



FEES

DEPARTMENT OF HUMAN SERVICES

SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE
STAFF: CLARE TOBIN LENCE

ISSUE BRIEF

PURPOSE

In accordance with [UCA 63J-1-504](#), an agency is to “submit its fee schedule . . . to the Legislature for its approval on an annual basis.” The following fees are proposed by the Department of Human Services (DHS) for the services it provides.

ESTIMATED REVENUE COLLECTIONS

These fees will generate an estimated \$5,590,300 in FY 2021, which is \$286,400 more than collection estimates for authorized fees in FY 2020. The increase is due to:

1. More background check applications;
2. More recovery residence license renewals;
3. Changes to the fees for rental of the theater on the Utah State Developmental Center property;
4. More individuals paying for child support collections processing; and
5. More individuals requesting assistance with child support payments by credit card.

Five child support-related fees account for most of the total estimated collections and the increase from FY 2020 to FY 2021: these fees account for \$4,454,900 (or 80 percent) of total collections and \$244,100 (or 88 percent) of the increase.

Of the \$5,192,700 actually collected from fees in FY 2019, \$4,645,300 was retained by the department to support operations and \$547,400 was remitted to the Division of Finance for General Fund purposes.

CHANGES FOR FY 2021

In accordance with action by the Social Services Appropriations Subcommittee as part of the 2019 Interim accountable budget process, the department reorganized the fee schedule for the Office of Licensing to improve clarity between initial and renewal fees. This reorganization did not result in any change to fees or anticipated revenue.

The department requests the following fee changes for FY 2021, all related to rental of the theater on the Utah State Developmental Center property:

- Changes to existing fees:
 - Full Day - From \$0.10 per square foot to \$625
 - Hourly - From \$0.0175 per square foot to \$100
 - Half Day - From \$0.07 per square foot to \$360
 - The current fees (per square foot) allowed for partial rental of the theater spaces, but the department found that “the practice [was] not needed or practical.” The department estimates that the changes will increase net revenue from these fees by \$4,800 in FY 2021.
- New fee:
 - Equipment - \$250 per use
 - The fee is for groups who chose to rent lighting and sound equipment as well as theater space. The department estimates that the fee will generate \$5,000 in revenue per year, to be used toward replacement of the equipment as needed.

The department held a public fee hearing on August 28, 2019. No members of the public raised concerns.

LEGISLATIVE ACTION

After review, the Subcommittee may: 1) approve, 2) increase or decrease and approve, or 3) reject any fee.

The Legislature will provide final approval to the fee schedule in H.B. 8, “State Agency Fees and Internal Service Fund Rate Authorization and Appropriations.”

STATUTORY GUIDANCE FOR SETTING FEES

[UCA 63J-1-504](#) states the following for setting fees:

“(2) Each fee agency shall adopt a schedule of fees assessed for services provided by the fee agency that are:

- (a) reasonable, fair, and reflect the cost of services provided; and
- (b) established according to a cost formula determined by the executive director of the Governor's Office of Management and Budget and the director of the Division of Finance in conjunction with the agency seeking to establish the fee.”

“(4) Each fee agency that is proposing a new fee or proposing to change a fee shall:

- (a) present each proposed fee at a public hearing.”

PROPOSED FEES FOR FY 2021

The table on the next two pages shows the proposed fee rates. Cells highlighted in orange show changes to fee amounts or quantities. Strikeouts designate fees removed from the schedule since FY 2020.

Department of Human Services -- Fees FY 2021

Unit	Fee	Additional information	Old Fee FY 20	New Fee FY 21	Fee Change	Old Quantity	New Quantity	Revenue Change	Estimated FY21 Revenue	
Government Records Access Management Act (all DHS)	Paper		0.25	0.25	0.00	1,000	1,000	0	250	
	Audio tape		5.00	5.00	0.00	20	20	0	100	
	Video tape		15.00	15.00	0.00	10	10	0	150	
	Mailing	Actual cost	0.00	0.00	0.00	1	1	0	0	
	Compiling and reporting	In another format (per hour)	25.00	25.00	0.00	10	10	0	250	
		If programmer/analyst assistance is required (per hour)	50.00	50.00	0.00	10	10	0	500	
EDO Licensing	Initial license	Any new Human Services program	900.00	0.00	(900.00)	165	0	(148,500)	0	
	Online Background Check Application Fee		5.00	5.00	0.00	20,000	26,000	30,000	130,000	
	Adult Day Care	Initial License Fee - 0-50 consumers per program		0.00	900.00	900.00	0	2	1,800	1,800
		Initial License Fee - More than 50 consumers		0.00	900.00	900.00	0	2	1,800	1,800
		Renewal Fee - 0-50 consumers per program		300.00	300.00	0.00	8	8	0	2,400
		Renewal Fee - More than 50 consumers		600.00	600.00	0.00	1	1	0	600
		Per licensed capacity		9.00	9.00	0.00	250	250	0	2,250
		Child Placing Adoption	Initial License Fee		0.00	900.00	900.00	0	1	900
	Renewal Fee			750.00	750.00	0.00	20	20	0	15,000
	Child Placing Foster		250.00	250.00	0.00	55	55	0	13,750	
	Day Treatment	Initial License Fee		0.00	900.00	900.00	0	29	26,100	26,100
		Renewal Fee		450.00	450.00	0.00	270	270	0	121,500
	Intermediate Secure Treatment	Initial License Fee		0.00	900.00	900.00	0	1	900	900
		Renewal Fee		750.00	750.00	0.00	10	10	0	7,500
		Per licensed capacity		9.00	9.00	0.00	900	900	0	8,100
	Life Safety Pre-inspection		600.00	600.00	0.00	50	50	0	30,000	
	Outdoor Youth Program	Basic		1,408.00	1,408.00	0.00	12	12	0	16,896
	Outpatient Treatment	Initial License Fee		0.00	900.00	900.00	0	72	64,800	64,800
		Renewal Fee		300.00	300.00	0.00	460	460	0	138,000
	Recovery Residences	Initial License Fee		1,295.00	1,295.00	0.00	30	30	0	38,850
		Renewal Fee		500.00	500.00	0.00	75	80	2,500	40,000
	Residential Support	Initial License Fee		0.00	900.00	900.00	0	24	21,600	21,600

	Residential Support	Renewal Fee	300.00	300.00	0.00	250	250	0	75,000
	Social Detoxification	Initial License Fee	0.00	900.00	900.00	0	12	10,800	10,800
		Renewal Fee	600.00	600.00	0.00	12	12	0	7,200
	Residential Treatment	Initial License Fee	0.00	900.00	900.00	0	21	18,900	18,900
		Renewal Fee	600.00	600.00	0.00	190	190	0	114,000
		Per licensed capacity	9.00	9.00	0.00	3,900	3,900	0	35,100
	Therapeutic School Program	Initial License Fee	0.00	900.00	900.00	0	1	900	900
		Renewal Fee	600.00	600.00	0.00	7	7	0	4,200
		Per licensed capacity	9.00	9.00	0.00	150	150	0	1,350
	Utah State Hospital	Use of USH Facilities	Photo Shoots (per 2 hours)	20.00	20.00	0.00	200	200	0
Groups of up to 50 people (per day)			75.00	75.00	0.00	20	20	0	1,500
Groups over 50 people (per day)			150.00	150.00	0.00	20	20	0	3,000
DSAMH Sub Abuse Services	Alcoholic Beverage Server	On Premise & Off Premise Sales Training	3.50	3.50	0.00	22,830	22,830	0	79,905
Utah State Developmental Center (USDC)	USDC Theater Rental	Full Day (per square foot)	0.10	625.00	624.90	68,000	12	700	7,500
		Theater Technician (per hour)	20.00	20.00	0.00	160	10	(3,000)	200
		Hourly (per square foot)	0.02	100.00	99.98	51,400	50	4,101	5,000
		Half Day (per square foot)	0.07	360.00	359.93	60,000	20	3,000	7,200
		Equipment	0.00	250.00	250.00	0	20	5,000	5,000
DSPD Physical Disability Services	Graduated	Critical Support Services for People with Disabilities who are non-Medicaid matched. The fee ranges between 1% to 3% of Gross Family Income.	630.00	630.00	0.00	9	9	0	5,670
ORS Child Support	Automated Credit Card Convenience		2.00	2.00	0.00	19,000	14,500	(9,000)	29,000
	Collections Processing	6% of payment being disbursed up to a maximum of \$12 per month	12.00	12.00	0.00	256,608	277,500	250,704	3,330,000
	Assisted Credit Card Convenience		6.00	6.00	0.00	8,500	8,900	2,400	53,400
	Federal Offset		25.00	25.00	0.00	3,900	3,900	0	97,500
	Annual Collection Fee		35.00	35.00	0.00	27,000	27,000	0	945,000
DCFS Service Delivery	Live Scan Testing		10.00	10.00	0.00	6,500	6,500	0	65,000
Total Estimated Revenue								286,405	5,590,321

*Orange cells designate changes to fees and quantities from FY 2020. Strikeouts designate fees removed from the schedule for FY 2021.

APPENDIX – DESCRIPTION OF FEES

GRAMA Records paper, audio tape, video tape, reporting in another format, and records mailing – Department-Wide - Fees are for the costs associated with producing, providing, or compiling information requests and the delivery of that information.

Online Background Check Application Fee - Per applicant fee to help with Office of Licensing costs such as credit card fees, Utah Interactive fees, and programming costs for online background checks.

Recovery Residences - Office of Licensing - Fee per facility to provide services related to substance use disorder treatment at a recovery residence.

Adult Day Care (0-50 consumers/program) – Office of Licensing - Fee per facility providing day care services to fewer than 50 vulnerable adults.

Adult Day Care (>50 consumers/program) – Office of Licensing - Fee per facility providing day care services to more than 50 vulnerable adults.

Adult Day Care per licensed capacity – Office of Licensing - Per person fee multiplied by the facility capacity and added to base renewal fee.

Child Placing Adoption – Office of Licensing - Fee per agency providing adoption placements.

Child Placing Foster Care – Office of Licensing - Fee per agency providing foster care placements.

Day Treatment – Office of Licensing - Fee per non-residential facility providing specialized treatment services to clients during the day.

Outpatient Treatment – Office of Licensing - Fee per facility providing individual therapy, group, or family counseling services.

Residential Support – Office of Licensing - Fee per facility providing residential support (i.e., supervised living environment, shelter care, sober living, etc.) services.

Residential Treatment – Office of Licensing - Fee per facility providing 24-hour specialized treatment services to persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies.

Residential Treatment per licensed capacity - Office of Licensing - Per person fee multiplied by the facility capacity and added to base (initial or renewal) fee.

Social Detoxification – Office of Licensing - Fee per facility providing non-medical detoxification services.

Life Safety Pre-inspection – Office of Licensing - Fee for a life safety inspection per facility providing residential services for disabled persons as required by federal law.

Outdoor Youth Program – Office of Licensing - Fee per program providing youth wilderness therapy services.

Intermediate Secure Treatment – Office of Licensing - Fee per facility providing residential treatment services in a secure setting.

Intermediate Secure Treatment per licensed capacity – Office of Licensing - Per person fee multiplied by the facility capacity and added to base (initial or renewal) fee.

Therapeutic School Program – Office of Licensing - Fee per facility providing therapeutic mental health services.

Therapeutic School Program per licensed capacity - Office of Licensing - Per person fee multiplied by the facility capacity and added to base (initial or renewal) fee.

Alcoholic Beverage Server Fee (On Premise and Off Premise Sales) – Division of Substance Abuse and Mental Health - Fee charged to maintain a database of individuals who have completed on-premise and off-premise alcohol sales training.

Photo Shoots – Utah State Hospital – Fee per two hours charged for use of the grounds for photo shoots.

Use of USH Facilities – Utah State Hospital – Fee charged per day for outside groups (up to 50 individuals) for use of portions of the State Hospital grounds in non-patient areas.

Use of USH Facilities – Utah State Hospital – Fee charged per day for outside groups (over 50 individuals) for use of portions of the State Hospital grounds in non-patient areas.

USDC Theater Full Day – Utah State Developmental Center (USDC) – Fee for a full day rental of the USDC Theater.

USDC Theater Technician – Utah State Developmental Center (USDC) – Hourly fee for assistance of a theater technician.

USDC Theater Hourly – Utah State Developmental Center (USDC) – Fee for a one-hour rental of the USDC Theater.

USDC Theater Half Day – Utah State Developmental Center (USDC) – Fee for a half-day (up to 4 hours) rental of the USDC Theater.

USDC Theater Equipment – Utah State Developmental Center (USDC) – Fee for each use of lighting and sound equipment, if a renter of the theater opts to use the equipment as well.

Graduated Fee - Critical Support Services for People with Disabilities (Non-Medicaid Matched) – Division of Services for People with Disabilities – Graduated fee is assessed based on ability to pay and is used to pay part of the cost of support services incurred by an individual with severe disabilities who does not participate in one of the division’s federal Medicaid waiver programs.

Recovery Services Collections Processing Fee - Office of Recovery Services – Fee based upon a percentage of the payment being disbursed up to a maximum per month.

Automated Credit Card Convenience Fee – Office of Recovery Services – Fee assessed when ORS accepts a credit/debit card payment over an automated system (internet or automated phone system) for child support or other payments made by non-custodial/custodial parents or other non-child support payments owed to the State of Utah.

Assisted Credit Card Convenience Fee – Office of Recovery Services – Fee assessed when ORS accepts a credit/debit card payment requiring worker assistance for child support or other payments made by non-custodial/custodial parents or other non-child support payments owed the State of Utah.

Recovery Services Federal Offset - Office of Recovery Services – Fee retained by ORS to cover federal services charges for federal offset (i.e. federal tax refund) payments related to owed child support.

Annual Collection Fee - Office of Recovery Services – Annual fee collected from individuals who request that ORS enforce a child support order. These individuals are not enrolled in certain public benefit programs (i.e. TANF) that require ORS enforcement; they are voluntarily requesting ORS services. This fee is remitted to the federal government (or retained and used to reduce ORS’ draw down of federal funds). The fee is set in statute in UCA 62A-11-303.7.

Live Scan Testing Fees (DCFS) - Division of Child and Family Services – Fee charged to foster parents, adoptive parents, kinship caregivers, proctor parents and contracted provider employees who will have direct access to children. These individuals have an electronic scan of fingerprints sent to the Department of Public Safety Bureau of Criminal Identification to be run against Utah criminal records and the FBI criminal database. This testing fulfills State and federal law requirements. The fee partially offsets the cost for DCFS staff to administer the tests.