

**MINUTES OF THE  
SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE**

Room 30 West House Building, State Capitol Complex

January 29, 2016

**Members Present:** Sen. Allen M. Christensen, Co-Chair  
Rep. Paul Ray, Co-Chair  
Rep. Edward H. Redd, House Vice Chair  
Sen. Deidre M. Henderson  
Sen. Luz Escamilla  
Sen. Brian E. Shiozawa  
Sen. Alvin B. Jackson  
Sen. Todd Weiler  
Sen. Lincoln Fillmore  
Rep. Rebecca Chavez-Houck  
Rep. Melvin R. Brown  
Rep. Bradley M. Daw  
Rep. Earl D. Tanner  
Rep. Sandra Hollins  
Rep. Robert Spendlove  
Rep. Raymond Ward

**Members Absent:** Sen. Mark B. Madsen

**Staff Present:** Mr. Russell T. Frandsen, Fiscal Analyst  
Mr. Stephen C. Jardine, Fiscal Analyst  
Mr. Chandler Young, Secretary

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

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

Co-Chair Ray called the meeting to order at 8:21 a.m.

**3. Public Input on Topics on Today's Agenda**

Ms. Kris Fawson, Independent Living Centers  
Mr. Bill Gibson, Former Director of Utah Council of the Blind  
Ms. Cordie Weed, Utah Council of the Blind  
Ms. Leslie Gertsch, Utah Council of the Blind

Ms. Kristen Cox, Director Governor's Office of Management and Budget, was sympathetic for the request to move to a separate agency. However, the Governor's office is in favor of a move to Workforce Services. The Governor's Office would like to see a move that benefits all parties involved. She gave many points for the USOR to move to Workforce Services.

Sen. Weiler, Sen. Escamilla, Rep. Redd, Rep. Ray, Rep. Rebecca Chavez-Houck, Sen. Christensen and Ms. Cox discussed the money saved if USOR went to Workforce Services, and the money that it would cost to be a standalone agency. However, no exact number could be given at the time. Ms. Cox believed there would be benefit to putting USOR under the seasoned accounting staff of Workforce Services. Sen. Escamilla liked the idea of transparency that comes with having USOR as a standalone agency.

Rep. Chavez-Houck expressed a concern to make sure that any money saved stays in USOR's budget. Sen. Christensen expressed concern that having USOR as a standalone agency could waste money that could be going to clients.

**MOTION:** Sen. Christensen moved to transfer the oversight of USOR to the Department of Workforce Services.

**SUBSTITUTE MOTION:** Rep. Chavez-Houck moved to transfer USOR to be a established standalone agency under the Governor's Office.

Sen. Christensen spoke against the substitute motion.

Rep. Shiozawa and Rep. Spendlove spoke in favor of the original motion.

Rep. Brown and Sen. Escamilla spoke in favor of the substitute motion.

The substitute motion failed with the following voting in favor of the motion Sen. Escamilla, Sen. Weiler, Rep. Redd, Rep. Chavez-Houck, Rep. Brown, Rep. Hollins, and Rep. Ward.

**UNDERLYING MOTION:** Sen. Christensen moved to transfer USOR to the Department of Workforce Services.

Sen. Fillmore, Sen. Weiler, and Rep. Redd explained their vote.

The motion passed with Sen. Escamilla, Sen Shiozawa, Rep. Redd, Rep. Chavez-Houck, Rep. Brown, and Rep. Hollins voting in opposition of the motion.

**MOTION:** Sen. Christensen moved for November 1, 2016 to be the effective date of the move.

**SUBSTITUTE MOTION:** Rep. Brown moved that July 1, 2016 would be the effective date of the move.

This motion was made to accommodate the financial department for the fiscal year. Substitute

motion was approved by Sen. Christensen.

Rep. Ward, Sen. Christensen, Mr. Darin Brush, and Mr. Frandsen discussed the best time to move USOR.

Sen. Escamilla asked the chair about being able to put in intent language. Rep. Ray replied that this would be done Thursday, February 4<sup>th</sup>.

The substitute motion passed unanimously.

#### **16. A Performance Audit of DWS Customer Service and Follow-up**

Ms. Leah Blevins, Office of Legislative Audit Supervisor, and Mr. Tim Osterstock, Office of Legislative Audit Manager. Reviewed document “DWS Reasonably Monitors and Improves Customer Service.” Sen. Henderson asked for explanation on what selection bias meant. Ms. Blevins explained selection bias as a way for the performance review team to removed bias from the study. <http://le.utah.gov/interim/2016/pdf/00000600.pdf>

#### **14. A Performance Audit of Data Analytics Techniques to Detect Supplemental Nutrition Assistance Program (SNAP)**

Mr. John Dougal, State Auditor and Mr. David Pulsipher, Utah State Performance Director Auditor, explained the slideshow regarding “A Performance Audit of Data Analytics Techniques to Detect SNAP Abuse.” <http://le.utah.gov/interim/2016/pdf/00000719.pdf>

Sen. Christensen asked for details on what “over payment” meant. Mr. Pulsipher explained overpayment occurs when a person receives either too much allotment of money in Utah or are receiving benefits from too many states. Made the point that you can use food stamps in any state, but can only receive in one state. Rep. Ward and Mr. Pulsipher discussed how fraud was occurring. Sen. Shiozawa asked how much money is being lost by the state. Mr. Pulsipher answered about two million dollars. Sen. Shiozawa asked about the analytic performances measures of DWS.

Mr. Jon Pierpont, Department of Workforce Services Executive Director and Mr. Kevin Burt, Department of Workforce Services Assistant Director of Eligibility Services, explained the eligibility process they use for determination. Sen. Christensen asked their opinion on a possible change in policy limiting certain individuals. It was answered that the current rule stated that an individual can receive food stamps for three months in a three-year period.

#### **4. Fees in the Department of Health – Issue Brief**

Mr. Russell Frandsen explained “Fees in the Department of Health” document. <http://le.utah.gov/interim/2016/pdf/00000589.pdf>

#### **5. Department of Health’s Disease Control and Prevention Base Budget**

Mr. Frandsen, reviewed “Federal Funds for the Department of Health” document. <http://le.utah.gov/interim/2016/pdf/00000593.pdf>. Mr. Frandsen explained 1G and 1AC on the [motion sheet](#).

Rep. Ward explained his motion which would require the Legislative Fiscal Analysts to receive a report on the total amount of opioid pain medications dispensed per capita. <http://le.utah.gov/interim/2016/pdf/00000591.pdf>

**MOTION:** Rep. Ward moved that *The Legislature intends that the Department of Health shall report to the Office of the Legislative Fiscal Analyst by April 30, 2016 on the total amount of opioid pain medications dispensed per capita, as morphine equivalent dosages, and may include other measures of risky opioid prescribing that the Department determines to be useful for understanding the influence of opioid prescribing on overdose deaths in Utah. Data shall be shared as far as is readily available back through 2000.* The motion passed unanimously.

Ms. Jennifer Brown, Division Director Disease Control and Prevention at the Utah Department of Health explained motions 3B, 3H, 3K, & 3M. Rep. Redd and Sen. Christensen asked for further explanation. Ms. Brown explained the motion for nonlapsing funds request: *Under Section 63j-1-603 of the Utah Code, the Legislature intends that up to \$25,000 of Item 12 of Chapter 10, Laws of Utah 2015 for the Utah Department of Health, Division of Disease Control and Prevention shall not lapse at the close of Fiscal Year 2016. The use of any nonlapsing funds is limited to local health department expenses in responding to a local health emergency.*

**MOTION:** Rep. Redd moved to approve nonlapsing funds request: *Under Section 63j-1-603 of the Utah Code, the Legislature intends that up to \$25,000 of Item 12 of Chapter 10, Laws of Utah 2015 for the Utah Department of Health, Division of Disease Control and Prevention shall not lapse at the close of Fiscal Year 2016. The use of any nonlapsing funds is limited to local health department expenses in responding to a local health emergency.* The motion passed unanimously with Sen. Escamilla absent for the vote.

**MOTION:** Sen. Christensen moved to approve 2A, 1C, 1G, 1AC, 3B, 3H, 3K, & 3M from the [motions sheet](#). The motion passed unanimously with Sen. Escamilla absent for the vote.

## 12. Fees in the Department of Workforce Services – Issue Brief

Mr. Frandsen explained “Fees in the Department of Workforce Services” document. <http://le.utah.gov/interim/2016/pdf/00000610.pdf>

## 13. Workforce Services’ Administration Base Budget

Mr. Jardine explained Workforce Services base budget and line items 5E-1, 5E-2, 5F-1, 5F-2,

5G-1, and 5G-2 from the [motion sheet](#). Mr. Nathan Harris, Director of Financial for Workforce Services, explained 3P from the motions sheet.

Sen. Tanner, Rep. Ray and Mr. Harris discussed loan origination fees. Rep. Ray, Ms. Bounous, and Mr. Frandsen discussed the collection of funds.

Ms. Kathy Bounous, General Counsel of Workforce Services, reviewed the document “Federal Funds Department of Work Force Services.” Rep. Ray and Mr. Frandsen explained the collection process. <http://le.utah.gov/interim/2016/pdf/00000616.pdf>

**MOTION:** Sen. Christensen moved to approve 5E-1, 5E-2, 5F-1, 5F-2, 5G-1, 5G-2, 6A, 2A, 1C, and 3P from the [motions sheet](#). The motion passed unanimously with Sen. Henderson and Sen. Escamilla absent for the vote.

#### **17. Workforce Services’ Operations & Policy Base Budget**

Mr. Frandsen explained “Federal Funds Department of Workforce Service” document. <http://le.utah.gov/interim/2016/pdf/00000616.pdf>

Mr. Jardine explained “Refugee Assistance” document. <http://le.utah.gov/interim/2015/pdf/00005565.pdf>

Mr. Harris explained 1D, 1E, 1P, 6X, 3Q, and 3R from the [motion sheet](#). Rep. Chavez-Houck asked about what youth development organization Mr. Harris was talking about. Mr. Harris clarified that it was the Boy Scouts of America and Girl Scouts.

**MOTION:** Sen. Christensen moved to approve of 1C, 1H, 1D, 1E, 1P, 6X, 3Q, and 3R from the [motions sheet](#). The motion passed unanimously with Sen. Henderson and Sen. Escamilla absent for the vote.

#### **18. Workforce Services’ General Assistance Base Budget**

Mr. Jardine explained 11H from the [motion sheet](#).

Sen. Escamilla, asked a question regarding policy on how to make a motion to make sure the money is utilized back to direct services. Mr. Jardine explained that we would need to open up legislation.

**MOTION:** Sen. Christensen moved to approve 3S from the [motions sheet](#). The motion was approved unanimously with Sen. Henderson absent for the vote.

#### **20. Workforce Services’ Unemployment Insurance and Unemployment Compensation Base Budget**

Mr. Jardine explained 1C and Mr. Harris explained 3T from the [motions sheet](#).

**MOTION:** Sen. Christensen moved to approve 1C and 3T from the [motions sheet](#). The motion passed unanimously with Sen. Henderson absent for the vote.

### 17. Ops & Policy Budget Reduction Options

Mr. Frandsen and Mr. Jardine reviewed items AH, AI, AJ, AK, and AN from the [Budget Reduction sheet](#). Sen. Fillmore had question regarding line AJ savings. Mr. Jardine replied that they have the money sitting in their budget.

**MOTION:** Sen. Fillmore moved to adjourn.

The motion passed unanimously.

Co-Chair Ray adjourned the meeting at 10:51 a.m.

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Sen. Allen M. Christensen, Co-Chair

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Rep. Paul Ray, Co-Chair