

IN THE SENATE

SENATE BILL NO. 1189

BY FINANCE COMMITTEE

AN ACT

1 APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DI-
2 VISIONS OF MENTAL HEALTH SERVICES, PSYCHIATRIC HOSPITALIZATION AND
3 SUBSTANCE ABUSE TREATMENT AND PREVENTION FOR FISCAL YEAR 2018; LIMITING
4 THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR
5 2018; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE
6 FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PRO-
7 VIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; LIMITING TRANSFER OF
8 LEGISLATIVE APPROPRIATIONS; CLARIFYING RESPONSIBILITY FOR EDUCATION
9 OF CERTAIN CHILDREN IN STATE CARE; DIRECTING AN INTERAGENCY PAYMENT FOR
10 JUVENILE DETENTION CLINICIANS CONTRACT; PROVIDING LEGISLATIVE INTENT
11 REGARDING FUNDING FOR BEHAVIORAL HEALTH COMMUNITY CRISIS CENTERS; AP-
12 PROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE
13 FOR THE CHILDREN'S MENTAL HEALTH PROGRAM, COMMUNITY HOSPITALIZATION
14 PROGRAM AND SUBSTANCE ABUSE TREATMENT AND PREVENTION PROGRAM FOR FISCAL
15 YEAR 2017; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND
16 WELFARE FOR THE ADULT MENTAL HEALTH PROGRAM FOR FISCAL YEAR 2017; AUTHO-
17 RIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2017;
18 AND DECLARING AN EMERGENCY.
19

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

21 SECTION 1. There is hereby appropriated to the Department of Health and
22 Welfare, the following amounts to be expended according to the designated
23 programs and expense classes, from the listed funds for the period July 1,
24 2017, through June 30, 2018:

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
29	I. MENTAL HEALTH SERVICES:				
30	A. CHILDREN'S MENTAL HEALTH:				
31	FROM:				
32	Cooperative Welfare (General)				
33	Fund	\$4,793,200	\$834,400	\$4,151,000	\$9,778,600
34	Cooperative Welfare (Dedicated)				
35	Fund			164,500	164,500
36	Cooperative Welfare (Federal)				
37	Fund	<u>2,502,400</u>	<u>1,358,100</u>	<u>1,092,600</u>	<u>4,953,100</u>
38	TOTAL	\$7,295,600	\$2,192,500	\$5,408,100	\$14,896,200

	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	\$14,459,100	\$2,765,100	\$13,883,800	\$31,108,000
9	Cooperative Welfare (Dedicated)				
10	Fund	111,200		350,000	461,200
11	Cooperative Welfare (Federal)				
12	Fund	<u>2,179,900</u>	<u>1,143,100</u>	<u>778,700</u>	<u>4,101,700</u>
13	TOTAL	\$16,750,200	\$3,908,200	\$15,012,500	\$35,670,900
14	DIVISION TOTAL	\$24,045,800	\$6,100,700	\$20,420,600	\$50,567,100
15	II. PSYCHIATRIC HOSPITALIZATION:				
16	A. COMMUNITY HOSPITALIZATION:				
17	FROM:				
18	Cooperative Welfare (General)				
19	Fund			\$3,364,700	\$3,364,700
20	B. STATE HOSPITAL NORTH:				
21	FROM:				
22	Cooperative Welfare (General)				
23	Fund	\$7,427,600	\$140,100	\$105,500	\$7,673,200
24	Cooperative Welfare (Dedicated)				
25	Fund	154,100			154,100
26	State Hospital North Endowment Income				
27	Fund	<u>397,000</u>	<u>1,119,100</u>	<u>\$15,700</u>	<u>44,500</u>
28	TOTAL	\$7,978,700	\$1,259,200	\$15,700	\$9,403,600
29	C. STATE HOSPITAL SOUTH:				
30	FROM:				
31	Cooperative Welfare (General)				
32	Fund	\$9,769,300	\$286,400	\$175,000	\$241,900
33	Cooperative Welfare (Dedicated)				
34	Fund	3,664,900	1,020,200	900	4,686,000
35	Mental Hospital Endowment Income				
36	Fund	3,018,500	1,380,500	215,000	4,614,000

				FOR		
	FOR	FOR	FOR	TRUSTEE AND		
	PERSONNEL	OPERATING	CAPITAL	BENEFIT		
	COSTS	EXPENDITURES	OUTLAY	PAYMENTS	TOTAL	
5	Cooperative Welfare (Federal)					
6	Fund	<u>4,927,600</u>	<u>1,169,000</u>	<u>0</u>	<u>25,900</u>	<u>6,122,500</u>
7	TOTAL	\$21,380,300	\$3,856,100	\$390,000	\$268,700	\$25,895,100
8	DIVISION TOTAL	\$29,359,000	\$5,115,300	\$405,700	\$3,783,400	\$38,663,400
9	III. SUBSTANCE ABUSE TREATMENT AND PREVENTION:					
10	FROM:					
11	Cooperative Welfare (General)					
12	Fund	\$296,300	\$673,500		\$1,505,400	\$2,475,200
13	Prevention of Minors' Access to Tobacco					
14	Fund		43,800			43,800
15	Cooperative Welfare (Dedicated)					
16	Fund	48,800	438,300			487,100
17	Liquor Control					
18	Fund			650,000		650,000
19	Cooperative Welfare (Federal)					
20	Fund	<u>1,082,000</u>	<u>3,459,200</u>		<u>6,628,400</u>	<u>11,169,600</u>
21	TOTAL	\$1,427,100	\$4,614,800		\$8,783,800	\$14,825,700
22	GRAND TOTAL	\$54,831,900	\$15,830,800	\$405,700	\$32,987,800	\$104,056,200

23 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,
 24 Idaho Code, each of the programs in the Department of Health and Welfare
 25 listed below is authorized no more than the number of full-time equivalent
 26 positions at any point during the period July 1, 2017, through June 30, 2018,
 27 unless specifically authorized by the Governor. The Joint Finance-Appropriations
 28 Committee will be notified promptly of any increased positions
 29 so authorized. Further, notwithstanding any other provision of law, it is
 30 the intent of the Legislature that the Department of Health and Welfare has
 31 the authority to transfer authorized full-time equivalent positions between
 32 budgeted programs.

33	Adult Mental Health	210.56
34	Children's Mental Health	90.67
35	State Hospital North	107.10
36	State Hospital South	285.25
37	Substance Abuse Treatment and Prevention	16.00

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

5 SECTION 4. TRUSTEE AND BENEFIT PAYMENTS. Notwithstanding the provi-
6 sions of Section 67-3511, Idaho Code, funds budgeted in the trustee and
7 benefit payments expenditure class shall not be transferred to any other
8 expense class during fiscal year 2018.

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

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

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

34 SECTION 8. INTERAGENCY PAYMENT FOR JUVENILE DETENTION CLINICIANS CON-
35 TRACT. The Children's Mental Health Program shall, no later than July 16,
36 2017, make an interagency payment of \$327,000 from the Cooperative Welfare
37 (General) Fund to the Department of Juvenile Corrections to be used for the
38 purchase of contract clinician services with juvenile detention facilities
39 in Idaho, for the period July 1, 2017, through June 30, 2018.

40 SECTION 9. BEHAVIORAL HEALTH COMMUNITY CRISIS CENTERS. It is the in-
41 tent of the Legislature that the Behavioral Health Community Crisis Center
42 located in Idaho Falls, share an updated plan, and the Behavioral Health Com-
43 munity Crisis Center located in Coeur d'Alene, share its two-year plan as
44 required by contract with the Department of Health and Welfare, that will

1 demonstrate to what extent the region will provide financial support from
 2 local sources for ongoing operations of the centers. The contractually re-
 3 quired plan is to be submitted to the Legislative Services Office no later
 4 than December 31, 2017. Further it is the expectation that all other commu-
 5 nity crisis centers will be required to share their two-year plan as required
 6 by their contract with the Department of Health and Welfare upon completion
 7 of two (2) years of operations.

8 SECTION 10. In addition to the appropriation made in Section 1, Chapter
 9 250, Laws of 2016, and any other appropriation provided for by law, there is
 10 hereby appropriated to the Department of Health and Welfare, the following
 11 amounts to be expended for the designated programs and expense classes, from
 12 the listed funds for the period July 1, 2016, through June 30, 2017:

	FOR	FOR	FOR	FOR	TOTAL
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	
				PAYMENTS	
17	I. MENTAL HEALTH SERVICES:				
18	FROM:				
19	Cooperative Welfare (General)				
20	Fund	\$100,200	\$13,200	\$14,300	\$127,700
21	Cooperative Welfare (Federal)				
22	Fund	<u>100,200</u>	<u>13,200</u>	<u>14,300</u>	<u>127,700</u>
23	TOTAL	\$200,400	\$26,400	\$28,600	\$255,400
24	II. PSYCHIATRIC HOSPITALIZATION:				
25	FROM:				
26	Cooperative Welfare (General)				
27	Fund			\$500,000	\$500,000
28	III. SUBSTANCE ABUSE TREATMENT & PREVENTION:				
29	FROM:				
30	Cooperative Welfare (Federal)				
31	Fund			\$1,500,000	\$1,500,000
32	GRAND TOTAL	\$200,400	\$26,400	\$28,600	\$2,255,400

33 SECTION 11. Notwithstanding any other provision of law to the contrary,
 34 the appropriation made to the Department of Health and Welfare for the Adult
 35 Mental Health Program, in Section 1, Chapter 250, Laws of 2016, from the Co-
 36 operative Welfare (General) Fund, is hereby reduced by \$500,000 for trustee
 37 and benefit payments, for the period July 1, 2016, through June 30, 2017.

1 SECTION 12. FTP AUTHORIZATION. The full-time equivalent position au-
2 thorization provided to the Department of Health and Welfare for the Chil-
3 dren's Mental Health Program, in Section 2, Chapter 250, Laws of 2016, is in-
4 creased by eleven (11) for the period July 1, 2016, through June 30, 2017.

5 SECTION 13. An emergency existing therefor, which emergency is hereby
6 declared to exist, the provisions of Sections 10, 11 and 12 of this act shall
7 be in full force and effect on and after passage and approval.