

**PILOT PROGRAM FOR DAY SUPPORT
SERVICES**

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronda Rudd Menlove

Senate Sponsor: _____

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 day support 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 day support 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



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

▸ provides, under the Legislative Oversight and Sunset Act, that the pilot program created by this bill will be repealed on July 1, 2009; and

▸ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

ENACTS:

62A-5-103.2, Utah Code Annotated 1953

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

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

62A-5-103.2. Pilot program for day support services.

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

(2) The day support services described in Subsection (1) may:

(a) provide up to six hours of supervision per day at drop-in day support centers to assist family members of a person with a disability who is in need of day support services; and

(b) be provided in exchange for a fee based on a sliding scale as established by the division.

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

(4) In accordance with Subsection (5), within funds appropriated by the Legislature for the pilot program described in this section, the division shall provide day support services to a

59 person with a disability, and that person's family, if that person:

60 (a) is eligible to receive services from the division;

61 (b) has applied for, and is willing to receive, services from the division;

62 (c) is not receiving other ongoing services from the division;

63 (d) is not able to receive sufficient day support services from other sources;

64 (e) is determined by the division to be a person who would substantially benefit from
65 the provision of day support services; and

66 (f) does not require the provision of other ongoing services from the division in order
67 to substantially benefit from the provision of day support services.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

89 (b) determine whether the pilot program described in this section should be converted

90 into an ongoing program within the division.

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

92 **63-55-262. Repeal dates, Title 62A.**

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

95 (2) Section 62A-5-103.2, Pilot program for day support services, is repealed July 1,
96 2009.

Legislative Review Note
as of 11-16-06 9:41 AM

Office of Legislative Research and General Counsel

Interim Committee Note
as of 12-15-06 10:06 AM

The Health and Human Services Interim Committee recommended this bill.

H.B. 49 - Pilot Program for Day Support Services

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will establish a day support services pilot program that will run for two years. It is estimated this pilot program will require a one-time appropriation from the General Fund of \$300,000 to the Division of Services for People with Disabilities in the Department of Human Services for both FY 2008 and FY 2009. The agency also has a request for funding of this program.

	FY 2007 <u>Approp.</u>	FY 2008 <u>Approp.</u>	FY 2009 <u>Approp.</u>	FY 2007 <u>Revenue</u>	FY 2008 <u>Revenue</u>	FY 2009 <u>Revenue</u>
General Fund, One-Time	\$0	\$300,000	\$300,000	\$0	\$0	\$0
Total	\$0	\$300,000	\$300,000	\$0	\$0	\$0

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for local governments. The fiscal impact on businesses would be additional revenue for the businesses that will be contract providers for these services. Individuals would be required to pay a fee based on a sliding fee schedule for these services.

1/2/2007, 8:34:49 AM, Lead Analyst: Headden, D.

Office of the Legislative Fiscal Analyst