

1 **TASK FORCE ON PRIVATIZATION OF**
2 **STATE ADOPTION SERVICES**

3 1998 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Nora B. Stephens**

6 AN ACT RELATING TO THE LEGISLATURE; CREATING A TASK FORCE ON THE
7 PRIVATIZATION OF STATE ADOPTION SERVICES; DEFINING ITS MEMBERSHIP
8 AND DUTIES; APPROPRIATING \$22,000 FROM THE GENERAL FUND; PROVIDING
9 AN EFFECTIVE DATE; AND PROVIDING A REPEAL DATE.

10 This act enacts uncodified material.

11 *Be it enacted by the Legislature of the state of Utah:*

12 Section 1. **Task Force on Privatization of State Adoption Services -- Creation --**
13 **Membership -- Interim rules followed -- Compensation -- Staff.**

14 (1) There is created a legislative Task Force on Privatization of State Adoption Services
15 consisting of the following 12 members:

16 (a) three members from the Senate appointed by the president of the Senate, two from the
17 majority party and one from the minority party;

18 (b) three members from the House of Representatives appointed by the speaker of the
19 House, two from the majority party and one from the minority party;

20 (c) the executive director of the Department of Human Services or designee; and

21 (d) five members appointed by the president of the Senate and the speaker of the House
22 as follows:

23 (i) one representative of the Division of Child and Family Services within the Department
24 of Human Services;

25 (ii) one foster parent;

26 (iii) one adoptive parent;

27 (iv) one representative of licensed child-placing agencies; and

1 (v) one attorney whose practice includes private adoption placements.

2 (2) (a) The president of the Senate shall designate a member of the Senate appointed under
3 Subsection (1)(a) as a cochair of the task force.

4 (b) The speaker of the House shall designate a member of the House appointed under
5 Subsection (1)(b) as a cochair of the task force.

6 (3) A majority of the members of the task force constitutes a quorum, and the action of a
7 majority of a quorum constitutes the action of the task force.

8 (4) (a) Members of the task force who are legislators shall be paid salaries and expenses
9 in accordance with Section 36-2-2 and Legislative Joint Rule 15.03.

10 (b) Members of the task force who are not legislators and are not state employees may not
11 receive compensation from the state for their work associated with the task force.

12 (5) The Office of Legislative Research and General Counsel shall provide staff support
13 to the task force.

14 **Section 2. Duties -- Reports to interim committee and Privatization Policy Board.**

15 (1) The task force shall review and make recommendations regarding whether adoption
16 services provided by the Division of Child and Family Services for children in the custody of the
17 division should be privatized. The task force shall consider:

18 (a) whether private providers exist or could exist to provide adoption services currently
19 being provided by the division for children in its custody;

20 (b) whether fee for service or managed care models could be used;

21 (c) whether privatized adoption services would:

22 (i) reduce state adoption costs;

23 (ii) increase the number and quality of available adoptive families;

24 (iii) improve adoptive families' satisfaction with the system for adopting children in the
25 custody of the Division of Child and Family Services; or

26 (iv) increase the speed and number of adoptions of children in the custody of the Division
27 of Child and Family Services, including, but not limited to:

28 (A) minority children;

29 (B) older children;

30 (C) sibling groups; and

31 (D) medically fragile children;

1 (d) the effects of privatization in other states; and
 2 (e) whether the provision of ongoing medical, mental health, family support, and other
 3 services by the Department of Human Services and the Department of Health to adoptive families
 4 and adopted children previously in the custody of the Division of Child and Family Services
 5 should be privatized.

6 (2) If the task force determines it to be necessary, it shall draft legislation to implement
 7 the task force recommendations.

8 (3) A final report, including any proposed legislation, shall be presented to the Health and
 9 Human Services Interim Committee and the Privatization Policy Board by November 30, 1998.

10 **Section 3. Appropriation.**

11 There is appropriated from the General Fund for fiscal year 1997-98:

12 (1) \$3,500 to the Senate to pay for the compensation and expenses of senators on the task
 13 force;

14 (2) \$3,500 to the House of Representatives to pay for the compensation and expenses of
 15 representatives on the task force; and

16 (3) \$15,000 to the Office of Legislative Research and General Counsel to pay costs of the
 17 task force staff.

18 **Section 4. Effective date.**

19 If approved by two-thirds of all the members elected to each house, this act takes effect
 20 upon approval by the governor, or the day following the constitutional time limit of Utah
 21 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the
 22 date of veto override.

23 **Section 5. Repeal date.**

24 This act is repealed January 1, 1999.

Legislative Review Note
as of 2-17-98 2:22 PM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel