

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 682

BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE;  
APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE  
DIVISIONS OF MENTAL HEALTH SERVICES, PSYCHIATRIC HOSPITALIZATION AND  
SUBSTANCE ABUSE TREATMENT AND PREVENTION FOR FISCAL YEAR 2019; LIMITING  
THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR  
2019; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE  
FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVID-  
ING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; LIMITING THE TRANSFER OF  
LEGISLATIVE APPROPRIATIONS; CLARIFYING RESPONSIBILITY FOR EDUCATION  
OF CERTAIN CHILDREN IN STATE CARE; DIRECTING AN INTERAGENCY PAYMENT FOR  
A JUVENILE DETENTION CLINICIANS CONTRACT; PROVIDING LEGISLATIVE INTENT  
REGARDING FUNDING FOR BEHAVIORAL HEALTH COMMUNITY CRISIS CENTERS; PRO-  
VIDING FOR A PROGRAM TRANSFER EXEMPTION; REDUCING THE APPROPRIATION TO  
THE DEPARTMENT OF HEALTH AND WELFARE FOR THE ADULT MENTAL HEALTH PROGRAM  
FOR FISCAL YEAR 2018; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Department of Health and  
Welfare the following amounts to be expended according to the designated  
programs and expense classes from the listed funds for the period July 1,  
2018, through June 30, 2019:

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
I. MENTAL HEALTH SERVICES:					
A. CHILDREN'S MENTAL HEALTH:					
FROM:					
Cooperative Welfare (General)					
Fund	\$5,108,300	\$1,404,500		\$1,787,800	\$8,300,600
Cooperative Welfare (Dedicated)					
Fund				164,500	164,500
Technology Infrastructure Stabilization					
Fund		250,000			250,000
Cooperative Welfare (Federal)					
Fund	<u>2,799,600</u>	<u>2,179,400</u>		<u>1,092,600</u>	<u>6,071,600</u>
TOTAL	\$7,907,900	\$3,833,900		\$3,044,900	\$14,786,700

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
5	B. ADULT MENTAL HEALTH:				
6	FROM:				
7	Cooperative Welfare (General)				
8	Fund	\$14,568,200	\$3,352,100	\$15,851,300	\$33,771,600
9	Cooperative Welfare (Dedicated)				
10	Fund	112,100		350,000	462,100
11	Cooperative Welfare (Federal)				
12	Fund	<u>2,196,400</u>	<u>1,141,800</u>	<u>778,700</u>	<u>4,116,900</u>
13	TOTAL	\$16,876,700	\$4,493,900	\$16,980,000	\$38,350,600
14	DIVISION TOTAL	\$24,784,600	\$8,327,800	\$20,024,900	\$53,137,300
15	II. PSYCHIATRIC HOSPITALIZATION:				
16	A. COMMUNITY HOSPITALIZATION:				
17	FROM:				
18	Cooperative Welfare (General)				
19	Fund			\$3,069,000	\$3,069,000
20	B. STATE HOSPITAL NORTH:				
21	FROM:				
22	Cooperative Welfare (General)				
23	Fund	\$7,526,900	\$156,900	\$35,400	\$7,824,700
24	Cooperative Welfare (Dedicated)				
25	Fund	158,500			158,500
26	State Hospital North Endowment Income				
27	Fund	<u>402,200</u>	<u>1,102,800</u>	<u>0</u>	<u>44,500</u>
28	TOTAL	\$8,087,600	\$1,259,700	\$35,400	\$9,532,700
29	C. STATE HOSPITAL SOUTH:				
30	FROM:				
31	Cooperative Welfare (General)				
32	Fund	\$11,090,300	\$607,400	\$221,300	\$12,161,000
33	Cooperative Welfare (Dedicated)				
34	Fund	3,303,400	881,700	55,000	900
35	Mental Hospital Endowment Income				
36	Fund	3,466,000	1,365,800	230,000	5,061,800

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
5	Cooperative Welfare (Federal)				
6	Fund	<u>3,710,100</u>	<u>948,800</u>	<u>25,800</u>	<u>4,684,700</u>
7	TOTAL	\$21,569,800	\$3,803,700	\$506,300	\$268,700
8	DIVISION TOTAL	\$29,657,400	\$5,063,400	\$541,700	\$3,487,700
9	III. SUBSTANCE ABUSE TREATMENT AND PREVENTION:				
10	FROM:				
11	Cooperative Welfare (General)				
12	Fund	\$298,300	\$673,500	\$1,761,400	\$2,733,200
13	Prevention of Minors' Access to Tobacco				
14	Fund		43,800		43,800
15	Cooperative Welfare (Dedicated)				
16	Fund	49,000	438,300		487,300
17	Liquor Control				
18	Fund			650,000	650,000
19	Idaho Millennium Income				
20	Fund		160,000		160,000
21	Cooperative Welfare (Federal)				
22	Fund	<u>1,089,400</u>	<u>3,514,200</u>	<u>8,528,400</u>	<u>13,132,000</u>
23	TOTAL	\$1,436,700	\$4,829,800	\$10,939,800	\$17,206,300
24	GRAND TOTAL	\$55,878,700	\$18,221,000	\$541,700	\$34,452,400

25 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,  
 26 Idaho Code, each of the programs in the Department of Health and Welfare  
 27 listed below is authorized no more than the following number of full-time  
 28 equivalent positions at any point during the period July 1, 2018, through  
 29 June 30, 2019, unless specifically authorized by the Governor. The Joint  
 30 Finance-Appropriations Committee will be notified promptly of any increased  
 31 positions so authorized. Further, notwithstanding any other provision of  
 32 law to the contrary, it is the intent of the Legislature that the Department  
 33 of Health and Welfare has the authority to transfer authorized full-time  
 34 equivalent positions between budgeted programs.

35	Adult Mental Health .....	210.56
36	Children's Mental Health .....	97.67
37	State Hospital North .....	107.10
38	State Hospital South .....	285.25

1           Substance Abuse Treatment and Prevention ..... 16.00

2           SECTION 3. GENERAL FUND TRANSFERS. As appropriated, the State Con-  
3 troller shall make transfers from the General Fund to the Cooperative  
4 Welfare Fund, periodically, as requested by the director of the Department  
5 of Health and Welfare and approved by the Board of Examiners.

6           SECTION 4. TRUSTEE AND BENEFIT PAYMENTS. Notwithstanding the provi-  
7 sions of Section 67-3511, Idaho Code, funds budgeted in the trustee and  
8 benefit payments expense class shall not be transferred to any other expense  
9 classes during fiscal year 2019.

10          SECTION 5. PROGRAM INTEGRITY. Notwithstanding any other provision of  
11 law to the contrary, it is the intent of the Legislature that the Department  
12 of Health and Welfare shall be required to provide those services authorized  
13 or mandated by law in each program, only to the extent of funding and avail-  
14 able resources appropriated for each budgeted program.

15          SECTION 6. LIMITING TRANSFER OF LEGISLATIVE APPROPRIATIONS. Notwith-  
16 standing the provisions of Section 67-3511, Idaho Code, Cooperative Welfare  
17 (General) Fund moneys appropriated to the Division of Mental Health and the  
18 Psychiatric Hospitalization Division may be transferred between divisions,  
19 but shall not be transferred to any other division or program within the De-  
20 partment of Health and Welfare without legislative approval.

21          SECTION 7. EDUCATIONAL NEEDS. It is the finding of the Legislature that  
22 the Department of Health and Welfare is responsible for the educational  
23 needs of school-age children placed in its custody by the courts for either  
24 child protective or mental health issues. If the Department of Health and  
25 Welfare places a child in a licensed residential treatment facility that  
26 includes a nonpublic accredited school, and it is determined by the Depart-  
27 ment of Health and Welfare that it is in the best interest of the child to be  
28 educated at the residential treatment facility, then it is the responsibil-  
29 ity of the Department of Health and Welfare to pay for such education, per  
30 student, per educational day. This intent language does not preclude other  
31 Idaho state agencies from exercising their responsibility to ensure a free  
32 and appropriate education for these students within the requirements of fed-  
33 eral disability law. The fiscal impact of this language is included within  
34 existing department base appropriations.

35          SECTION 8. INTERAGENCY PAYMENT FOR JUVENILE DETENTION CLINICIANS CON-  
36 TRACT. The Children's Mental Health Program shall, no later than July 16,  
37 2018, make an interagency payment of \$327,000 from the Cooperative Welfare  
38 (General) Fund to the Department of Juvenile Corrections to be used for the  
39 purchase of contract clinician services with juvenile detention facilities  
40 in Idaho, for the period July 1, 2018, through June 30, 2019.

41          SECTION 9. BEHAVIORAL HEALTH CRISIS CENTERS. It is the intent of the  
42 Legislature that the Behavioral Health Community Crisis Centers located  
43 in Idaho Falls and Coeur d'Alene share an updated plan, and the Behavioral

1 Health Community Crisis Center located in Twin Falls share its two-year plan  
2 as required by contract with the Department of Health and Welfare. These  
3 reports are to demonstrate to what extent the centers will provide financial  
4 support from non-state sources for ongoing operations of the centers. These  
5 reports are to be submitted to the Legislative Services Office no later than  
6 December 31, 2018. Further, it is the expectation that all other community  
7 crisis centers will be required to share their two-year plan as required by  
8 their contract with the Department of Health and Welfare upon completion of  
9 two years of operations.

10 SECTION 10. PROGRAM TRANSFER EXEMPTION. Notwithstanding the provi-  
11 sions of Section 67-3511(2), Idaho Code, funding may be transferred into  
12 the Community Hospitalization budget in excess of ten percent (10%) of the  
13 appropriation from within the Department of Health and Welfare.

14 SECTION 11. Notwithstanding any other provision of law to the contrary,  
15 the appropriation made to the Department of Health and Welfare for the Adult  
16 Mental Health Program in Section 1, Chapter 292, Laws of 2017, from the Co-  
17 operative Welfare (General) Fund is hereby reduced by \$1,600,000 for trustee  
18 and benefit payments for the period July 1, 2017, through June 30, 2018.

19 SECTION 12. An emergency existing therefor, which emergency is hereby  
20 declared to exist, Section 11 of this act shall be in full force and effect on  
21 and after passage and approval.