

**Department 325 - Department of Human Services
House Bill No. 1012**

	FTE Positions	General Fund	Other Funds	Total
2001-03 Schafer Executive Budget	2,252.57	\$340,546,370	\$1,016,554,663	\$1,357,101,033
1999-2001 Legislative Appropriations	<u>2,286.05¹</u>	<u>348,505,717</u>	<u>882,492,667</u>	<u>1,230,998,384²</u>
Increase (Decrease)	<u>(33.48)</u>	<u>(\$7,959,347)</u>	<u>\$134,061,996</u>	<u>\$126,102,649</u>

2001-03 Hoeven Executive Budget	<u>2,252.57</u>	<u>\$340,546,370</u>	<u>\$1,016,554,663</u>	<u>\$1,357,101,033</u>
Hoeven Increase (Decrease) to Schafer	<u>0.00</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

¹ The 1999-2001 legislatively authorized FTE positions of 2,262.80 have been increased by 23.25 FTE pursuant to Section 6 of 1999 Senate Bill No. 2012 which authorized the department to add FTEs at the human service centers, State Hospital, and Developmental Center.

² The 1999-2001 appropriation amounts include \$1,900,800, \$1,349,544 of which is from the general fund, for the agency's share of the \$5.4 million funding pool appropriated to the Office of Management and Budget (OMB) for special market equity adjustments for classified employees and \$192,206, \$129,632 of which is from the general fund, for the agency's share of the \$1.4 million funding pool appropriated to OMB for assisting agencies in providing the \$35 per month minimum salary increases in July 1999 and July 2000. The 1999-2001 appropriation amounts do not include \$27,021,187 of additional spending authority resulting from Emergency Commission action during the 1999-2001 biennium.

Major Schafer Recommendations Affecting Department of Human Services 2001-03 Budget

Departmentwide	General Fund	Other Funds	Total
1. Changes the source of funding for salaries and wages from the general fund to special funds by a total of \$1,195,013 for all divisions to recognize anticipated savings from vacant employee positions and employee turnover. This represents a two percent reduction of general fund salaries for the human service centers and a one percent reduction of general fund salaries for the remainder of the department, including the State Hospital and Developmental Center. In addition, the executive budget changes the funding source from the general fund to special funds for 10.65 FTE vacant positions at the State Hospital that the hospital has no immediate plans to fill totaling \$853,908.	(\$2,048,921)	\$2,048,921	\$0
2. Uses health care trust fund moneys for the following:	(\$25,000,000)	\$37,878,849	\$12,878,849
Grants and loans	\$4,020,226		
Health Insurance Portability and Accountability Act (HIPAA) state matching funds	3,870,794		
Medical assistance state matching funds	25,000,000		
Statewide long-term care needs assessment	241,006		
Service payments for elderly and disabled (SPED)	4,262,410		
State Hospital landfill closure	413,255		
Administrative costs	<u>71,158</u>		
Total		<u>37,878,849</u>	
3. Provides funding based on the following federal matching assistance percentage (FMAP):			
Federal Fiscal Year	FMAP		
1998	70.43%		
1999	69.94%		

2000	70.42%
2001	69.99%
2002 (estimate)	69.87%
2003 (estimate)	69.87%

4. Increases funding provided from retained federal funds received by the state for county administrative costs to a total of \$31,940,419.	\$2,494,569	\$2,494,569
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Management

1. Adds funding from federal funds (\$5,055,347) and the health care trust fund (\$3,870,794) for the HIPAA computer system project.	\$8,926,141	\$8,926,141	
2. Eliminates one vacant FTE position in research and statistics not requested by the agency.	(\$45,850)	(\$37,513)	(\$83,363)
3. Adds funding from the general fund to replace special funds from the developmentally disabled facility loan fund No. 1 due to the anticipated reduction in funding available from that fund during the 2001-03 biennium.	\$325,570	(\$325,570)	\$0
4. Transfers 1 FTE to the Children and Family Services Division.	(\$66,800)	(\$54,655)	(\$121,455)
5. Adds funding for the ATM network.	\$412,225		\$412,225
6. Adds funding for computer system enhancements (OAR 205).	\$1,287,681	\$1,874,033	\$3,161,714
7. Adds funding for converting to Windows 2000 operating system (OAR 209).	\$249,326	\$203,994	\$453,320
8. Adds funding for child support computer system changes (OAR 210).	\$481,589	\$934,851	\$1,416,440
9. Adds funding for development of an electronic documents management system (OAR 224).	\$137,024	\$112,976	\$250,000
10. Adds funding for integrating the remaining children and family services systems into the comprehensive child welfare information and payment system (CCWIPS) (OAR 225).	\$750,000	\$750,000	\$1,500,000
11. Adds funding for temporary salaries (OAR 211).	\$97,274	\$79,591	\$176,865
12. Adds funding for recruiting and retaining information technology staff (OAR 298).	\$31,350	\$25,650	\$57,000

Economic Assistance

1. Increases funding for Indian county allocation pursuant to Section 9 of 1999 Senate Bill No. 2012. A total of \$2,771,979 is provided, \$703,972 of which is from the general fund.	\$582,206	\$413,353	\$995,559
2. Converts three temporary positions in Child Support to 3 FTE positions.		\$57,967	\$57,967
3. Adds 1 FTE human service program administrator position to provide independent verification and validation services for the child support program as required by the federal government.	\$29,709	\$57,669	\$87,378
4. Adds 1 FTE support specialist position to issue non-IV-D income withholding orders in the child support program. These duties are being transferred from the clerks of court to the State Disbursement Unit pursuant to 1999 House Bill No. 1121.	\$75,103		\$75,103
5. Converts two customer service temporary positions in Child Support to 2 FTE positions.	\$71,817	\$11,287	\$83,104
6. Transfers 1 FTE administrative position (\$96,687) from the intergovernmental transfer program to Healthy Steps and adds 1 FTE (\$76,279) to Healthy Steps.		\$172,966	\$172,966
7. Removes contingent funding provided by the 1999 Legislative Assembly for making medical assistance payments to the newly established traumatic brain injury facility in western North Dakota.	(\$60,000)	(\$140,000)	(\$200,000)

8. Reduces funding for nursing facility alternative grants and loans from the health care trust fund. The executive budget provides for nursing facility grants and loans of \$4,020,226.		(\$4,695,053)	(\$4,695,053)
9. Reduces funding for making government nursing facility funding pool payments to Dunseith and McVile (the 1999-2001 amounts used for this comparison include the 1998 and 1999 pool payments). The executive budget includes total payments of \$26,480,813 for the 2001-03 biennium. Of this total, \$7,946,165 is the required state matching funds that will be provided from the health care trust fund . During the 1999-2001 biennium, the state matching funds were provided from the general fund and from Bank of North Dakota loans.	(\$3,618,391)	(\$31,365,471)	(\$34,983,862)
10. Requires the department to seek a Medicaid personal care waiver to allow Medicaid to pay a portion of basic care costs.	(\$5,391,869)	\$5,391,869	\$0
11. Provides \$562,365,199, \$129,815,101 of which is from the general fund, \$25 million from the health care trust fund, and the remainder from federal and other funds for medical assistance. Without the \$25 million provided from the health care trust fund, the general fund share would show an increase of \$9,310,352. Major funding increases within medical assistance relate to prescription drugs that are estimated to increase by \$28.7 million or 57 percent and funding for nursing facilities which is increasing by \$12.2 million or 4.8 percent.	(\$15,689,648)	\$63,775,436	\$48,085,788
12. Requires prior authorization of medical services and drugs under the medical assistance program (House Bill No. 1116).	(\$180,300)	(\$419,700)	(\$600,000)
13. Increases funding for developmental disabilities grants. Total funding provided is \$156,870,722, \$51,383,465 of which is from the general fund. The major funding increase for developmental disabilities (DD) grants is funding for community intermediate care facilities for the mentally retarded (ICF/MR) care which is increasing by \$4.4 million or 7.7 percent.	\$2,080,746	\$5,867,287	\$7,948,033
14. Increases funding for Healthy Steps (children's health insurance program). The executive recommendation provides funding for continuing eligibility requirements at 140 percent of poverty, an average caseload of 2,885 children per month, and an annual inflation rate on the insurance premiums of 16.4 percent. Funding totals \$8,917,719, \$1,886,714 of which is from the general fund.	\$1,068,924	\$3,961,957	\$5,030,881

Program and Policy

1. Increases funding for the senior citizen mill levy match. A total of \$1,662,945 is provided from the general fund.	\$400,000		\$400,000
2. Increases funding for SPED. The executive budget provides a total of \$13,967,295 for SPED, \$8,561,099 of which is from the general fund, \$4,262,410 from the health care trust fund, \$445,432 of federal funds, and \$698,354 from the counties. The executive budget requires the department to include targeted case management for SPED in its state Medicaid plan, which allows this service to receive federal Medicaid funding. This change results in the general fund being reduced by \$445,432 and federal funds increasing by \$445,432.	\$649,931	\$503,074	\$1,153,005
3. Increases funding for expanded SPED. The executive budget provides a total of \$1,421,080 from the general fund for expanded SPED.	\$523,036		\$523,036
4. Eliminates the contingent general fund appropriation provided by the 1999 Legislative Assembly for SPED to use during the 1999-2001 biennium if funding appropriated for SPED from the health care trust fund was not available.	(\$4,262,410)		(\$4,262,410)
5. Removed 1 FTE in Children's Special Health Services. Funding of \$15,600 was transferred to temporary salaries.			
6. Adds a .5 FTE HSPA V position transferred from management.	\$35,444	\$28,999	\$64,443

7. Removes a .5 FTE in family preservation.	(\$23,425)	(\$48,931)	(\$72,356)
8. Reduces funding for family preservation services grants.	(\$100,000)		(\$100,000)
9. Provides funding for a 2.2 percent annual inflation factor for foster care and adoption programs (OARs 254-257).	\$329,194	\$1,153,027	\$1,482,221
10. Provides funding for increasing residential child care facility rates by \$50 per month (OAR 258).	\$90,779	\$251,571	\$342,350
11. Reduces federal funding received during the 1999-2001 biennium relating to disaster crisis counseling.		(\$1,006,000)	(\$1,006,000)
12. Reduces federal funding relating to the partnership project.		(\$328,716)	(\$328,716)
13. Adds a .5 FTE position in mental health transferred from management.	\$56,279	\$4,643	\$60,922
14. Adds funding in mental health and substance abuse from carryover funds from the federal substance abuse block grant.		\$400,000	\$400,000
15. Transfers federal funding for the DD infants and toddlers program to the human service centers.		(\$243,000)	(\$243,000)
16. Reduces general fund support in vocational rehabilitation for the older blind program.	(\$60,791)		(\$60,791)
17. Increases funding from the general fund for independent living centers. A total of \$1,221,699 is provided, \$643,992 from the general fund.	\$300,000		\$300,000
18. Reduces funding in vocational rehabilitation to the minimum maintenance of effort level.	(\$250,000)	(\$1,000,000)	(\$1,250,000)
State Hospital			
1. Removes 1 FTE collections officer.	(\$62,839)		(\$62,839)
2. Removes 1 FTE reimbursement officer.	(\$78,932)		(\$78,932)
3. Removes a .5 FTE clerk.	(\$32,708)		(\$32,708)
4. Adds funding from the health care trust fund for costs of closing the State Hospital landfill.		\$413,255	\$413,255
5. Adds funding for State Hospital capital construction lease payments. These funds will be paid to the Industrial Commission for repaying bonds issued on behalf of the State Hospital and were previously appropriated to the Industrial Commission.	\$566,500		\$566,500
6. Reduces funding for capital improvements. 1999-2001 biennium funding of \$1,050,000 for the boiler replacement project is removed. The 2001-03 executive budget provides \$703,676 from the general fund for extraordinary repairs.	(\$995,989)		(\$995,989)
7. Removes the following 3.6 FTE vacant positions:	(\$260,478)		(\$260,478)
Cook (1 FTE) - \$51,058			
Plumber (1 FTE) - \$74,209			
Electrician (1 FTE) - \$74,209			
Duplicating center supervisor (.6 FTE) - \$61,002			
8. Increases funding for client medications.	\$97,669		\$97,669
9. Removes the following 6 FTE vacant positions:	(\$692,399)		(\$692,399)
Physician (1 FTE) - \$313,848			
Psychologist (1 FTE) - \$123,713			
Registered nurse (1 FTE) - \$83,335			
Licensed practical nurse (1 FTE) - \$66,425			
Mental health care specialist (2 FTE) - \$105,078			

10. Changes the funding source for 10.65 FTE positions in treatment services from the general fund to special funds. This amount is also included in the total amount of underfunding of the pay plan that is shown under departmentwide changes above.	(\$853,908)	\$853,908	\$0
11. Provides that funding be received from the Department of Corrections and Rehabilitation for DUI offender treatment services provided to corrections inmates at the State Hospital.	(\$2,139,284)	\$2,139,284	\$0

Developmental Center

1. Removes the following 3.70 FTE health services positions: Nurse practitioner (.5 FTE) - \$68,925 Licensed practical nurse (1 FTE) - \$69,489 Registered nurse (.25 FTE) - \$19,018 Physical therapist (.20 FTE) - \$21,823 Occupational therapist (.20 FTE) - \$21,582 Psychologist (1 FTE) - \$104,296 Speech therapist (.55 FTE) - \$67,679	(\$111,844)	(\$260,968)	(\$372,812)
2. Removes one FTE superintendent position. The Developmental Center and the State Hospital will be sharing a superintendent.	(\$53,342)	(\$124,466)	(\$177,808)
3. Adds funding for Developmental Center capital construction lease payments. These funds will be paid to the Industrial Commission for repaying bonds issued on behalf of the Developmental Center and were previously appropriated to the Industrial Commission.	\$649,234		\$649,234
4. Reduces funding for capital improvements to \$285,129, of which \$210,844 is from the general fund.	\$45,454	(\$183,935)	(\$138,481)
5. Removes the following two FTE resident living program positions: Unit director (1 FTE) - \$112,285 Resident unit program coordinator (1 FTE) - \$113,801	(\$67,826)	(\$158,260)	(\$226,086)
6. Removes 1.46 FTE nursing positions and transfers funding of \$92,784 to temporary salaries.			

Northwest Human Service Center

1. Removes 1 FTE business manager position. The Northwest and North Central Human Service Centers will be sharing a business manager.	(\$71,857)	(\$8,061)	(\$79,918)
2. Removes a .32 FTE vacant psychiatrist position.	(\$179,002)		(\$179,002)
3. Replaces general fund support with special funds received from the Children's Services Coordinating Committee for the mental health partnership program.	(\$75,000)	\$75,000	\$0

North Central Human Service Center

1. Removes a .15 vacant psychiatrist position.	(\$26,562)	(\$27,437)	(\$53,999)
2. Reduces mental health partnership program grants.		(\$332,500)	(\$332,500)
3. Eliminates the seriously mentally ill (SMI) Rhinelander program.	(\$70,000)		(\$70,000)
4. Replaces general fund support with special funds received from the Children's Services Coordinating Committee for the mental health partnership program.	(\$75,000)	\$75,000	\$0

Lake Region Human Service Center

1. Replaces general fund support with special funds received from the Children's Services Coordinating Committee for the mental health partnership program.	(\$75,000)	\$75,000	\$0
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Northeast Human Service Center

1. The executive budget restored \$484,000 of the general fund budget reductions made by the Northeast Human Service Center to comply with the 1999 Legislative Assembly directive that the department	(\$16,000)		(\$16,000)
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identify budget savings totaling \$500,000 for the 2001-03 biennium relating to the efficiencies and the collocation of service delivery that has resulted from being located in the city/county building in Grand Forks.

2. Removes 16.75 FTE positions by:

Converting the SMI work activity program to a contracted service (1 FTE).

Converting the Rhinelander program to a contracted service (.5 FTE).

Converting the hospital alternative program and the chemical dependency adolescent residential facilities program to a contracted service (15.25 FTE).

3. Replaces general fund support with special funds received from the Children's Services Coordinating Committee for the mental health partnership program.	(\$75,000)	\$75,000	\$0
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Southeast Human Service Center

1. Adds funding for Southeast Human Service Center capital construction lease payments. These funds will be paid to the Industrial Commission for payment on bonds issued on behalf of the center and were previously appropriated to the Industrial Commission.	\$441,125		\$441,125
2. Adds 1 FTE child welfare position.	\$59,306	\$23,790	\$83,096
3. Increases funding for adult protective services.	\$53,300	\$27,500	\$80,800
4. Removes 1 FTE mental health partnership position.	(\$56,193)		(\$56,193)
5. Reduces mental health partnership intensive in-home services grants.		(\$342,000)	(\$342,000)
6. Eliminates funding for the seriously mentally ill (SMI) Rhinelander program.	(\$16,044)		(\$16,044)
7. Reduces federal funding for alcohol treatment contract services to \$36,973 of federal funds.		(\$72,000)	(\$72,000)
8. Adds 1 FTE adult psychologist position (OAR 212).	\$53,130	\$79,528	\$132,658
9. Replaces general fund support with special funds received from the Children's Services Coordinating Committee for the mental health partnership program.	(\$75,000)	\$75,000	\$0

South Central Human Service Center

1. Increases funding for the center's transitional living facility, which began operations during the second year of the 1999-2001 biennium. It will be operating for two full years during the 2001-03 biennium. The executive budget includes funding of \$584,879, \$186,879 of which is from the general fund for this program for the 2001-03 biennium.	(\$12,874)	\$279,048	\$266,174
2. Replaces general fund support with special funds received from the Children's Services Coordinating Committee for the mental health partnership program.	(\$75,000)	\$75,000	\$0

West Central Human Service Center

1. Adds 1 FTE county supervisor position.	\$56,562	\$26,618	\$83,180
2. Adds a .5 FTE DD case manager.	\$26,839	\$17,892	\$44,731
3. Increases funding for the adult protective services grant.	\$58,100	(\$21,800)	\$36,300
4. Increases rent for the Manchester House, which expanded its bed capacity from 10 to 12 in May 2000. The executive budget includes \$340,648, \$102,194 of which is from the general fund for renting this facility.	\$20,621	\$48,117	\$68,738

5. Adds 1 FTE SMI case manager.	\$23,642	\$55,165	\$78,807
6. Replaces general fund support with special funds received from the Children's Services Coordinating Committee for the mental health partnership program.	(\$75,000)	\$75,000	\$0

Badlands Human Service Center

1. Eliminates DD residential services including 4 FTE positions. Funding was transferred to the central office during the 1999-2001 biennium to contract for these services.			\$0
2. Increases funding for psychiatric services (OAR 261).	\$15,000		\$15,000
3. Replaces general fund support with special funds received from the Children's Services Coordinating Committee for the mental health partnership program.	(\$75,000)	\$75,000	\$0

**Major Hoeven Recommendations Affecting Department of Human Services
2001-03 Budget Compared to the Bill as Introduced (Schafer Budget)**

The Hoeven budget recommendation does not change the 2001-03 biennium Schafer executive budget recommendation for this agency. The Hoeven budget does recommend paying the Dunseith and McVile nursing homes an additional governmental nursing facility funding pool (intergovernmental transfer program) transaction payment of \$200,000 each during the 1999-2001 biennium that the Schafer budget did not recommend.

Major Legislation Affecting the Department of Human Services

House Bill No. 1036 changes the income review period from monthly to quarterly for determining Medicaid eligibility for children and pregnant women.

House Bill No. 1089 requires the Department of Human Services to contract with qualified treatment service providers for the development and implementation of gambling prevention, awareness, crisis intervention, rehabilitation, financial counseling, and mental health treatment programs.

House Bill No. 1109 expands the definition of a basic care facility to include an Alzheimer's, dementia, or special memory care facility and requires assisted living facilities to register with the Department of Human Services and pay an annual registration fee of at least \$100 but no more than \$750. Basic care facilities would continue to be licensed by the State Department of Health.

House Bill No. 1111 eliminates references to basic care facilities and provides for licensing by the State Department of Health of assisted living facilities which would include both assisted living and basic care facilities. The bill also removes the moratorium on the expansion of basic care bed capacity.

House Bill No. 1112 authorizes the Department of Human Services to establish per diem rates and limits on actual allowable historical costs for basic care facilities participating in the basic care assistance program.

House Bill No. 1113 repeals the moratorium on the expansion of basic care bed capacity.

House Bill No. 1114 authorizes the Department of Human Services to sell certain State Hospital land to the city of Jamestown.

House Bill No. 1115 requires the Department of Human Services to implement a personal care option benefit program for qualified individuals residing in basic care facilities. This is expected to allow the department to access an estimated \$5,609,666 of federal Medicaid funds for the 2001-03 biennium. This provision is reflected in the executive budget. Total basic care funding recommended in the executive budget is \$8,025,120. The bill also requires the department to provide an income supplement for eligible individuals residing in assisted living facilities limited in total to the estimated amount of state funds that would have been spent on basic care assistance that will now be provided by federal funds (\$5,609,666 for the 2001-03 biennium) and subject to legislative appropriations. This provision is not included in the executive budget.

House Bill No. 1116 allows the Department of Human Services to require prior authorization of medical services and drugs under the medical assistance program. The executive budget recognizes an estimated \$600,000 of cost savings, \$180,300 of which is from the general fund, resulting from provisions of this bill.

House Bill No. 1117 requires the Department of Human Services to establish targeted case management services for eligible elderly and disabled individuals who are at risk of requiring long-term care services. This will allow the department to access an estimated \$445,432 of federal Medicaid funds in the SPED program for the 2001-03 biennium. This is reflected in the executive budget. Total SPED funding recommended in the executive budget is \$13,967,295.

House Bill No. 1179, recommended as part of the executive budget, continues the intergovernmental transfer program that allows the state to claim additional federal Medicaid funds by making government nursing facility funding pool payments to two government nursing facilities in the state--Dunseith and McVillie, having these facilities return the funding to the state, less a \$100,000 transaction fee, and depositing the federal funds in the health care trust fund. The bill authorizes the department to transfer funds from the health care trust fund to the long-term care loan fund for providing the funds needed for nursing facility-related projects that have received final or pending final approval from the department as of November 30, 2000.

Senate Bill No. 2095 changes the method of determining eligibility for the children's health insurance program (Healthy Steps) for self-employed applicants. Eligibility will be determined based on the applicant's previous year's adjusted gross income rather than average adjusted gross income for the previous three years.

Senate Bill No. 2098 provides that the moratoriums on the expansion of long-term care bed capacity and on basic care bed capacity do not apply to beds that would be established in tribal facilities.

Senate Bill No. 2174 excludes a spouse's income from consideration when determining whether a disabled individual is eligible for medical assistance.