

**PILOT PROGRAM FOR FAMILY
PRESERVATION SERVICES**

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronda Rudd Menlove

Senate Sponsor: Gregory S. Bell

LONG TITLE

General Description:

This bill establishes a pilot program within the Services for People with Disabilities chapter of the Utah Human Services Code, for the expedited provision of family preservation services to people with disabilities and their families.

Highlighted Provisions:

This bill:

- ▶ establishes a pilot program, beginning on July 1, 2007, and ending on July 1, 2009, for the provision of family preservation services to eligible people with disabilities and their families, outside of the prioritization criteria established by the division for the provision of other services;
- ▶ grants rulemaking authority to the division;
- ▶ describes a person who is eligible to receive expedited services under this bill;
- ▶ provides that the division shall establish criteria to determine the order of priority for receiving services under this bill;
- ▶ provides that the services provided under the pilot program described in this bill do not constitute an entitlement and shall be provided and funded separately from the Medicaid program;
- ▶ requires the director of the Division of Services for People with Disabilities to report, for consideration and decision, to the Health and Human Services Interim



28 Committee during the 2008 interim regarding whether the pilot program created by this bill
29 should be modified or converted into an ongoing program;

30 ▶ provides, under the Legislative Oversight and Sunset Act, that the pilot program
31 created by this bill will be repealed on July 1, 2009; and

32 ▶ makes technical changes.

33 **Monies Appropriated in this Bill:**

34 None

35 **Other Special Clauses:**

36 None

37 **Utah Code Sections Affected:**

38 AMENDS:

39 **63-55-262**, as last amended by Chapters 82, 116 and 133, Laws of Utah 2006

40 ENACTS:

41 **62A-5-103.2**, Utah Code Annotated 1953



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

44 Section 1. Section **62A-5-103.2** is enacted to read:

45 **62A-5-103.2. Pilot program for family preservation services.**

46 (1) There is established a pilot program for the provision of family preservation
47 services to a person with a disability and that person's family, beginning on July 1, 2007, and
48 ending on July 1, 2009.

49 (2) The family preservation services described in Subsection (1) may include:

50 (a) family skill building classes;

51 (b) respite hours for class attendance; or

52 (c) professional intervention.

53 (3) The division shall make rules, in accordance with Title 63, Chapter 46a, Utah
54 Administrative Rulemaking Act, as necessary for the implementation and administration of this
55 section.

56 (4) In accordance with Subsection (5), within funds appropriated by the Legislature for
57 the pilot program described in this section, the division shall provide family preservation
58 services to a person with a disability, and that person's family, if that person:

- 59 (a) is eligible to receive services from the division;
60 (b) has applied for, and is willing to receive, services from the division;
61 (c) is not receiving other ongoing services from the division;
62 (d) is not able to receive sufficient family preservation services from other sources;
63 (e) is determined by the division to be a person who would substantially benefit from
64 the provision of family preservation services; and
65 (f) does not require the provision of other ongoing services from the division in order
66 to substantially benefit from the provision of family preservation services.

67 (5) (a) The division shall provide family preservation services under this section
68 outside of the prioritization criteria established by the division for the receipt of other services
69 from the division.

70 (b) The division shall establish criteria to determine the priority, between persons
71 eligible for services under this section, for receiving services under this section.

72 (6) It is the intent of the Legislature that the services provided under the pilot program
73 described in this section:

74 (a) shall be provided separately from the Medicaid program described in Title XIX of
75 the Social Security Act;

76 (b) may not be supported with Medicaid funds;

77 (c) may not be provided as part of a Medicaid waiver;

78 (d) do not constitute an entitlement of any kind; and

79 (e) may be withdrawn from a person at any time.

80 (7) The director of the division shall report to the Health and Human Services Interim
81 Committee during the 2008 interim regarding:

82 (a) the operation and accomplishments of the pilot program described in this section;

83 (b) whether the Legislature should convert the pilot program to an ongoing program
84 within the division; and

85 (c) recommendations for changes, if any, related to the pilot program.

86 (8) During the 2008 interim, the Health and Human Services Interim Committee shall:

87 (a) hear or review the report described in Subsection (7); and

88 (b) determine whether the pilot program described in this section should be converted
89 into an ongoing program within the division.

90 Section 2. Section **63-55-262** is amended to read:

91 **63-55-262. Repeal dates, Title 62A.**

92 (1) Section 62A-5-103.1, Pilot program for provision of supported employment
93 services, is repealed July 1, 2008.

94 (2) Section 62A-5-103.2, Pilot program for family preservation services, is repealed
95 July 1, 2009.

Legislative Review Note
as of 11-16-06 9:36 AM

Office of Legislative Research and General Counsel

Interim Committee Note
as of 12-15-06 9:17 AM

The Health and Human Services Interim Committee recommended this bill.

H.B. 47 - Pilot Program for Family Preservation Services

Fiscal Note

2007 General Session
State of Utah

State Impact

Enactment of this bill will establish a family preservation pilot program. It is estimated that approximately 200 individuals at an average cost of approximately \$1,000 will be able to access this program with additional funding. The agency also has a request for funding of this program.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>
General Fund, One-Time	\$0	\$200,000	\$200,000	\$0	\$0	\$0
Total	\$0	\$200,000	\$200,000	\$0	\$0	\$0

Individual, Business and/or Local Impact

It is impossible to quantify the impact to individuals of allowing disabled individuals to remain in their homes. The fiscal impact on businesses would be additional revenue for the businesses that will be contract providers for these services (DSPD contracts with private providers for services). There is no fiscal impact for local governments.