department of Health.					
6S-2	(Social Services is requesting the Infrastructure and General Government Appropriations Subcommittee to approve the following intend language): The Legislature intends that the Inspector General of Medicaid Services retain up to an additional \$60,000 of Medicaid collections during FY 2015 to pay the Department of Health for the state costs of the one attorney FTE that the Office is using.					
6S-3	If the other #6S motions are passed, the following motion is to be included: Move \$60,000 ongoing General Fund beginning in FY 2015 within the Department of Health from the Medicaid and Health Financing line item to the Executive Director's Office line item.					
6T	Provide the Department of Workforce Services \$400,000 in one-time spending authority for FY 2015 from the Pamela Atkinson Homeless Account, <del>as a 1:1 reduction in the amount of funding requested for the building block entitled "DWS - Pamela Atkinson Homeless Trust Fund."</del>					
6U	Under Section 63J-1-603 of the Utah Code the Legislature intends that up to (\$7,000,000 minus any non-contingent appropriations from the Legislature) <del>all appropriations</del> provided for the Department of Health's Medicaid Mandatory Services in Item 8 of Chapter 6, Laws of Utah 2013 shall not lapse at the close of Fiscal Year 2014. The use of any nonlapsing funds is limited to a total of <del>(\$7,000,000 \$9,500,000</del> minus any appropriations from the Legislature) for <del>replacement of</del> the Medicaid Management Information System replacement project.					
6V	Under Section 63J-1-603 of the Utah Code the Legislature intends that up to (\$7,000,000 minus any non-contingent appropriations from the Legislature) <del>all appropriations</del> provided for the Department of Health's Medicaid Optional Services in Item 9 of Chapter 6, Laws of Utah 2013 shall not lapse at the close of Fiscal Year 2014. The use of any nonlapsing funds is limited to a total of <del>(\$7,000,000 \$9,500,000</del> minus any appropriations from the Legislature) for <del>replacement of</del> the Medicaid Management Information System replacement project.					
6W	If the Legislature includes funding for "DWS - Road Home Homeless Shelter," then include the following intent language: The Legislature intends that the (insert dollar amount funded) in new funding provided for Road Home Homeless Shelter to the Department of Workforce Services not be released until a building permit is obtained. <u>If the money is not released in FY 2015, then under Section 63J-1-603 of the Utah Code, the Legislature intends that up to (insert dollar amount funded) not lapse at the close of FY 2015.</u> The use of any nonlapsing funds is limited to respite care provided by the Department of Human Services in FY 2016.					
6X	(If the Legislature includes funding for "DOH - Workforce Financial Assistance," then include the following intent language): The Legislature intends that the (insert dollar amount funded) in new funding provided for Workforce Financial Assistance to the Department of Health only be used for <u>areas of the State that meet the federal guidelines for rural, which is less than 40 people per square mile.</u> <del>providers serving in rural areas of the State.</del>					
6Y	[For instances where the Legislature provides one-time <u>state</u> funding greater than 75% <del>20%</del> of the original one-time request the following intent language will be included]: <u>Under Section 63J-1-603 of the Utah Code, the Legislature intends that the (insert amount of money funded above original request) provided to the (insert department name) for the (insert building block name) not lapse at the close of (insert fiscal year of year one funding). The nonlapsing funding for (insert fiscal year after funding provided) is limited to spending on (insert building block name). Money is to be spent over future years in equal amount each year.</u>					
6Z	Move the already approved funding of \$5,000,000 federal funds FY 2014, \$15,000,000 federal funds FY 2015 from the State Innovation Models Testing Grant from the Department of Health's Family Health and Preparedness line item to the Medicaid Optional Services line item.					

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6AA	<p>If the Legislature includes funding for the "Independent Study Requiring an Open Child Support Case as a Condition of Food Stamps Eligibility," then include the following intent language: The Legislature intends the (insert dollar amount funded) in new funding provided for the <i>Independent Study Requiring an Open Child Support Case as a Condition of Food Stamps Eligibility</i> to the Department of Human Services require that the independent study be provided to the Office of the Legislative Fiscal Analyst no later than September 1, 2014. The study shall include a(n): 1) discussion of options for a voluntary program, 2) implication on systems and staffing, 3) analysis of relevant fiscal implications, 4) review of demographic data informing why individuals are currently not seeking child support, 5) review of phase-in options to implement, 6) inventory of other states currently availing themselves of this option, and 7) results following implementation of a similar policy with Temporary Assistance for Needy Families and Medicaid.</p>		2/11P	2/11P		
6AB	<p>(If the Legislature provides funding for the building block entitled "DOH - Facility Licensing," then the following intent language is to be included) The Legislature intends that the Department of Health provide a report to the Office of the Legislative Fiscal Analyst by September 1, 2014 for how much fees would need to be increased so that there is an ongoing funding stream.</p>					
6AC	<p>(This would be added wherever Temporary Assistance for Needy Families federal funds are used): The (insert money amount) in federal funds appropriated for (building block name) in (agency name) in (line item name) line item is dependent upon the availability of and qualification for the (building block name) for Temporary Assistance for Needy Families federal funds.</p>					
6AD	<p>(This would be added wherever the Legislature provides state funds for items that are also on the TANF federal funds list): Up to (insert appropriation) General Funds appropriated to the (agency name) - (line item name) line item for (insert name of building block) are contingent upon the (insert name of building block) not receiving Temporary Assistance for Needy Families federal funds in (insert fiscal year). If (insert name of building block) in the (line item name) line item receives Temporary Assistance for Needy Families federal funds, the Division of Finance shall reduce the General Fund allocations to the (line item name) line item by one dollar for every one dollar in Temporary Assistance for Needy Families federal funds expended. Under Section 63J-1-603 of the Utah Code the Legislature intends that up to (insert appropriation) reduced due to expenditures of Temporary Assistance for Needy Families federal funds for (insert name of building block) in the (agency name) - (line item name) line item not lapse at the close of (insert fiscal year). The use of any nonlapsing fund is limited to (insert appropriation) for the redesign and replacement of the Medicaid Management Information System in the Department of Health.</p>					
6AE	<p>(If the Legislature is unable to provide state funding for the building block entitled "Aging Nutrition," then the following intent language is to be included): The Legislature intends the Department of Human Services' Division of Aging and Adult Services use applicable federal funding reserves to provide one-time funding up to \$150,000 for Aging Nutrition in FY 2015.</p>					
7	<b>Analyst-recommended Changes</b>					
7A	<p>Change UCA 51-9-201 to allow more General Fund Restricted Tobacco Settlement money to be spent on Medicaid. Currently statute requires \$10.5 million to go to the CHIP program, but due to the CHIP to Medicaid shift most CHIP children will go onto Medicaid. This change would allow the tobacco settlement money to be used to pay for Medicaid costs. (requires a bill)</p>					
7B	<p>Authorize the Fiscal Analyst to update the Medicaid and Children's Health Insurance Program caseload cost estimates in the subcommittees' prioritization lists and internal transfers where applicable based upon the results of future consensus forecasting meetings.</p>					

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7C	Authorize the Legislative Fiscal Analyst to reduce the amount requested in building blocks to reflect the internal funding recommendations from the committee.					
7D	Authorize the Fiscal Analyst to make technical changes as needed to update non-state funds in the priority funding lists.					
7E	Include the Children's Health Insurance Program caseload changes from the consensus forecast. Includes a reduction of \$4,000,000 one-time General Fund (\$19,147,900 total funds) and \$500,000 ongoing General Fund (\$2,453,700 total funds). For more information please see the brief entitled Medicaid Consensus Forecasting available at <a href="http://le.utah.gov/interim/2013/pdf/00004144.pdf">http://le.utah.gov/interim/2013/pdf/00004144.pdf</a> . The fiscal analyst recommends taking this reduction.					
7F	Include the Medicaid caseload reduction for FY 2014 from the consensus forecast. It is a reduction of \$48,500,000 one-time General Fund (\$159,028,000 total funds). For more information please see the brief entitled Medicaid Consensus Forecasting available at <a href="http://le.utah.gov/interim/2013/pdf/00004144.pdf">http://le.utah.gov/interim/2013/pdf/00004144.pdf</a> . The fiscal analyst recommends taking this reduction.					
8	<b>Other State Funds (Individual Report Pages Available in 2013 In-depth Budget Review for Most of the Funds Listed Below <a href="http://le.utah.gov/interim/2013/pdf/00004070.pdf">http://le.utah.gov/interim/2013/pdf/00004070.pdf</a>)</b>					
8A	<b>Fund 1052 Victims of Domestic Violence Services Account</b> - The Analyst recommends closing this account and sweeping balances into the General Fund as soon as the last loan receivable is accounted for. The Department of Workforce Services and Division of Finance do not object.					
8B	<b>Fund 1055 Methamphetamine Housing Reconstruction and Rehabilitation Fund</b> - This fund has not met the criteria required for most tax check off accounts of at least \$30,000 per year for three consecutive years as specified in UCA 59-10-1304. The Fiscal Analyst recommends closing the account and dispersing the funds. (requires a bill)					
8C	<b>Fund 1222 Medicaid Restricted Account</b> - The account has been used as a reserve fund with very flexible uses. The Legislature may want to identify this and similar reserve funds in one location so as to know about all available reserve fund balances. If the Legislature wanted to make the account's use tighter for specific purposes, it may want to tighten up the statutory restrictions on the account's usage in UCA 26-18-402. (requires a bill)					
8D	<b>Fund 1228 Prostate Cancer Special Group License Plate Restricted Account</b> - The account's primary revenue is specialty license plates. From October 2011 through December 2013, it has issued eight plates. The standard criteria is a 500 plate minimum in UCA 41-1a-418 that applies to plates that began after January 2012. The Fiscal Analyst recommends closing the fund and repealing UCA 26-21a-303 that creates the fund. (requires a bill)					
8E	<b>Fund 2100 State Endowment Fund</b> - As this fund is a type of reserve fund, albeit with higher restrictions to access the money, the Legislature may want to put the fund in a new "reserve account" section of the appropriation bills with other reserve accounts. Additionally, the Legislature may want to consider adding statutory language requiring periodic Legislative review of account activity due to the materiality of this account.					
8G-1	<b>Fund 2185 State Development Center Miscellaneous Donation Fund</b> - The Analyst recommends more specific expenditure guidelines be established in statute other than "for the benefit of the Utah State Developmental Center and its clients." The Analyst recommends amending UCA 62A-5-206.5(5)(b) to read "for the benefit of clients of the Utah State Developmental Center. Money and interest in the fund shall not be used for items normally paid by operating revenues or for items related to personnel costs without specific Legislative authorization." (requires a bill)					
8I-1	<b>Fund 2200 State Hospital Unit Fund</b> - The Analyst also recommends UCA 62A-15-604 be amended to define for the "benefit of patients" more specifically. "Those gifts, grants, devises, donations, and the proceeds thereof shall be used by the superintendent or his designee for the use and benefit of patients at the state hospital. Those gifts, grants, devises, donations, and the proceeds thereof shall not be used for items normally paid for by operating revenues or for items related to personnel costs without specific Legislative authorization." (requires a bill)					

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8J	<b>Fund 2205 Substance Abuse Donation Fund</b> - The Analyst recommends closing the fund as there has been no fund activity since 1996. The Department of Human Services and the Division of Finance do not object.					
8K	<b>Fund 2206 Respite Care Assistance Fund</b> - The Analyst recommends the Department of Human Services spend the minimal balance in the fund and then have the Division of Finance close the fund given there has not been any significant fund activity since its creation. The Utah Developmental Disabilities Council does not object.					
8M-1	<b>Fund 2260 Child Care Fund</b> - The Department of Workforce Services should consider spending the money from this fund again. There have been no efforts to find possible expenditures since FY 2005. As this fund is primarily from donations, there is an obligation to use the fund if there is an appropriate expenditure.					
8N-1	<b>Fund 2355 Visually Handicapped Fund</b> - The Analyst recommends the name of the fund be updated to be consistent with current terminology such as Individuals with Visual Disability Fund.					
8P	<b>Fund 5450 Housing Opportunities for People With AIDS Loans</b> - Once the agency addresses the \$8,000 loan receivable balance, then the fund should be closed as the agency does not intend to use this fund for additional loans. The Division of Finance is in agreement with this approach. The Department of Workforce Services does not object.					
8Q	<b>Fund 7290 Human Services Client Trust Fund</b> - Due to the materiality and fiduciary nature of this fund, the Analyst recommends the fund be reported annually to the Social Services Appropriations Subcommittee.					
8R	<b>Fund 7300 Maurice N. Warshaw Trust Fund</b> - Due to the fiduciary nature of this fund, the Analyst recommends the fund be reported annually to the Social Services Appropriations Subcommittee.					
8S	<b>Fund 7305 State Development Center-Patient Account</b> - Due to the materiality and fiduciary nature of this fund, the Analyst recommends the fund be reported annually to the Social Services Appropriations Subcommittee.					
8T	<b>Fund 7310 State Hospital Patient Trust Fund</b> - Due to the materiality and fiduciary nature of this fund, the Analyst recommends the fund be reported annually to the Social Services Appropriations Subcommittee.					
8U	<b>Fund 7355 Visually Handicapped Vendors</b> - The Analyst recommends the name of the fund be updated to be consistent with current terminology such as Individuals with Visual Disability Vendors Fund. Due to the materiality of this fund, the Analyst further recommends the fund be reported annually to the Social Services Appropriations Subcommittee.					
8V	<b>Fund 8090 Human Services-ORS Support Collections</b> - Due to the materiality and fiduciary nature of this fund, the Analyst recommends the fund be reported annually to the Social Services Appropriations Subcommittee.					
8W	<b>Fund 8125 5-A-Day Association</b> - The Analyst recommends closing this account. The Department of Health concurs and the Division of Finance does not object. Prior to closing the Division of Finance needs to correct the negative fund balance.					

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10	<b>Other motions by committee members</b>					
10A	<p>The following intent language is approved for each agency <u>or pass through entity</u> and each line item with new state funding for building blocks in the Social Services Appropriations Subcommittee:</p> <ol style="list-style-type: none"> <li>1. Department of Health</li> <li>2. Department of Human Services</li> <li>3. Department of Workforce Services</li> <li>4. Utah State Office of Rehabilitation</li> <li>5. <u>Pass through entity</u></li> </ol> <p>The Legislature intends that the [insert department/agency name <u>or pass through entity</u>] prepare proposed performance measures for all new state funding for building blocks for [insert line item name] and give this information to the Office of the Legislative Fiscal Analyst by June 30, 2014. The [insert department/agency name <u>or pass through entity</u>] shall provide its first report on its performance measures to the Office of the Legislative Fiscal Analyst by October 31, 2014. The Office of the Legislative Fiscal Analyst shall give this information to the legislative staff of the Health and Human Services Interim Committee.</p>					
10B	<p>The Legislature intends that the Departments of Workforce Services, Health, Human Services, Technology Services, and the Utah State Office of Rehabilitation provide a report regarding all current background checks of individuals and possible efficiencies for consolidation. The Legislature intends that agencies provide a report to the Office of the Legislative Fiscal Analyst by September 1, 2014. The report shall include the following regarding each background check program: (1) name and purpose of the program, (2) expenditures and staffing for the last three years, (3) types of problems the background check is looking for, (4) the databases searched, and (5) technology used. The report should provide recommendations where different background check systems might be combined.</p>					
10C	<p><del>Authorize the Division of Substance Abuse and Mental Health to use \$70,000 of the \$175,000 new DORA funding originally appropriated for treatment services in FY 2014 to instead contract with the University of Utah Criminal Justice Center to conduct the Correctional Program Checklist, which is described as "an evidence based assessment and quality improvement process," with DORA [as a request from the DORA program contained in the issue brief titled, <i>Drug Offender Reform Act (DORA)</i>].</del></p>					