

**MINUTES OF THE  
SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE**  
Room 30 West House Building, State Capitol Complex  
February 13, 2014 PM

**Members Present:** Sen. Allen M. Christensen, Co-Chair  
Rep. Ronda Rudd Menlove, Co-Chair  
Rep. Daniel McCay, House Vice Chair  
Sen. Deidre M. Henderson  
President Wayne L. Niederhauser  
Sen. Luz Robles  
Sen. Brian E. Shiozawa  
Sen. Todd Weiler  
Rep. Rebecca Chavez-Houck  
Rep. Tim M. Cosgrove  
Rep. Brad L. Dee  
Rep. Paul Ray  
Rep. Edward H. Redd  
Rep. Marc K. Roberts  
Rep. Earl D. Tanner

**Members Absent:** Sen. Peter C. Knudson  
Sen. Evan J. Vickers

**Staff Present:** Mr. Russell T. Frandsen, Fiscal Analyst  
Mr. Stephen C. Jardine, Fiscal Analyst  
Ms. Paula Winter, Secretary

**Note:** A copy of related materials and an audio recording of the meeting can be found at [www.leg.utah.gov](http://www.leg.utah.gov).

**1. Call to Order/Approval of Minutes**

Co-Chair Menlove called the meeting to order at 2:20 p.m.

Rep. Menlove thanked the staff and Committee.

Rep. Menlove explained about the reallocation of funds that this Committee is responsible for. She explained that this is not new money but is reallocated from different agencies and are internal dollars. She stated the first priority was to give back to the agencies the dollars they have reallocated so that the people of the state can be served best. She also appreciated the agencies and their willingness to help in the reallocation.

Russell Frandsen, Fiscal Analyst went to the Green list entitled "Likely One-time Uses for TANF (Federal) Funds - Chair Proposal" dated 2/12/2014 10:53 PM for technical motions on Child Care Subsidy rates #14 and 33 to raise the amount of TANF funds to match the total funds.

**MOTION:** Sen. Christensen moved to accept the recommendation from staff on the Green sheet entitled “Likely One-time Uses for TANF (Federal) Funds - Chair Proposal” dated 2/12/2014 10:53 PM motions for the technical change on items #14 and 33.

Motion passed unanimously with Sen. Shiozawa and Rep. Dee absent for the vote.

Mr. Frandsen presented the next motion.

**MOTION:** Sen. Christensen moved to accept the Social Services Subcommittee – Motions for Subcommittee Consideration dated 2/12/2014 10:57 PM section 2B, section 4D, 4E, 4F and all of section 6.

Motion passed unanimously with Sen. Shiozawa, and Rep. Dee absent for the vote.

**MOTION:** Rep. Redd moved to change 6AD to a motion to items we identify for TANF to further fund the priority list.

Rep. Menlove asked for clarification on where the money would go if it were not used. Mr. Frandsen clarified.

The motion as amended passed unanimously with Sen. Shiozawa and Rep. Dee absent for the vote.

Mr. Frandsen proceeded to explain about performance measures for those who receive state funding section 10A and 10B about background checks overlap.

**MOTION:** Rep. Menlove placed the motion to approve #10A, amended to include requiring performance measures on TANF federal funds, and 10B on the Social Services Subcommittee – Motions for Subcommittee Consideration sheet. 2/12/2014 10:57 PM.

**MOTION:** Sen. Christensen moved to approve intent language allowing 5% of the new monies for contract plan administration for any dental provider increase.

Sen. Henderson asked Sen. Christensen to explain the reason for having to differentiate the funds. Sen. Christensen explained the reason.

Motion passed unanimously with President Niederhauser, Sen. Shiozawa, and Rep. Dee absent for the vote.

Rep. Menlove informed the Committee that they would move to the budget sheets and began with the Ongoing State Funds – Internal Reallocation List, blue sheet, and also informed the Committee that the prioritizations which are not funded will go to the Executive Appropriations for consideration.

**MOTION:** Sen. Weiler moved to change item # 18 Ongoing State Funds – Internal Reallocation List \$480,000 to \$500,000 and take those funds from the bottom USOR Direct Client services and staffing needs.

There was some discussion about the motion among several Committee members and Sen. Weiler withdrew the motion.

**MOTION:** Sen. Robles placed a motion to pass intent language regarding certain General Assistance retroactive collections be returned to the General Assistance program instead of being deposited in the General Fund.

Rep. Menlove inquired where the money goes when it is paid retroactively and Mr. Frandsen responded that it goes into the General Fund by default.

Mark Brasher, Deputy Director, Department of Human Services (DHS), spoke about where the money comes from and where it goes as well as the effect it has on the General Fund.

Stephen Jardine, Fiscal Analyst, confirmed that the money does go to the General Fund and therefore the amount going into the General Fund would be decreased. He also suggested that the motion should be amended.

Mr. Frandsen suggested the language say: ...any Federal Supplemental Income payments remaining with General Assistance Program to replace ...federal supplemental security income....

Motion passed with the amended language with Sen. Weiler and Rep. McCay voting in opposition and Sen. Shiozawa and Rep. Dee absent for the vote.

The Committee moved to the sheet entitled “Ongoing State Funds Building Block Priority List - Chair Proposal”, gray sheet dated 2/12/2014 11:04 PM.

Rep. Redd referred to item #1 Medicaid Caseload and wondered how the Committee would be able to get anything other than this Building Block because it is so large.

Rep. Menlove talked with Rep. Redd about how the funding procedure would work but there is no way to know what funds will be and how they will be dispersed.

Sen. Weiler inquired if staff could advise us if the preliminary budget numbers we have now were the final budget numbers what would be the expectation of new money that would be available. Mr. Frandsen replied that he could get that information but his understanding is there are more ongoing mandated needs than ongoing funding available and perhaps some one-time money available. They continued the conversation about funding.

**MOTION:** Rep. Ray moved to move item #17 up to the new #10 on the list and move other items down.

Sen. Christensen spoke in opposition of that motion.

Motion failed with Rep. McCay and Rep. Ray voting in favor of the motion and Sen. Shiozawa and Rep. Dee absent for the vote.

Sen. Weiler commented on item #11 and wondered if that was the only funding that will go to the Division of People with Disabilities (DSPD). Mr. Frandsen indicated that the only other items related to this were the Respite Care Items. Mr. Jardine added that there are other mandated items.

**MOTION:** Sen. Weiler moved to approve moving item #11 the Disability Waiting List to #3.

Motion passed with Sen. Christensen, President Niederhauser, Rep. Menlove, Rep. Ray, and Rep. Tanner voting in opposition and Sen. Shiozawa and Rep. Dee absent for the vote.

**MOTION:** Rep. Ray moved to approve the Ongoing State Funds Building Block Priority List.

Motion withdrawn because it was not needed as the list had already been approved as a starting point.

Sen. Weiler proposed spoke about the amount of funds reaching children in the Division of Services for People with Disabilities and emphasized that he felt children were being discriminated against in the scoring procedure. He proceeded to give evidence to the case.

**MOTION:** Senator Weiler moved to approve the Motion Regarding Needs Assessment Process for Services for People with Disabilities. 2/13/2014 10:00 AM.

Rep. Redd asked for clarification. There was some discussion about this proposal among the Committee members. Motion passed unanimously with Sens. Shiozawa, Knudson, and Vickers and Rep. Dee absent for the vote.

**MOTION:** Rep. Menlove moved to add an amendment to the previously passed intent statement to also obtain a study of supported employment to determine if people are being kept off the waiting list.

Motion passed unanimously with Sen. Shiozawa and Rep. Dee absent for the vote.

Rep. Menlove indicated that staff informed her that since all the motions were voted on the list was changed by motion and everything was copasetic.

Rep. Menlove moved the Committee to the sheets entitled “One-time State Funds - Internal Reallocation List - Chair Proposal” yellow sheet dated 2/12/2014 10:25 PM and “One-time State Funds Building Block Priority List - Chair Proposal” brown sheet dated 2/12/2014 11:00 PM.

**MOTION:** Sen. Robles moved to remove the item entitled DHS Marriage Commission from the One-time State Funds – Internal Reallocation List and leave it on the TANF list.

Mr. Frandsen reminded the Committee that would add \$300,000 one-time to the top items on the brown list automatically. Rep. Menlove asked for someone to talk to the Committee from DWS to give an opinion on that.

Geoff Landward, Deputy Director, Department of Workforce Services, conveyed information they have received about the Marriage Commission as to the nature of what would be provided in the way of services. The information about dealing with TANF is not yet available.

Sen. Christensen spoke in support of the Marriage Commission.

Rep. Roberts requested information on the job of the Marriage Commission. Rep. Menlove and Sen. Christensen shared the information with him.

The motion failed with Sen. Robles, Sen. Weiler, Rep. McCay, Rep. Chavez-Houck, Rep. Cosgrove, and Rep. Roberts voting in favor and Rep. Dee absent for the vote.

**MOTION:** Rep. Chavez-Houck moved to reduce the funding for the DHS Marriage Commission from \$300,000 to \$100,000 and move it to the bottom of the sheet entitled One-time State Funds Building Block Priority List, brown sheet.

Rep. Roberts asked for clarification of Sen. Robles motion and the current motion. Sen. Christensen and Mr. Frandsen helped clarify.

Rep. Chavez-Houck spoke to the motion.

Motion failed with Sen. Henderson, Sen. Robles, Sen. Shiozawa, Sen. Weiler, Rep. Chavez-Houck, Rep. Cosgrove, Rep. Redd, and Rep. Roberts voting in favor of the motion.

**MOTION:** Rep. Tanner moved to approve Non-profit Allocation of Tax (modified).

Sen. Christensen referred to the ACA and had Mr. Frandsen clarify that affiliation with an institution of higher education make medical plans exempt from the tax being imposed. There was more discussion of the situation.

Michael Hales, Deputy Director, Department of Health clarified the issue of for-profits and non-profits and the tax situation.

Rep. McCay added that non-profit providers are not always conveniently located and this motion may create a dis-incentive for private practitioners to treat Medicaid patients.

Rep. Tanner spoke to the motion.

Sen. Shiozawa agreed with Rep. McCay about the dis-incentivizing at this time and that access points for patients are crucial. Sen. Henderson concurred.

Motion failed with Rep. Tanner voting in favor of the motion.

**MOTION:** Sen. Weiler moved to approve moving #29 The Pamela Atkinson Homeless Trust Fund on the One-time State Funds Building Block Priority List, tan list to the One-time State Funds – Internal Reallocation List to #6.

Sen. Weiler spoke to the motion.

Sen. Christensen commented and Mr. Frandsen clarified on the effect this would have.

Motion failed with Sen. Robles, Sen. Shiozawa, Sen. Weiler, Rep. Chavez-Houck, and Rep. Cosgrove voting in favor of the motion.

Rep. Menlove directed the Committee to the One-time State Funds Building Block Priority List, brown sheet.

Mr. Frandsen explained some technical motions that need to be approved which include 7B, 7C, 7D, 7E, and 7F items on the sheet entitled Social Services Subcommittee – Motions for Subcommittee Consideration.

**MOTION:** Sen. Christensen moved to approve the above proposal as explained.

Motion passed unanimously.

**MOTION:** Sen. Shiozawa moved to move items #29 and #38 to now become the new #23 and 24 on the brown sheet.

Sen. Christensen commented.

Sen. Weiler spoke to the motion. He referred to item #38 and reviewed what happened last year with the appropriation and the matching funds received and about the effect that not funding The Road Home would have on them.

Sen. Henderson wondered about having the motion amended to approve one item at a time rather than taking both items together.

Sen. Shiozawa divided his motion.

**MOTION:** Sen. Shiozawa moved to approve item #38 Road Home Homeless Shelter to become the new item 23 on the One-time State Funds Building Block Priority List - Chair Proposal, brown sheet.

Motion passed with Sen. Christensen, President Niederhauser, Rep. Menlove, Rep. McCay and Rep. Ray voting in opposition of the motion.

**MOTION:** Sen. Shiozawa moved to approve item #29 Pamela Atkinson Trust Fund to become the new item #24 on the One-time State Funds Building Block Priority List - Chair Proposal, brown sheet.

Motion failed with Sen. Robles, Sen. Shiozawa, Sen. Weiler, and Rep. Chavez-Houck voting in favor of the motion.

Sen. Christensen made a clarification about the Pamela Atkinson Trust Fund.

**MOTION:** Rep. Cosgrove moved to approve moving item #45 Dental Care Partnership to become the new #29 on the One-time State Funds Building Block Priority List - Chair Proposal, brown sheet.

Rep. Cosgrove spoke to the motion.

Motion failed with Sen. Robles, Sen. Shiozawa, Rep. McCay, Rep. Chavez-Houck, Rep. Cosgrove, Rep. Redd, and Rep. Tanner voting in favor of the motion.

**MOTION:** Rep. Redd moved to approve moving item #35 Aging Nutrition ahead of facility licensing on the One-time State Funds Building Block Priority List, brown sheet.

Rep. Redd spoke to the motion.

Motion passed with President Niederhauser, Rep. McCay, Rep. Ray, and Rep. Roberts voting in opposition of the motion.

**MOTION:** Rep. Chavez-Houck moved to approve moving item #40 Adult Protective Caseload Services below Aging Nutrition.

Rep. Chavez-Houck spoke to the motion.

Motion passed with Sen. Christensen, President Niederhauser, Rep. Ray, and Rep. Roberts voting in opposition of the motion.

**MOTION:** Rep. McCay moved to move item #31 Use Only as Directed Prescription Drug Awareness Campaign to the bottom of the list on One-time State Funds Building Block Priority List - Chair Proposal, brown sheet.

Motion passed with Sen. Christensen, Rep. Cosgrove, Rep. Ray, and Rep. Roberts voting in opposition of the motion.

**MOTION:** Sen. Weiler moved to move #26 Increased Funding for Transportation for the DSPD for Individuals with Disabilities below the Road Home Homeless Shelter on the One-time State Funds Building Block Priority List - Chair Proposal.

Sen. Weiler spoke to the motion.

Motion failed with Sen. Robles, Sen. Weiler, Rep. Chavez-Houck, Rep. Cosgrove, Rep. Redd, and Rep. Tanner voting in favor of the motion.

Rep. Menlove directed the Committee to the list entitled "Likely One-time Uses for TANF (Federal) Funds - Chair Proposal", green list dated 2/12/2014 10:53 PM.

**MOTION:** Rep. Menlove moved to approve the following change #14 to read as referenced on the sheet entitled Representative Menlove Motion Regarding Increasing TANF Funding for "DWS – Child Care Competitive Subsidy Rates" sheet.

There was some clarification on where the amounts are on the sheet.

Motion passed unanimously.

**MOTION:** Rep. Menlove moved to approve the motion on the sheet entitled Representative Menlove Motion Regarding Using TANF to Serve Families in Need 2/13/2014/ 7:00 AM.

Rep. Menlove spoke to the motion.

Motion passed unanimously.

**MOTION:** Rep. Menlove moved to approve the motion on the sheet entitled: Representative Menlove Motion Regarding Using TANF for Supported Employment for Persons with a Disability 2/13/2014 7:19 AM.

Sen. Christensen and Rep. Cosgrove asked for some clarification.

Motion passed with Sen. Christensen voting in opposition to the motion.

**MOTION:** Rep. McCay motioned to adjourn. Motion passed unanimously.

Rep. Menlove adjourned at 4:09 PM.

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Sen. Allen M. Christensen, Co-Chair

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Rep. Ronda Rudd Menlove, Co-Chair