

**MINUTES OF THE  
SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE**

Room 30 West House Building, State Capitol Complex  
January 29, 2015

**Members Present:** Sen. Allen M. Christensen, Co-Chair  
Rep. Paul Ray, Co-Chair  
Rep. Edward H. Redd, House Vice Chair  
Sen. Deidre M. Henderson  
Sen. Luz Escamilla  
Sen. Todd Weiler  
Rep. Rebecca Chavez-Houck  
Rep. Melvin R. Brown  
Rep. Bradley M. Daw  
Rep. Earl D. Tanner  
Rep. Sandra Hollins  
Rep. Robert Spendlove  
Rep. Raymond Ward

**Members Excused:**

**Members Absent:** President Wayne L. Niederhauser  
Sen. Brian E. Shiozawa  
Sen. Mark B. Madsen  
Sen. Alvin B. Jackson

**Staff Present:** Mr. Russell T. Frandsen, Fiscal Analyst  
Mr. Stephen C. Jardine, Fiscal Analyst  
Ms. Paula Winter, Secretary

**Note:** A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**0. Call to Order/Approval of Minutes**

Sen. Christensen called the meeting to order at 8:10 a.m.

**2. Public Input**

Ginger Phillips, Chair, Utah Behavioral Health Advisory Council (BHPAC). She spoke on behalf of 44,000 others in the mental health system. Ms. Phillips referred to the Department of Human Services (DHS) recommendations for FY 2016 and shared the items the Council recommended from the DHS list which were items #1, 2, 7, and 15. Ms. Phillips shared her personal experience in the mental health system. She testified on behalf of the State Hospital and the positive treatment she received at Valley Mental Health. Ms. Phillips supports the 4 issues mentioned.

**1. Unfinished Items from the Previous Agenda**

a. Review of Department of Human Services Travel Costs:

<http://le.utah.gov/interim/2015/pdf/00000450.pdf>

Stephen Jardine, Fiscal Analyst, referred to the document provided online and reviewed the relationship of the FTEs in the Department of Child and Family Services (DCFS) to travel in the field as part of their duties. He continued sharing facts and figures about FTE travel.

b. Required Reports for the Department of Human Services – Issue Brief

<http://le.utah.gov/interim/2015/pdf/00000453.pdf>

Mr. Jardine referenced that in statute there are several reports that need to be reported. He shared those briefly.

c. Department of Human Services' Executive Director Operations Base Budget (materials in COBI)

Mr. Jardine continued to look at the COBI information and explained that a question asked to the DHS was how they spend the money. He continued down the information on COBI and spoke to those items. He stated that the purpose for this document is so the Committee could look at the information and understand it.

d. Budget Effectiveness Review Options

<http://le.utah.gov/interim/2015/pdf/00000331.pdf>

Mr. Jardine reviewed some items and suggested ways to look at the information for possible 2% efficiency savings for a prioritized list for Executive Appropriations. He suggested four areas:

- 1) \$11,000 from Department administration
- 2) \$18,200 from Public Guardian, Legal Affairs, and Administrative Hearings
- 3) \$221,800 overlap of Children's' Ombudsman with DCFS constituent
- 4) \$395,200 from fee increases to treatment providers to help cover costs

There was some additional discussion about the items and the 2% efficiency review between Sen. Christensen and Mr. Jardine.

**Federal Funds in the Department of Human Services – Issue Brief**

<http://le.utah.gov/interim/2015/pdf/00000456.pdf>

### #1C Motion Federal Funds

Mr. Jardine reviewed the items in the Brief. He referred to Executive Director Operations supplemental. He spoke about several items on the Social Services Block Grant table. He continued sharing from the Brief.

Sen. Jackson had a question about the amount of funds related to In-Home Services and asked if there would be a chance to talk about this item. Mr. Jardine acknowledged this and clarified that this area will be looked at next Wednesday which will be February 4.

He continued to explain the items on the Motions sheet.

Sen. Weiler asked whether the Federal funding will continue to decrease year after year. Mr. Jardine said that the federal grant requests are a moving target.

### #9J approval of 3 measures for Base Budget

The Department of Human Services will report on how the measures went from last year. The three items measured were:

- (1) Corrected department-wide reported fiscal issues (Target 70%)
- (2) Percentage of initial foster care homes licensed within 3 months of training completion (Target 60%)
- (3) double- reviewed Case Process Reviews will be accurate in The Office of Service Review (Target 90%)

Mr. Jardine indicated there is a motion to approve #1C, 8F, & 9J.

Sen. Weiler asked about the decrease in Federal funds and wondered if there is a specific reason for that or if it will happen year after year. Mr. Jardine responded with some information.

Sen. Christensen questioned the motion items and Mr. Jardine acknowledged that the Committee voted on item #8F on 1/28/2015.

**MOTION:** Rep. Ward moved to approve the following motions for the Department of Human Services Executive Director Operations line item from the sheet entitled “Social Services Subcommittee – Motions for Subcommittee Consideration” dated 1/23/2015 9:15 PM: #1C & 9J.

The motion passed unanimously with Sen. Escamilla absent for the vote.

### 3. Report on Performance Measures in Base Budget

Department of Health - <http://le.utah.gov/interim/2015/pdf/00000574.pdf>

Dr. Rolfs stated that they are currently re-looking at how performance measures are used

internally to monitor programs better. Dr. Rolfs stated he chose several performance measures to focus on and proceeded with his presentation. The presentation then focused on the measles outbreak.

Dr. Rolfs presented several statistics. He emphasized the importance of the services being comprehensive at the local level to help respond in instances like this. He also spoke of the data security effort. Dr. Rolfs referenced the previous data breach involving Medicaid and the Information System. He reported on the tracking capability of the system and the risk assessment which has been done. The third area is the Baby Watch/Early Intervention which Dr. Rolfs continued to explain performance measures in that area.

Sen. Weiler asked for clarification on the measles cases and Dr. Rolfs responded that there are four Utah cases.

Sen. Henderson commended Dr. Rolfs and the Department of Health for their efforts with the measles tracking.

Dr. Rolfs also spoke about Accidental Undetermined Overdose Deaths Involving at Least One Prescription Opioid. He explained the previous success and how important this problem is to address and how funding has helped

Rep. Daw asked for a brief description of funding for the program and the amount of funding. Dr. Rolfs responded that there were many components to the original campaign. He also informed the Committee that the amount of funding was originally \$300,000 but has changed since then. Rep. Daw and Dr. Rolfs continued conversation. Dr. Rolfs indicated that education of health care workers and also guidelines were developed which made a difference are another part of the original campaign

Rep. Redd commented that there may have been a difference in the deaths than actually recorded on the information because of varying reasons. He also commented on the measles incident and how there are continued efforts other than just tracking which are being made by the local health departments to stop the outbreak. He complimented the local and state health departments.

Dr. Rolfs made further comment on the opioid overdose deaths and the result of taking opioids.

Rep. Ward commented on the health care worker education and said that from a provider's perspective the education has been effective along with the controlled substance database.

Michael Hales spoke to the Children's Health Insurance Program (CHIP) such as (1) striving for savings and being efficient, (2) efficiency in administrative operations and (3) quality of care delivered to the recipients. He indicated that the first performance measure for Medicaid related to savings from the preferred drug list. He gave statistics from the information relating to the list. He discussed the procedures used. There was comment by Sen. Christensen and continued

dialogue between Sen. Christensen and Mr. Hales. Mr. Hales then addressed the topic of claims adjudication timing.

Rep. Tanner inquired about choice in behavioral health drugs and asked about the current policy. Mr. Hales gave feedback about the procedure used.

Mr. Hales advised the Committee as to the procedures used for measuring the quality in the CHIP and Medicaid program.

Department of Human Services – <http://le.utah.gov/interim/2015/pdf/00000588.pdf>

Ms. Williamson emphasized the department wide performance which focuses on keeping the divisions united. She also articulated the increased effort to keep families together in their homes and communities. She spoke of the DHS performance indicators of success. She also indicated that benchmarks would be reported to the Committee on the results of these measures and demonstration of their progress.

Rep. Daw had a question about the Substance Abuse and Mental Health success and completion rate and what is actually being measured.

Doug Thomas responded to the question by Rep. Daw. Rep. Daw also asked about the rate of recidivism. Mr. Thomas answered the question with statistics from the document. Mr. Daw requested information on relapse numbers.

Sen. Escamilla voiced concern from her district on Division of Services for People with Disabilities (DSPD) and asked if there are targets of those being served within a time frame. Ms. Williamson answered the concern of not having the ability to retain service workers and low access to services. Sen. Escamilla asked for figures on that information of being off the wait list. Mark Brasher answered that the timing for services has doubled since last year. Sen. Escamilla inquired if there could be cause for a lawsuit from the Federal government because of slow response or is this a state issue. Mr. Brasher and Ms. Williamson indicated that it is quality that is looked at and they are working toward a solution to that issue of excess time for services to be rendered.

Rep. Ward asked for clarification on completed treatment. Doug Thomas replied that episodes of care is what is reported and continued to explain the details. There was continued discussion between Rep. Ward and Mr. Thomas to clarify the question.

Department of Workforce Services (DWS) - <http://le.utah.gov/interim/2015/pdf/00000545.pdf>

Mr. Paras presented that the DWS believes in data outcomes and transparency. He spoke about the characteristics of some of the measures and then focused on areas where the DWS has done well and also where improvement is needed.

Sen. Christensen emphasized the purpose of establishing goals is to improve and that perhaps DWS look at reevaluating the target goals and readjusting them upward to create a challenge.

Rep. Tanner had a question about a coordination of care effort between agencies and asked if that is the same as the program in Ogden with Intergenerational Poverty efforts. Mr. Paras indicated that the philosophy is the same as far as having the same objective for the recipient. Rep. Tanner asked further how the two programs are being coordinated if they are not the same. Mr. Paras shared details about the pilot programs. There was exchange among Ms. Williamson, Rep. Tanner and Mr. Paras as to how the programs are being coordinated.

Rep. Redd asked about where the targets or benchmarks come from. Mr. Paras answered that there are varying ways the targets are determined.

Sen. Escamilla asked how the target measure success for those not able to go back to work because of disability. Mr. Paras responded with the definition of a positive closure for the disabled.

Utah State Office of Rehabilitation - <http://le.utah.gov/interim/2015/pdf/00000590.pdf>

Mr. Thelin referred to the information sheet and reviewed the figures available on the Vocational Rehabilitation performance measures. Mr. Thelin made reference to the materials available and described the results.

Rep. Ray had a question about the number of clients being served in total and how the number is collected. Mr. Thelin indicated there are around 30,000 individuals being served for the last few years. He explained that because of the nature of their disabilities and the limitations their services continue over multiple years. He indicated that a case is closed as a successful rehabilitation when individuals are in employment for a minimum of 90 days. There was continued dialog on this topic.

Rep. Redd inquired about data for long term closures and Mr. Thelin stated there is information on their website about impact of the Vocational Rehabilitation Program. There was more discussion between Rep. Redd and Mr. Thelin. They also spoke about the wait list.

Rep. Tanner asked for clarification about the statement that for every @\$1 spent there is \$5 in return. Mr. Thelin explained that it is a combination of reduced social welfare costs and the fact that those who are working are also paying into the system.

**12. Local Mental Health Centers: How does the Division of Substance Abuse and Mental Health (DSAMH) allocate funds and how frequently are they updated? Brief summary of last interim's Match Issue Report.**

i. Match shortfall

<http://le.utah.gov/interim/2015/pdf/00000492.pdf>  
<http://le.utah.gov/interim/2015/pdf/00000465.pdf>

- ii. Local Centers Relationship to the State Hospital  
iii. State Hospital Bed Allocation

Doug Thomas, Director, Division of Substance Abuse and Mental Health (DSAMH) Referred to the September interim report about the costs of operating the public mental health system. He continued by explaining how funding is covered in statute and rule. He indicated that they would be reporting on some of the trends and relationship of the State Hospital and the local authorities.

Match Shortfall - Kyle Snow, Chief Executive Officer, Northeastern Counseling spoke about the county match for the mental health populations and how both county and appropriated state dollars are used. He continued to speak about the match shortfall using the document information. Mr. Thomas added comments to this discussion.

Local Centers Relationship to the State Hospital - Doug Thomas, Director, DSAMH, reported on the State Hospital and bed allocation according to the information on the presentation about adult and pediatric beds. He continued to offer information about the procedure for bed allocations.

Rep. Tanner asked for clarification of Comparison of “LLMHS Member Months,” “DOH Expenditures per LMHA” and “DSAMH State General Fund Payments of LMHA Percent Increase/Decrease 2020-2013 from 2009.” Mr. Snow and Mr. Thomas continued to offer clarification. More question and answer took place.

Rep. Redd asked a question about the adult non-forensic beds and wondered how many individuals are in the local mental health authorities waiting for a bed in the state hospital. Mr. Thomas indicated that the State Hospital does have that data and indicated that it is historically low. He continued and Mr. Snow gave some input.

### **13. Utah State Hospital – Pressure to Expand Civil and Forensic Beds**

Dallas Earnshaw, Superintendent, State Hospital, stated the purpose of the Hospital. He cited a report on the vital role of state psychiatric hospitals nationally. Mr. Earnshaw gave a report on the situation at the hospital as far as bed availability. Sen. Christensen inquired if there are any counties that are better prepared to handle the forensic situation. Mr. Earnshaw continued to report on the increase in forensic population requiring beds at the hospital and indicated that this is a national issue and trend. Doug Thomas added information about what Salt Lake County is

doing in a model program. Mr. Earnshaw emphasized that this is a national crisis and definitely something to be looked at. He continued describing the situation.

Rep. Redd asked about the cost of maintaining those who are waiting for civil beds at the State Hospital. Rep. Redd asked who is paying for that. Doug Thomas responded that the cost is born by various institutions depending on the situation. Rep. Redd asked for data that might be available and continued to discuss payment issues with Mr. Thomas.

Rep. Tanner asked if there would be a decreased forensic population at the State Hospital if there was more community based health treatment. Mr. Earnshaw stated they believed that to be true. Mr. Thomas commented about the shift that has taken place and community treatment has decreased because of resources decreasing so the criminal justice system has suffered by default. He stated that more prevention would be important. Rep. Tanner, Mr. Earnshaw and Mr. Thomas continued to clarify and discuss the topic.

#### **14. Summary of Drug Court Audit**

#1N Motions for Subcommittee Consideration

Stephen Jardine, Fiscal Analyst, referred to the Brief available online. He focused on two topics which were concerns regarding the lack of specific data to support the evidence-based program and also that Drug Court could expand and achieve greater outcomes to partnering with Workforce Services and the importance oversight of Drug Courts. Mr. Jardine continued to summarize the information.

#### **15. State Auditor: Audit of Utah Drug Courts**

John Dougall, Auditor, Office of the Utah State Auditor, introduced the members of the Audit Team.

Rachel Dyer, Staff Auditor, Office of the Utah State Auditor, gave a report on Adult Felony Drug Courts (FDC) and findings made including recommendations which would assist the success of the Drug Court. Ms. Dyer continued speaking about coordinating with the Department of Workforce Services to improve individual outcomes and increase Drug Court capacity. She continued to explain why this change would be beneficial. Ms. Dyer spoke last on increased oversight and the improved outcomes from this effort.

Rep. Daw asked if re-arrest rates had been looked at or measured. Mr. Pulsipher stated that in Utah that has not been tracked in the past and there was continued response and suggestion that if drug courts could capture that information there could be more accurate information as well as focusing treatment on the correct population. Rep. Daw, Mr. Pulsipher and Ms. Dyer continued to share input.

**16. Impact of Affordable Care Act and Potential Impact of Healthy Utah on Publicly Funded Mentally Ill and Substance Abuse Programs**

Nate Checketts, Assistant Division Director, Division of Medicaid and Health Financing, Department of Health (DOH), presented information from the document entitled Projected Impact of Healthy Utah on Behavioral Health Enrollment. He informed the Committee who is covered through this plan and how it works. He shared information about the impact on the county behavioral health systems. Doug Thomas stated that the impact of Healthy Utah is being looked at positively and continued to tell of those services that would be enhanced **by** Healthy Utah.

Rep. Spendlove inquired about the benefit for medically frail. Mr. Thomas responded.

Sen. Jackson asked for clarification of payment of premiums. Mr. Checketts responded to clarify about the medically frail. There was continued conversation.

**MOTION:** Co-chair Ray moved to adjourn. The motion passed unanimously

Co-Chair Christensen adjourned the meeting at 10:54 a.m.

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Sen. Allen M. Christensen, Co-Chair

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Rep. Paul Ray, Co-Chair