

## FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 179, entitled

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; to provide anticipated appropriations for the fiscal year ending September 30, 2013; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

Recommends:

First: That the House recede from the Substitute of the House as passed by the House.

Second: That the Senate and House agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

(attached)

Third: That the Senate and House agree to the title of the bill to read as follows:

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; to provide anticipated appropriations for the



fiscal year ending September 30, 2013; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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Bruce Caswell

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David Agema

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Roger Kahn

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Greg MacMaster

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Vincent Gregory

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Shanelle Jackson

Conferees for the Senate

Conferees for the House



**SUBSTITUTE FOR  
SENATE BILL NO. 179**

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2012; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; to provide anticipated appropriations for the fiscal year ending September 30, 2013; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1**

PART 1

**2**

LINE-ITEM APPROPRIATIONS

## FOR FISCAL YEAR 2011-2012

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of human services for the fiscal year ending September 30, 2012, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF HUMAN SERVICES**

## APPROPRIATION SUMMARY

Full-time equated classified positions.....	11,576.5	
Unclassified positions .....	6.0	
Total full-time equated positions.....	11,582.5	
GROSS APPROPRIATION.....		\$ 6,831,704,900
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		1,243,100
ADJUSTED GROSS APPROPRIATION.....		\$ 6,830,461,800
Federal revenues:		
Federal-other ARRA revenues.....		549,632,400
Total federal revenues.....		5,077,418,800
Special revenue funds:		
Total private revenues.....		15,911,100
Total local revenues.....		27,948,500
Total other state restricted revenues.....		88,616,500
State general fund/general purpose.....		\$ 1,070,934,500
<b>Sec. 102. EXECUTIVE OPERATIONS</b>		
Total full-time equated positions.....	667.7	

1	Full-time equated unclassified positions.....	6.0	
2	Full-time equated classified positions.....	661.7	
3	Unclassified salaries--6.0 FTE positions.....		\$ 647,900
4	Salaries and wages--273.7 FTE positions.....		16,364,200
5	Contractual services, supplies, and materials.....		10,192,700
6	Demonstration projects--9.0 FTE positions.....		13,950,900
7	Inspector general salaries and wages--136.0 FTE		
8	positions .....		7,531,500
9	Electronic benefit transfer EBT.....		13,009,000
10	Michigan community service commission--15.0 FTE		
11	positions .....		12,161,600
12	AFC, children's welfare and day care		
13	licensure--228.0 FTE positions.....		25,598,300
14	State office of administrative hearings and rules....		<u>5,931,600</u>
15	GROSS APPROPRIATION.....		\$ 105,387,700
16	Appropriated from:		
17	Federal revenues:		
18	Total other federal revenues.....		69,190,800
19	Special revenue funds:		
20	Total private revenues.....		8,207,700
21	Total local revenues.....		175,000
22	Total other state restricted revenue.....		25,000
23	State general fund/general purpose.....		\$ 27,789,200
24	<b>Sec. 103. CHILD SUPPORT ENFORCEMENT</b>		
25	Full-time equated classified positions.....	192.7	
26	Child support enforcement operations--186.7 FTE		
27	positions .....		\$ 22,470,200

1	Legal support contracts.....	138,753,600
2	Child support incentive payments.....	32,409,600
3	State disbursement unit--6.0 FTE positions.....	<u>12,766,100</u>
4	GROSS APPROPRIATION.....	\$ 206,399,500
5	Appropriated from:	
6	Federal revenues:	
7	Total federal revenues.....	181,100,100
8	Special revenue funds:	
9	Total local revenues.....	340,000
10	Total other state restricted revenues.....	770,000
11	State general fund/general purpose.....	\$ 24,189,400
12	<b>Sec. 104. COMMUNITY ACTION AND ECONOMIC OPPORTUNITY</b>	
13	Full-time equated classified positions.....	16.0
14	Bureau of community action and economic	
15	opportunity--16.0 FTE positions.....	\$ 1,866,400
16	Community services block grant.....	25,840,000
17	Weatherization assistance.....	<u>28,340,000</u>
18	GROSS APPROPRIATION.....	\$ 56,046,400
19	Appropriated from:	
20	Federal revenues:	
21	Total federal revenues.....	56,046,400
22	State general fund/general purpose.....	\$ 0
23	<b>Sec. 105. ADULT AND FAMILY SERVICES</b>	
24	Full-time equated classified positions.....	43.7
25	Executive direction and support--4.0 FTE positions...	\$ 456,400
26	Guardian contract.....	600,000
27	Adult services policy and administration--6.0 FTE	

1	positions .....	701,600
2	Office of program policy--33.7 FTE positions .....	5,550,900
3	Employment and training support services .....	6,407,100
4	Wage employment verification reporting .....	848,700
5	Urban and rural empowerment/enterprise zones .....	100
6	Nutrition education .....	30,000,000
7	Background check program .....	1,000,000
8	Crisis prevention and elder law of Michigan food for	
9	the elderly project .....	<u>100,000</u>
10	GROSS APPROPRIATION .....	\$ 45,664,800
11	Appropriated from:	
12	Federal revenues:	
13	Total other federal revenues .....	39,713,300
14	Special revenue funds:	
15	State general fund/general purpose .....	\$ 5,951,500
16	<b>Sec. 106. CHILDREN'S SERVICES</b>	
17	Full-time equated classified positions..... 146.8	
18	Salaries and wages--59.2 FTE positions .....	\$ 3,765,600
19	Contractual services, supplies, and materials .....	1,276,500
20	Interstate compact .....	231,600
21	Children's benefit fund donations .....	21,000
22	Families first .....	17,950,700
23	Strong families/safe children--3.0 FTE positions .....	15,072,300
24	Child protection and permanency--37.5 FTE positions ..	16,264,100
25	Family reunification program .....	3,977,100
26	Family preservation and prevention services	
27	administration--14.5 FTE positions .....	1,228,200

1	Children's trust fund administration--12.0 FTE	
2	positions .....	1,057,200
3	Children's trust fund grants.....	2,825,100
4	ECIC, early childhood investment corporation.....	12,723,000
5	Attorney general contract.....	3,923,200
6	Prosecuting attorney contracts.....	2,561,700
7	Child protection--5.0 FTE positions.....	862,700
8	Domestic violence prevention and treatment--14.6 FTE	
9	positions .....	14,660,900
10	Rape prevention and services--0.5 FTE positions .....	3,300,000
11	Child advocacy centers--0.5 FTE positions.....	<u>1,000,000</u>
12	GROSS APPROPRIATION.....	\$ 102,700,900
13	Appropriated from:	
14	Federal revenues:	
15	Total other federal revenues.....	90,938,200
16	Special revenue funds:	
17	Private - children's benefit fund donations.....	21,000
18	Compulsive gambling prevention fund.....	1,040,000
19	Children's trust fund.....	2,823,700
20	Sexual assault victims' prevention and treatment .....	1,000,000
21	Child advocacy centers fund.....	1,000,000
22	State general fund/general purpose.....	\$ 5,878,000
23	<b>Sec. 107. CHILD WELFARE SERVICES</b>	
24	Full-time equated classified positions..... 3,599.0	
25	Children's services administration--64.0 FTE positions \$	4,715,500
26	Title IV-E compliance and accountability office--5.0	
27	FTE positions .....	432,600



1	Child welfare institute--40.0 FTE positions .....	5,696,500
2	Child protective services workers--1,481.0 FTE	
3	positions .....	79,228,300
4	Direct care workers--1,058.0 FTE positions .....	55,111,400
5	Education planners--14.0 FTE positions .....	736,300
6	Permanency planning specialists--55.0 FTE positions ..	3,171,000
7	Child welfare first line supervisors--519.0 FTE	
8	positions .....	35,950,600
9	Administrative support workers--241.0 FTE positions ..	10,438,900
10	Second line supervisors and technical staff--45.0	
11	FTE positions .....	3,230,100
12	Permanency planning specialists--62.0 FTE positions ..	3,638,300
13	Child welfare field staff contractual services,	
14	supplies, and materials .....	5,432,200
15	Settlement monitor.....	1,625,800
16	Needs assessment.....	4,000,000
17	Foster care payments.....	186,112,400
18	Foster care - children with serious emotional	
19	disturbance waiver .....	1,769,000
20	Guardianship assistance program.....	2,170,000
21	Child care fund.....	205,255,500
22	Child care fund administration--5.8 FTE positions ....	808,600
23	Adoption subsidies.....	225,783,500
24	Adoption support services--7.2 FTE positions .....	33,604,300
25	Youth in transition--2.0 FTE positions .....	<u>12,264,500</u>
26	GROSS APPROPRIATION.....	\$ 881,175,300
27	Appropriated from:	

1	Federal revenues:	
2	Total federal revenues.....	493,207,700
3	Special revenue funds:	
4	Private - collections.....	1,900,000
5	Local funds - county chargeback.....	13,388,800
6	State general fund/general purpose.....	\$ 372,678,800
7	<b>Sec. 108. JUVENILE JUSTICE SERVICES</b>	
8	Full-time equated classified positions.....	198.7
9	W.J. Maxey training school--72.0 FTE positions.....	\$ 11,185,500
10	Bay pines center--44.0 FTE positions.....	4,900,000
11	Shawono center--44.0 FTE positions.....	4,900,000
12	County juvenile officers.....	3,904,300
13	Community support services--2.0 FTE positions.....	1,600,100
14	Juvenile justice, administration and	
15	maintenance--31.7 FTE positions.....	4,236,200
16	W.J. Maxey memorial fund.....	45,000
17	Juvenile accountability block grant--1.0 FTE positions	1,296,000
18	Committee on juvenile justice administration--4.0	
19	FTE positions .....	425,300
20	Committee on juvenile justice grants.....	<u>5,000,000</u>
21	GROSS APPROPRIATION.....	\$ 37,492,400
22	Appropriated from:	
23	Federal revenues:	
24	Total federal revenues.....	7,248,800
25	Special revenue funds:	
26	Total private revenues.....	45,000
27	Local funds - state share education funds.....	1,197,500

1	Local funds - county chargeback.....	9,861,500
2	State general fund/general purpose.....	\$ 19,139,600
3	<b>Sec. 109. LOCAL OFFICE STAFF AND OPERATIONS</b>	
4	Full-time equated classified positions.....	5,937.5
5	Field staff, salaries and wages--5,695.5 FTE positions	\$ 294,203,500
6	Contractual services, supplies, and materials.....	11,771,300
7	Medical/psychiatric evaluations.....	9,467,600
8	Donated funds positions--208.0 FTE positions.....	17,445,600
9	Training and program support--24.0 FTE positions.....	3,429,400
10	Wayne County gifts and bequests.....	100,000
11	Volunteer services and reimbursement.....	1,036,100
12	SSI advocates--10.0 FTE positions.....	<u>966,700</u>
13	GROSS APPROPRIATION.....	\$ 338,420,200
14	Appropriated from:	
15	Interdepartmental grant revenues:	
16	IDG from department of corrections.....	100,000
17	Federal revenues:	
18	Total other federal revenues.....	211,101,200
19	Special revenue funds:	
20	Local funds.....	2,985,700
21	Private funds - donated funds.....	5,637,400
22	Private funds - Wayne County gifts.....	100,000
23	Supplemental security income recoveries.....	746,100
24	State general fund/general purpose.....	\$ 117,749,800
25	<b>Sec. 110. DISABILITY DETERMINATION SERVICES</b>	
26	Full-time equated classified positions.....	747.4
27	Disability determination operations--721.9 FTE	

1	positions .....	\$	110,723,100
2	Medical consultation program--21.4 FTE positions .....		2,840,600
3	Retirement disability determination--4.1 FTE positions .....		<u>847,100</u>
4	GROSS APPROPRIATION.....	\$	114,410,800
5	Appropriated from:		
6	Interdepartmental grant revenues:		
7	IDG from DMB - office of retirement systems .....		1,143,100
8	ADJUSTED GROSS APPROPRIATION.....	\$	113,267,700
9	Appropriated from:		
10	Federal revenues:		
11	Total federal revenues .....		110,491,400
12	Special revenue funds:		
13	State general fund/general purpose .....	\$	2,776,300
14	<b>Sec. 111. CENTRAL SUPPORT ACCOUNTS</b>		
15	Rent.....	\$	47,047,400
16	Occupancy charge.....		8,228,800
17	Travel.....		7,216,400
18	Equipment.....		227,300
19	Worker's compensation.....		3,363,800
20	Advisory commissions.....		17,900
21	Payroll taxes and fringe benefits .....		<u>361,295,600</u>
22	GROSS APPROPRIATION.....	\$	427,397,200
23	Appropriated from:		
24	Federal revenues:		
25	Total other federal revenues .....		275,273,300
26	Special revenue funds:		
27	State general fund/general purpose .....	\$	152,123,900

1	<b>Sec. 112. PUBLIC ASSISTANCE</b>		
2	Full-time equated classified positions.....	33.0	
3	Family independence program.....	\$	340,948,600
4	State disability assistance payments.....		27,927,800
5	Food assistance program benefits.....		3,036,402,200
6	Food assistance program benefits (ARRA) .....		549,632,400
7	State supplementation.....		60,489,000
8	State supplementation administration.....		2,681,100
9	Low-income home energy assistance program.....		116,451,600
10	Food bank funding.....		1,345,000
11	Homeless programs.....		11,646,700
12	Multicultural integration funding.....		1,515,500
13	Chaldean community foundation.....		100,000
14	Indigent burial.....		1,000,000
15	Emergency services local office allocations.....		21,615,500
16	Licensed and registered child development and care ...		99,312,900
17	Enrolled child development and care.....		59,842,800
18	Day care technology and oversight--26.0 FTE positions		2,618,400
19	Refugee assistance program--7.0 FTE positions .....		<u>27,910,700</u>
20	GROSS APPROPRIATION.....	\$	4,361,440,200
21	Appropriated from:		
22	Federal revenues:		
23	Federal supplemental nutrition assistance revenues		
24	(ARRA) .....		549,632,400
25	Total other federal revenues.....		3,437,813,600
26	Special revenue funds:		
27	Child support collections.....		29,145,800

1	Supplemental security income recoveries .....	14,955,900
2	Public assistance recoupment revenue .....	7,010,000
3	Michigan merit award trust fund .....	30,100,000
4	State general fund/general purpose .....	\$ 292,782,500
5	<b>Sec. 113. INFORMATION TECHNOLOGY</b>	
6	Information technology services and projects .....	\$ 109,591,500
7	Child support automation .....	<u>45,578,000</u>
8	GROSS APPROPRIATION .....	\$ 155,169,500
9	Appropriated from:	
10	Federal revenues:	
11	Total federal revenues .....	105,294,000
12	Special revenue funds:	
13	State general fund/general purpose .....	\$ 49,875,500

14 PART 2

15 PROVISIONS CONCERNING APPROPRIATIONS

16 FOR FISCAL YEAR 2011-2012

17 **GENERAL SECTIONS**

18 Sec. 201. Pursuant to section 30 of article IX of the state

19 constitution of 1963, total state spending from state resources

20 under part 1 for fiscal year 2011-2012 is \$1,159,551,000.00 and

21 state spending from state resources to be paid to local units of

22 government for fiscal year 2011-2012 is \$103,364,200.00. The

23 itemized statement below identifies appropriations from which

24 spending to local units of government will occur:

25 DEPARTMENT OF HUMAN SERVICES

1	Child care fund.....	\$	97,235,600
2	County juvenile officers.....		3,603,900
3	State disability assistance payments.....		2,286,600
4	Legal support contracts.....		3,141,000
5	Child support enforcement operations.....		583,200
6	Family independence program.....		<u>153,000</u>
7	TOTAL.....	\$	107,003,300

8       Sec. 202. The appropriations authorized under this act are  
9 subject to the management and budget act, 1984 PA 431, MCL 18.1101  
10 to 18.1594.

11       Sec. 203. As used in this act:

12       (a) "AFC" means adult foster care.

13       (b) "ARRA" means the American recovery and reinvestment act of  
14 2009, Public Law 111-5.

15       (c) "Children's rights settlement agreement" means the  
16 settlement agreement entered in the case of Dwayne B. vs. Granholm,  
17 docket no. 2:06-cv-13548 in the United States district court for  
18 the eastern district of Michigan.

19       (d) "Current fiscal year" means the fiscal year ending  
20 September 30, 2012.

21       (e) "Department" means the department of human services.

22       (f) "Director" means the director of the department of human  
23 services.

24       (g) "FTE" means full-time equated.

25       (h) "IDG" means interdepartmental grant.

26       (i) "JET" means jobs, education, and training program.

27       (j) "Previous fiscal year" means the fiscal year ending

1 September 30, 2011.

2 (k) "SSI" means supplemental security income.

3 (l) "Temporary assistance for needy families" or "TANF" or  
4 "title IV-A" means part A of title IV of the social security act,  
5 42 USC 601 to 619.

6 (m) "Title IV-D" means part D of title IV of the social  
7 security act, 42 USC 651 to 669b.

8 (n) "Title IV-E" means part E of title IV of the social  
9 security act, 42 USC 670 to 679c.

10 Sec. 204. The civil service commission shall bill departments  
11 and agencies at the end of the first fiscal quarter for the 1%  
12 charge authorized by section 5 of article XI of the state  
13 constitution of 1963. Payments shall be made for the total amount  
14 of the billing by the end of the second fiscal quarter.

15 Sec. 207. (1) Sanctions, suspensions, conditions for  
16 provisional license status, and other penalties shall not be more  
17 stringent for private service providers than for public entities  
18 performing equivalent or similar services.

19 (2) Neither the department nor private service providers or  
20 licensees shall be granted preferential treatment or considered  
21 automatically to be in compliance with administrative rules based  
22 on whether they have collective bargaining agreements with direct  
23 care workers. Private service providers or licensees without  
24 collective bargaining agreements shall not be subjected to  
25 additional requirements or conditions of licensure based on their  
26 lack of collective bargaining agreements.

27 Sec. 208. Unless otherwise specified, the department shall use



1 the Internet to fulfill the reporting requirements of this act.  
2 This requirement may include transmission of reports via electronic  
3 mail to the recipients identified for each reporting requirement,  
4 or it may include placement of reports on the Internet or Intranet  
5 site.

6 Sec. 209. Funds appropriated in part 1 shall not be used for  
7 the purchase of foreign goods or services, or both, if  
8 competitively priced and of comparable quality American goods or  
9 services, or both, are available. Preference should be given to  
10 goods or services, or both, manufactured or provided by Michigan  
11 businesses, if they are competitively priced and of comparable  
12 quality. In addition, preference should be given to goods or  
13 services, or both, that are manufactured or provided by Michigan  
14 businesses owned and operated by veterans, if they are  
15 competitively priced and of comparable quality.

16 Sec. 211. Funds appropriated in part 1 shall not be used by a  
17 principal executive department, state agency, or authority to hire  
18 a person to provide legal services that are the responsibility of  
19 the attorney general. This prohibition does not apply to legal  
20 services for bonding activities and for those activities that the  
21 attorney general authorizes.

22 Sec. 212. (1) In addition to funds appropriated in part 1 for  
23 all programs and services, there is appropriated for write-offs of  
24 accounts receivable, deferrals, and for prior year obligations in  
25 excess of applicable prior year appropriations, an amount equal to  
26 total write-offs and prior year obligations, but not to exceed  
27 amounts available in prior year revenues or current year revenues

1 that are in excess of the authorized amount.

2 (2) The department's ability to satisfy appropriation fund  
3 sources in part 1 shall not be limited to collections and accruals  
4 pertaining to services provided in the current fiscal year, but  
5 shall also include reimbursements, refunds, adjustments, and  
6 settlements from prior years.

7 Sec. 213. The department may retain all of the state's share  
8 of food assistance overissuance collections as an offset to general  
9 fund/general purpose costs. Retained collections shall be applied  
10 against federal funds deductions in all appropriation units where  
11 department costs related to the investigation and recoupment of  
12 food assistance overissuances are incurred. Retained collections in  
13 excess of such costs shall be applied against the federal funds  
14 deducted in the executive operations appropriation unit.

15 Sec. 214. On a bimonthly basis, the department shall report on  
16 the number of FTEs in pay status by type of staff.

17 Sec. 215. If a legislative objective of this act or the social  
18 welfare act, 1939 PA 280, MCL 400.1 to 400.119b, cannot be  
19 implemented without loss of federal financial participation because  
20 implementation would conflict with or violate federal regulations,  
21 the department shall notify the state budget director, the house  
22 and senate appropriations committees, and the house and senate  
23 fiscal agencies and policy offices of that fact.

24 Sec. 217. (1) Due to the current budgetary problems in this  
25 state, out-of-state travel for the fiscal year ending September 30,  
26 2012 shall be limited to situations in which 1 or more of the  
27 following conditions apply:

1 (a) The travel is required by legal mandate or court order or  
2 for law enforcement purposes.

3 (b) The travel is necessary to protect the health or safety of  
4 Michigan citizens or visitors or to assist other states in similar  
5 circumstances.

6 (c) The travel is necessary to produce budgetary savings or to  
7 increase state revenues, including protecting existing federal  
8 funds or securing additional federal funds.

9 (d) The travel is necessary to comply with federal  
10 requirements.

11 (e) The travel is necessary to secure specialized training for  
12 staff that is not available within this state.

13 (f) The travel is financed entirely by federal or nonstate  
14 funds.

15 (2) If out-of-state travel is necessary but does not meet 1 or  
16 more of the conditions in subsection (1), the state budget director  
17 may grant an exception to allow the travel. Any exceptions granted  
18 by the state budget director shall be reported on a monthly basis  
19 to the senate and house of representatives standing committees on  
20 appropriations.

21 Sec. 219. (1) The department shall maintain a searchable  
22 website accessible by the public at no cost that includes, but is  
23 not limited to, all of the following:

24 (a) Fiscal year-to-date expenditures by category.

25 (b) Fiscal year-to-date expenditures by appropriation unit.

26 (c) Fiscal year-to-date payments to a selected vendor,  
27 including the vendor name, payment date, payment amount, and

1 payment description.

2 (d) The number of active department employees by job  
3 classification.

4 (e) Job specifications and wage rates.

5 (2) The department may develop and operate its own website to  
6 provide this information or may reference the state's central  
7 transparency website as the source for this information.

8 Sec. 220. The department shall ensure that faith-based  
9 organizations are able to apply and compete for services, programs,  
10 or contracts that they are qualified and suitable to fulfill. The  
11 department shall not disqualify faith-based organizations solely on  
12 the basis of the religious nature of their organization or their  
13 guiding principles or statements of faith.

14 Sec. 221. If the revenue collected by the department from  
15 private and local sources exceeds the amount spent from amounts  
16 appropriated in part 1, the revenue may be carried forward, with  
17 approval from the state budget director, into the subsequent fiscal  
18 year.

19 Sec. 222. (1) The department shall report no later than April  
20 1 of the current fiscal year on each specific policy change made to  
21 implement a public act affecting the department that took effect  
22 during the prior calendar year to the house and senate  
23 appropriations subcommittees on the budget for the department, the  
24 joint committee on administrative rules, and the senate and house  
25 fiscal agencies.

26 (2) Funds appropriated in part 1 shall not be used by the  
27 department to adopt a rule that will apply to a small business and

1 that will have a disproportionate economic impact on small  
2 businesses because of the size of those businesses if the  
3 department fails to reduce the disproportionate economic impact of  
4 the rule on small businesses as provided under section 40 of the  
5 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

6 (3) As used in this section:

7 (a) "Rule" means that term as defined under section 7 of the  
8 administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

9 (b) "Small business" means that term as defined under section  
10 7a of the administrative procedures act of 1969, 1969 PA 306, MCL  
11 24.207a.

12 Sec. 223. The department shall make a determination of  
13 Medicaid eligibility not later than 60 days after all information  
14 to make the determination is received from the applicant when  
15 disability is an eligibility factor. For all other Medicaid  
16 applicants, the department shall make a determination of Medicaid  
17 eligibility not later than 45 days after all information to make  
18 the determination is received from the applicant.

19 Sec. 224. The department shall approve or deny a Medicaid  
20 application for a patient of a nursing home within 45 days after  
21 the receipt of the necessary information.

22 Sec. 230 (1) The department shall convene a work group of all  
23 interested parties to evaluate the feasibility of combining the  
24 bureau of child and adult licensing with the contract compliance  
25 unit into 1 unit.

26 (2) By April 1, 2012, the department shall report to the  
27 senate and house appropriations subcommittees on the department

1 budget, the senate and house fiscal agencies, and the senate and  
2 house policy offices on the findings of the work group established  
3 in subsection (1).

4 Sec. 231. If TANF contingency funds for the current fiscal  
5 year become available, the department shall utilize all TANF  
6 contingency funds the state receives to increase the family  
7 independence program earned income disregard or for reform measures  
8 that will fundamentally improve public assistance programs by  
9 emphasizing work. An annual report on the expenditures and programs  
10 paid by these TANF contingency funds shall be provided to the  
11 senate and house appropriations subcommittees on the department  
12 budget, the senate and house fiscal agencies, and the senate and  
13 house policy offices no later than November 1, 2012.

14 Sec. 250. Amounts appropriated in part 1 for information  
15 technology may be designated as work projects and carried forward  
16 to support technology projects under the direction of the  
17 department of technology, management, and budget. Funds designated  
18 in this manner are not available for expenditure until approved as  
19 work projects under section 451a of the management and budget act,  
20 1984 PA 431, MCL 18.1451a.

21 Sec. 251. The department and agencies receiving appropriations  
22 in part 1 shall receive and retain copies of all reports funded  
23 from appropriations in part 1. Federal and state guidelines for  
24 short-term and long-term retention of records shall be followed.  
25 The department may electronically retain copies of reports unless  
26 otherwise required by federal and state guidelines.

27 Sec. 259. From the funds appropriated in part 1 for

1 information technology, departments and agencies shall pay user  
2 fees to the department of technology, management, and budget for  
3 technology-related services and projects. The user fees shall be  
4 subject to provisions of an interagency agreement between the  
5 department and agencies and the department of technology,  
6 management, and budget.

7 Sec. 264. The department shall not take disciplinary action  
8 against an employee for communicating with a member of the  
9 legislature or his or her staff.

10 Sec. 265. Within 14 days after the release of the executive  
11 budget recommendation, the department shall provide the state  
12 budget director, the senate and house appropriations chairs, the  
13 senate and house appropriations subcommittees on the department  
14 budget, respectively, and the senate and house fiscal agencies with  
15 an annual report on estimated state restricted fund balances, state  
16 restricted fund projected revenues, and state restricted fund  
17 expenditures for the fiscal years ending September 30, 2011 and  
18 September 30, 2012.

19 Sec. 273. (1) The department shall only use money appropriated  
20 in section 102 to prepare regulatory reform plans. Money  
21 appropriated in part 1 shall not be used to prepare regulatory  
22 reform plans or promulgate rules that exceed statutory authority  
23 granted to the department. If the department fails to comply with  
24 the provisions of section 39(1) of the administrative procedures  
25 act of 1969, 1969 PA 306, MCL 24.239, money shall not be expended  
26 for the further preparation of that regulatory plan or the  
27 promulgation of rules for that regulatory plan.

1           (2) Money appropriated in part 1 shall not be used to prepare  
2 a regulatory plan or promulgate rules that fail to reduce the  
3 disproportionate economic impact on small businesses as required in  
4 section 40 of the administrative procedures act of 1969, 1969 PA  
5 306, MCL 24.240.

6           (3) Money appropriated in part 1 shall not be used to prepare  
7 a regulatory plan or promulgate rules that grant preferences to  
8 private providers of services based on whether that private  
9 provider has a collective bargaining agreement with its workers.

10          Sec. 274. (1) The department, in collaboration with the state  
11 budget office, shall submit to the house and senate appropriations  
12 subcommittees on the department budget, the house and senate fiscal  
13 agencies, and the house and senate policy offices on the day the  
14 governor submits to the legislature the budget for the ensuing  
15 fiscal year a report on spending and revenue projections for each  
16 of the capped federal funds listed below. The report shall contain  
17 actual spending and revenue in the previous fiscal year, spending  
18 and revenue projections for the current fiscal year as enacted, and  
19 spending and revenue projections within the executive budget  
20 proposal for the fiscal year beginning October 1, 2012 for each  
21 individual line item for the department budget. The report shall  
22 also include federal funds transferred to other departments. The  
23 capped federal funds shall include, but not be limited to, all of  
24 the following:

25           (a) TANF.

26           (b) Child care and development funds.

27           (c) Title XX social services block grant.



1 (d) Title IV-B part I child welfare services block grant.

2 (e) Title IV-B part II promoting safe and stable families  
3 funds.

4 (2) By February 15 of the current fiscal year, the department  
5 shall prepare an annual report of its efforts to identify  
6 additional TANF maintenance of effort sources from all of the  
7 following, but not limited to:

8 (a) Other departments.

9 (b) Local units of government.

10 (c) Private sources.

11 Sec. 279. (1) All contracts relating to human services shall  
12 be performance-based contracts that employ a client-centered  
13 results-oriented process that is based on measurable performance  
14 indicators and desired outcomes and includes the annual assessment  
15 of the quality of services provided.

16 (2) During the annual budget presentation, the department  
17 shall provide the senate and house appropriations subcommittees on  
18 the department budget and the senate and house fiscal agencies and  
19 policy offices a report detailing measurable performance  
20 indicators, desired outcomes, and an assessment of the quality of  
21 services provided by the department during the previous fiscal  
22 year.

23 Sec. 284. (1) In addition to the funds appropriated in part 1,  
24 there is appropriated an amount not to exceed \$200,000,000.00 for  
25 federal contingency funds. These funds are not available for  
26 expenditure until they have been transferred to another line item  
27 in this act under section 393(2) of the management and budget act,

1 1984 PA 431, MCL 18.1393.

2 (2) In addition to the funds appropriated in part 1, there is  
3 appropriated an amount not to exceed \$5,000,000.00 for state  
4 restricted contingency funds. These funds are not available for  
5 expenditure until they have been transferred to another line item  
6 in this act under section 393(2) of the management and budget act,  
7 1984 PA 431, MCL 18.1393.

8 (3) In addition to the funds appropriated in part 1, there is  
9 appropriated an amount not to exceed \$20,000,000.00 for local  
10 contingency funds. These funds are not available for expenditure  
11 until they have been transferred to another line item in this act  
12 under section 393(2) of the management and budget act, 1984 PA 431,  
13 MCL 18.1393.

14 (4) In addition to the funds appropriated in part 1, there is  
15 appropriated an amount not to exceed \$20,000,000.00 for private  
16 contingency funds. These funds are not available for expenditure  
17 until they have been transferred to another line item in this act  
18 under section 393(2) of the management and budget act, 1984 PA 431,  
19 MCL 18.1393.

20 Sec. 292. By November 1, 2011, the department shall submit a  
21 report to the house and senate appropriations subcommittees on the  
22 human services budget and the house and senate fiscal agencies on  
23 the number of eligible child care providers by type receiving  
24 payment for child care services from the department on October 1,  
25 2011.

26 Sec. 293. The department may use money from the money  
27 appropriated in part 1 to strengthen marriage and family relations

1 through the practice of marriage and family therapy for  
2 individuals, families, couples, or groups. The goal of the therapy  
3 shall be strengthening families by helping them avoid, eliminate,  
4 relieve, manage, or resolve marital or family conflict or discord.

5       Sec. 294. Money appropriated in part 1 for the statewide  
6 automated child welfare information system is contingent upon the  
7 approval of an advanced planning document from the administration  
8 for children and families. If the necessary matching funds are  
9 identified and legislatively transferred to the information and  
10 technology services and projects line item for this purpose, any  
11 corresponding federal revenue required shall be appropriated at a  
12 50% federal match rate. This appropriation may be designated as a  
13 work project under section 451a of the management and budget act,  
14 1984 PA 431, MCL 18.1451a, and carried forward to support  
15 completion of this project.

16       Sec. 296. Not later than November 15, 2012, the department  
17 shall prepare and transmit a report that provides for estimates of  
18 the total general fund/general purpose appropriation lapses at the  
19 close of the fiscal year. This report shall summarize the projected  
20 year-end general fund/general purpose appropriation lapses by major  
21 departmental program or program areas. The report shall be  
22 transmitted to the office of the state budget, the chairpersons of  
23 the senate and house appropriations committees, and the senate and  
24 house fiscal agencies.

25       Sec. 298. The department shall work toward a new supervisor-  
26 to-staff ratio in all department divisions and subdivisions,  
27 excluding the supervisor-to-staff ratios required by the children's

1 rights settlement agreement, of 1 supervisor to 12 staff members.

2 **EXECUTIVE OPERATIONS**

3 Sec. 307. (1) From the money appropriated in part 1 for  
4 demonstration projects, \$550,000.00 shall be distributed as  
5 provided in subsection (2). The amount distributed under this  
6 subsection shall not exceed 50% of the total operating expenses of  
7 the program described in subsection (2), with the remaining 50%  
8 paid by local United Way organizations and other nonprofit  
9 organizations and foundations.

10 (2) Money distributed under subsection (1) shall be  
11 distributed to Michigan 2-1-1, a nonprofit corporation organized  
12 under the laws of this state that is exempt from federal income tax  
13 under section 501(c)(3) of the internal revenue code, 26 USC  
14 501(c)(3), and whose mission is to coordinate and support a  
15 statewide 2-1-1 system. Michigan 2-1-1 shall use the money only to  
16 fulfill the Michigan 2-1-1 business plan adopted by Michigan 2-1-1  
17 in January 2005.

18 (3) Michigan 2-1-1 shall report annually to the department and  
19 the house and senate standing committees with primary jurisdiction  
20 over matters relating to human services and telecommunications on  
21 2-1-1 system performance, including, but not limited to, call  
22 volume by community health and human service needs and unmet needs  
23 identified through caller data and customer satisfaction metrics.

24 Sec. 311. The department shall administer licensing and  
25 regulation of licensees with the highest priority given to  
26 licensing activities that present the highest risk to vulnerable

1 children or adults receiving services of licensees.

2 **ADULT AND FAMILY SERVICES**

3 Sec. 415. (1) If money becomes available in part 1, the  
4 department may contract with independent contractors from various  
5 counties, including, but not limited to, faith-based and nonprofit  
6 organizations. Preference shall be given to independent contractors  
7 that provide at least 10% in matching funds, through any  
8 combination of local, state, or federal funds or in-kind or other  
9 donations. However, an independent contractor that cannot secure  
10 matching funds shall not be excluded from consideration for the  
11 fatherhood program.

12 (2) The department may choose providers that will work with  
13 counties to help eligible fathers under TANF guidelines to acquire  
14 skills that will enable them to increase their responsible behavior  
15 toward their children and the mothers of their children. An  
16 increase of financial support for their children should be a very  
17 high priority as well as emotional support.

18 (3) A fatherhood initiative program established under this  
19 section shall minimally include at least 3 of the following  
20 components: promoting responsible, caring, and effective parenting  
21 through counseling; mentoring and parental education; enhancing the  
22 abilities and commitment of unemployed or low-income fathers to  
23 provide material support for their families and to avoid or leave  
24 welfare programs by assisting them to take advantage of job search  
25 programs, job training, and education to improve their work habits  
26 and work skills; improving fathers' ability to effectively manage

1 family business affairs by means such as education, counseling, and  
2 mentoring in household matters; infant care; effective  
3 communication and respect; anger management; children's financial  
4 support; and drug-free lifestyle.

5 (4) The department is authorized to make allocations of TANF  
6 funds, of not more than 20% per county, under this section only to  
7 agencies that report necessary data to the department for the  
8 purpose of meeting TANF eligibility reporting requirements.

9 (5) Upon receipt of the promotion of responsible fatherhood  
10 funds from the United States department of health and human  
11 services, the department shall use the program criteria set forth  
12 in subsection (3) to implement the program with the federal funds.

13 Sec. 416. (1) If money becomes available in part 1, the  
14 department may contract with independent contractors from various  
15 counties, including, but not limited to, faith-based and nonprofit  
16 organizations. Preference shall be given to independent contractors  
17 that provide at least 10% in matching funds, through any  
18 combination of local, state, or federal funds or in-kind or other  
19 donations. However, an independent contractor that cannot secure  
20 matching funds shall not be excluded from consideration for a  
21 marriage initiative program.

22 (2) The department may choose providers to work with counties  
23 that will work to support and strengthen marriages of those  
24 eligible under the TANF guidelines. The areas of work may include,  
25 but are not limited to, marital counseling, domestic violence  
26 counseling, family counseling, effective communication, and anger  
27 management as well as parenting skills to improve the family

1 structure.

2 (3) A marriage initiative program established under this  
3 section may include, but is not limited to, 1 or more of the  
4 following: public advertising campaigns on the value of marriage  
5 and the skills needed to increase marital stability and health;  
6 education in high schools on the value of marriage, relationship  
7 skills, and budgeting; premarital, marital, family, and domestic  
8 violence counseling; effective communication; marriage mentoring  
9 programs which use married couples as role models and mentors in  
10 at-risk communities; anger management; and parenting skills to  
11 improve the family structure.

12 (4) The department is authorized to make allocations of TANF  
13 funds, of not more than 20% per county, under this section only to  
14 agencies that report necessary data to the department for the  
15 purpose of meeting TANF eligibility reporting requirements.

16 (5) Upon receipt of the healthy marriage promotion grant from  
17 the United States department of health and human services, the  
18 department shall use the program criteria set forth in subsection  
19 (3) to implement the program with the federal funds.

20 Sec. 423. From the money appropriated in part 1 for elder law  
21 of Michigan MiCAFE contract, the department shall allocate not less  
22 than \$100,000.00 to the elder law of Michigan MiCAFE to assist this  
23 state's elderly population to participate in the food assistance  
24 program. The money may be used as state matching funds to acquire  
25 available United States department of agriculture funding to  
26 provide outreach program activities, such as eligibility screen and  
27 information services, as part of a statewide food stamp hotline.

1       Sec. 425. The department shall implement administrative  
2 efforts, either through policy change or proposed legislation, to  
3 reduce waste, fraud, and abuse within the employment support  
4 services program, including, but not limited to, revisions to  
5 current policy on car repair and car purchase payments.

6       **CHILDREN'S SERVICES**

7       Sec. 501. A goal is established that not more than 35% of all  
8 children in foster care at any given time during the current fiscal  
9 year will have been in foster care for 24 months or more. During  
10 the annual budget presentation, the department shall provide a  
11 report describing the steps that will be taken to achieve the  
12 specific goal established in this section.

13       Sec. 505. By March 1, 2012, the department and Wayne County  
14 shall provide to the senate and house appropriations committees on  
15 the department budget and the senate and house fiscal agencies and  
16 policy offices a report for youth served in the previous fiscal  
17 year and in the first quarter of the current fiscal year outlining  
18 the number of youth served within each juvenile justice system, the  
19 type of setting for each youth, performance outcomes, and financial  
20 costs or savings.

21       Sec. 507. The department's ability to satisfy appropriation  
22 deducts in part 1 for foster care private collections shall not be  
23 limited to collections and accruals pertaining to services provided  
24 only in the current fiscal year but may include revenues collected  
25 during the current fiscal year for services provided in prior  
26 fiscal years.



1       Sec. 508. (1) In addition to the amount appropriated in part 1  
2 for children's trust fund grants, money granted or money received  
3 as gifts or donations to the children's trust fund created by 1982  
4 PA 249, MCL 21.171 to 21.172, is appropriated for expenditure.

5       (2) The department and the child abuse neglect and prevention  
6 board shall collaborate to ensure that administrative delays are  
7 avoided and the local grant recipients and direct service providers  
8 receive money in an expeditious manner. The department and board  
9 shall seek to have the children's trust fund grants distributed no  
10 later than October 31 of the current fiscal year.

11       Sec. 513. (1) The department shall not expend money  
12 appropriated in part 1 to pay for the direct placement by the  
13 department of a child in an out-of-state facility unless all of the  
14 following conditions are met:

15       (a) There is no appropriate placement available in this state  
16 as determined by the department interstate compact office.

17       (b) An out-of-state placement exists that is nearer to the  
18 child's home than the closest appropriate in-state placement as  
19 determined by the department interstate compact office.

20       (c) The out-of-state facility meets all of the licensing  
21 standards of this state for a comparable facility.

22       (d) The out-of-state facility meets all of the applicable  
23 licensing standards of the state in which it is located.

24       (e) The department has done an on-site visit to the out-of-  
25 state facility, reviewed the facility records, reviewed licensing  
26 records and reports on the facility, and believes that the facility  
27 is an appropriate placement for the child.

1           (2) The department shall not expend money for a child placed  
2 in an out-of-state facility without approval of the deputy director  
3 for children's services. The department shall notify the  
4 appropriate state agency in that state including the name of the  
5 out-of-state provider who accepted the placement.

6           (3) The department shall submit a report by February 1 of each  
7 year on the number of children who were placed in out-of-state  
8 facilities during the previous fiscal year, the number of Michigan  
9 children residing in such facilities at the time of the report, the  
10 total cost and average per diem cost of these out-of-state  
11 placements to this state, and a list of each such placement  
12 arranged by the Michigan county of residence for each child.

13           Sec. 514. The department shall make a comprehensive report  
14 concerning children's protective services (CPS) to the legislature,  
15 including the senate and house policy offices and the state budget  
16 director, by January 1 of the current fiscal year, that shall  
17 include all of the following:

18           (a) Statistical information including, at a minimum, all of  
19 the following:

20           (i) The total number of reports of abuse or neglect  
21 investigated under the child protection law, 1975 PA 238, MCL  
22 722.621 to 722.638, and the number of cases classified under  
23 category I or category II and the number of cases classified under  
24 category III, category IV, or category V.

25           (ii) Characteristics of perpetrators of abuse or neglect and  
26 the child victims, such as age, relationship, race, and ethnicity  
27 and whether the perpetrator exposed the child victim to drug

1 activity, including the manufacture of illicit drugs, that exposed  
2 the child victim to substance abuse, a drug house, or  
3 methamphetamine.

4 (iii) The mandatory reporter category in which the individual  
5 who made the report fits, or other categorization if the individual  
6 is not within a group required to report under the child protection  
7 law, 1975 PA 238, MCL 722.621 to 722.638.

8 (iv) The number of cases that resulted in the separation of the  
9 child from the parent or guardian and the period of time of that  
10 separation, up to and including termination of parental rights.

11 (v) For the reported complaints of abuse or neglect by  
12 teachers, school administrators, and school counselors, the number  
13 of cases classified under category I or category II and the number  
14 of cases classified under category III, category IV, or category V.

15 (vi) For the reported complaints of abuse or neglect by  
16 teachers, school administrators, and school counselors, the number  
17 of cases that resulted in separation of the child from the parent  
18 or guardian and the period of time of that separation, up to and  
19 including termination of parental rights.

20 (b) New policies related to children's protective services  
21 including, but not limited to, major policy changes and court  
22 decisions affecting the children's protective services system  
23 during the immediately preceding 12-month period.

24 (c) The information contained in the report required under  
25 section 8d(5) of the child protection law, 1975 PA 238, MCL  
26 722.628d, on cases classified under category III.

27 (d) The department policy, or changes to the department

1 policy, regarding children who have been exposed to the production  
2 or manufacture of methamphetamines.

3 Sec. 523. (1) By March 15 of the current fiscal year, the  
4 department shall report on family preservation programs for which  
5 money is appropriated in part 1 to the senate and house  
6 appropriations subcommittees on the department budget. The report  
7 shall contain all of the following for each program:

8 (a) The average cost per recipient served.

9 (b) Measurable performance indicators.

10 (c) Desired outcomes or results and goals that can be measured  
11 on an annual basis, or desired results for a defined number of  
12 years.

13 (d) Monitored results.

14 (e) Innovations that may include savings or reductions in  
15 administrative costs.

16 (2) If money becomes available in part 1 for youth in  
17 transition and domestic violence prevention and treatment, the  
18 department is authorized to make allocations of TANF funds only to  
19 agencies that report necessary data to the department for the  
20 purpose of meeting TANF eligibility reporting requirements.

21 Sec. 532. (1) The department, in collaboration with  
22 representatives of private child and family agencies, shall revise  
23 and improve the annual licensing review process and the annual  
24 contract compliance review process for child placing agencies and  
25 child caring institutions. The improvement goals shall be safety  
26 and care for children. Improvements to the review process shall be  
27 directed toward alleviating administrative burdens so that agency

1 resources may be focused on children. The revision shall include  
2 identification of duplicative staff activities and information  
3 sought from child placing agencies and child caring institutions in  
4 the annual review process. The department shall report to the  
5 senate and house appropriations subcommittees on the department  
6 budget, the senate and house fiscal agencies and policy offices,  
7 and the state budget director on or before January 15 of the  
8 current fiscal year on the findings of the annual licensing review.

9 (2) The department shall conduct licensing reviews no more  
10 than once every 2 years for child placing agencies and child caring  
11 institutions that are nationally accredited and have no outstanding  
12 violations.

13 Sec. 533. (1) The department shall make payments to child  
14 placing facilities for out-of-home care services within 30 days of  
15 receiving all necessary documentation from those agencies.

16 (2) The department shall explore various types of automated  
17 payments to private nonprofit child placing facilities to improve  
18 speed and accuracy of payments.

19 (3) The department shall provide a report on the activities  
20 under this section by October 1, 2012.

21 Sec. 536. (1) The department shall place all children within  
22 their own county or within a 75-mile radius of the home from which  
23 the child entered custody, whichever is greater, unless 1 or more  
24 of the following applies:

25 (a) The child's needs are so exceptional that they cannot be  
26 met by a family or facility within the county or 75-mile radius.

27 (b) The child needs re-placement and the child's permanency

1 goal is to be returned to his or her parents who at the time reside  
2 out of the county or 75-mile radius.

3 (c) The child is to be placed with a relative out of the  
4 county or 75-mile radius.

5 (d) The child is to be placed in an appropriate preadoptive or  
6 adoptive home that is out of the county or 75-mile radius.

7 (2) If placement outside the county or 75-mile radius is made,  
8 either of the following applies:

9 (a) In a "designated county", as defined in section IV.A.3 of  
10 the children's rights settlement agreement, the county  
11 administrator of children's services shall be specifically required  
12 to certify the circumstances supporting the placement in writing,  
13 based on his or her own examination of the circumstances and the  
14 child's needs and best interests.

15 (b) In any other county, the children's services field manager  
16 shall be specifically required to certify the circumstances  
17 supporting the placement in writing, based on his or her own  
18 examination of the circumstances and the child's needs and best  
19 interests.

20 Sec. 537. The department, in collaboration with child placing  
21 agencies, shall develop a strategy to implement section 115o of the  
22 social welfare act, 1939 PA 280, MCL 400.115o. The strategy shall  
23 include a requirement that a department caseworker responsible for  
24 preparing a recommendation to a court concerning a juvenile  
25 placement shall provide, as part of the recommendation, information  
26 regarding the requirements of section 115o of the social welfare  
27 act, 1939 PA 280, MCL 400.115o.

1       Sec. 539. The department shall work in collaboration with  
2 representatives from child placing agencies to ensure appropriate  
3 placement for children who have been adjudicated abused, neglected,  
4 or delinquent and for whom residential treatment is required. The  
5 department and the representatives from the child placing agencies  
6 shall focus on statewide placement criteria to address the best  
7 interests of the child in need of services. The placement criteria  
8 shall include a continuum of care settings and options as  
9 appropriate for each child and his or her needs at specific times,  
10 including home placements, relative placements, shelter placements,  
11 and other options.

12       Sec. 546. (1) From the money appropriated in part 1 for foster  
13 care payments and from child care fund, the department shall pay  
14 providers of foster care services not less than a \$37.00  
15 administrative rate.

16       (2) From the funds appropriated in part 1 for foster care  
17 payments and from child care fund, the department shall pay  
18 providers of general independent living services not less than a  
19 \$28.00 administrative rate. For specialized independent living  
20 services, the administrative rate paid shall be reduced by 50% of  
21 the difference between the general independent living  
22 administrative rate and the specialized independent living rate  
23 paid in the fiscal year ending September 30, 2009.

24       Sec. 556. (1) The department shall submit a quarterly report  
25 by February 1, May 1, August 1, and November 1 of each fiscal year  
26 to the chairpersons of the senate and house appropriations  
27 committees, the senate and house fiscal agencies, and the senate

1 and house policy offices that includes all of the following:

2 (a) A description of how the department is complying with  
3 federal requirements to notify prospective adoptive parents about  
4 adoption subsidies for which those prospective adoptive parents may  
5 qualify.

6 (b) The number of requests received by the department from  
7 adoptive parents for money or reimbursement of costs to attend  
8 conferences that include training or discussion of significant  
9 adoption issues, the proportion of these requests approved by the  
10 department, and the total annual expenditure for approved requests.

11 (c) The number of fair hearing requests from adoptive parents  
12 received by the department challenging the amount of the adoption  
13 subsidy, broken down by the stated reason for the challenge.

14 (d) The number of adoption subsidy payments suspended when the  
15 child is still in the custody of the adoptive parent, but no longer  
16 in the physical care of the adoptive parent.

17 (2) From the money appropriated in part 1 for adoption  
18 subsidies, \$4,250,000.00 in state general fund/general purpose  
19 revenues shall not be expended until the department provides  
20 proposed legislation to the senate and house standing committees  
21 with primary jurisdiction over matters relating to human services,  
22 the senate and house appropriations subcommittees on the department  
23 budget, senate and house fiscal agencies, and senate and house  
24 policy offices that would allow adoptive parents up to 1 year after  
25 an adoption has been finalized to submit a request to revise the  
26 determination of care supplement for an adopted child who has  
27 previously existing special needs or request a new determination.



1           (3) The department shall provide an annual report to the  
2 subcommittees of the senate and house appropriation committees on  
3 the department budget with the number of complaints filed by  
4 adoptive parents who were not notified that their adopted child had  
5 special needs.

6           Sec. 570. From the money appropriated in part 1 for the  
7 guardianship assistance program, the department shall provide  
8 assistance under this program to children who are eligible under  
9 section 3 of the guardianship assistance act, 2008 PA 260, MCL  
10 722.873.

11           Sec. 574. (1) From the money appropriated in part 1 for foster  
12 care payments, \$2,500,000.00 is allocated to support contracts with  
13 child placing agencies to facilitate the licensure of relative  
14 caregivers as foster parents. Agencies shall receive \$2,300.00 for  
15 each facilitated licensure. The agency facilitating the licensure  
16 would retain the placement and continue to provide case management  
17 services for at least 50% of the newly licensed cases for which the  
18 placement was appropriate to the agency. Up to 50% of the newly  
19 licensed cases would have direct foster care services provided by  
20 the department.

21           (2) From the money appropriated for foster care payments,  
22 \$375,000.00 is allocated to support family incentive grants to  
23 private and community-based foster care service providers to assist  
24 with home improvements or payment for physical exams for applicants  
25 needed by foster families to accommodate foster children.

26           Sec. 578. The department and child placing agencies shall  
27 utilize a standardized assessment tool to ensure greater

1 cooperation between the department and the department of community  
2 health and to measure the mental health treatment needs of every  
3 child supervised by the department. The department shall use the  
4 results of this assessment process to determine the best placement  
5 and the best mental health services to be provided for the child  
6 while under department supervision.

7       Sec. 580. The department and the department of community  
8 health shall initiate efforts to identify mental health programs  
9 and activities where the services of the 2 departments overlap, or  
10 are uncoordinated. The goal shall be to provide adequate and stable  
11 mental health services which address the need of the individual  
12 child without duplicative, confusing, or needlessly complex  
13 services. The department shall report on these coordination efforts  
14 with the department of community health during the annual budget  
15 presentations to the senate and house appropriations subcommittees  
16 with jurisdiction over the department budget.

17       Sec. 583. By February 1 of the current fiscal year, the  
18 department, in conjunction with the legislature, shall carry out a  
19 work group to determine what caused individuals participating as  
20 foster parents during the previous fiscal year to drop out of the  
21 program. The department shall provide to the senate and house  
22 appropriations subcommittees on the department budget, the senate  
23 and house standing committees on families and human services, and  
24 the senate and house fiscal agencies and policy offices a report  
25 detailing the work group findings as well as the number of  
26 individuals participating as foster parents during the previous  
27 fiscal year who dropped out of the program.

1       Sec. 585. (1) The department shall allow private nationally  
2 accredited foster care and adoption agencies to conduct their own  
3 staff training, based on current department policies and  
4 procedures, provided that the agency trainer and training materials  
5 are accredited by the department and that the agency documents to  
6 the department that the training was provided. The department shall  
7 provide access to any training materials requested by the private  
8 agencies to facilitate this training.

9       (2) By November 1, 2012, the department shall post on the  
10 department's website a list of all relevant departmental training  
11 materials available to private child placing agencies that are  
12 allowed to conduct their own training in accordance with this  
13 section. The department shall also provide to private child placing  
14 agencies that are allowed to conduct their own training any updated  
15 training materials as they become available.

16       Sec. 588. (1) Concurrent with public release, the department  
17 shall transmit all reports from the court-appointed settlement  
18 monitor, including, but not limited to, the needs assessment and  
19 period outcome reporting, to the state budget office, the senate  
20 and house appropriations subcommittees on the department budget,  
21 and the senate and house fiscal agencies, without revision.

22       (2) The department shall report monthly to the state budget  
23 office, the senate and house appropriations subcommittees on the  
24 department budget, and the senate and house fiscal agencies, on the  
25 number of children enrolled in the guardianship assistance and  
26 foster care - children with serious emotional disturbance waiver  
27 programs.

1       Sec. 589. From the money appropriated in part 1 to facilitate  
2 the transfer of foster care cases currently under department  
3 supervision from department supervision to private child placing  
4 agency supervision, the department shall not transfer any foster  
5 care cases that require a county contribution to the private agency  
6 administrative rate.

7       **PUBLIC ASSISTANCE**

8       Sec. 601. Whenever a client agrees to the release of his or  
9 her name and address to the local housing authority, the department  
10 shall request from the local housing authority information  
11 regarding whether the housing unit for which vendoring has been  
12 requested meets applicable local housing codes. Vendoring shall be  
13 terminated for those units that the local authority indicates in  
14 writing do not meet local housing codes until such time as the  
15 local authority indicates in writing that local housing codes have  
16 been met.

17       Sec. 603. (1) The department, as it determines is appropriate,  
18 shall enter into agreements with energy providers by which cash  
19 assistance recipients and the energy providers agree to permit the  
20 department to make direct payments to the energy providers on  
21 behalf of the recipient. The payments may include heat and electric  
22 payment requirements from recipient grants and amounts in excess of  
23 the payment requirements.

24       (2) The department shall establish caps for natural gas, wood,  
25 electric heat service, deliverable fuel heat services, and for  
26 electric service based on available federal funds.

1           (3) The department shall review and adjust the standard  
2 utility allowance for the state food assistance program to ensure  
3 that it reflects current energy costs in the state.

4           (4) Payments under this section shall be made directly to  
5 service providers and not to the individuals who are receiving the  
6 assistance.

7           Sec. 604. (1) The department shall operate a state disability  
8 assistance program. Except as provided in subsection (3), persons  
9 eligible for this program shall include needy citizens of the  
10 United States or aliens exempted from the supplemental security  
11 income citizenship requirement who are at least 18 years of age or  
12 emancipated minors meeting 1 or more of the following requirements:

13           (a) A recipient of supplemental security income, social  
14 security, or medical assistance due to disability or 65 years of  
15 age or older.

16           (b) A person with a physical or mental impairment which meets  
17 federal supplemental security income disability standards, except  
18 that the minimum duration of the disability shall be 90 days.  
19 Substance abuse alone is not defined as a basis for eligibility.

20           (c) A resident of an adult foster care facility, a home for  
21 the aged, a county infirmary, or a substance abuse treatment  
22 center.

23           (d) A person receiving 30-day postresidential substance abuse  
24 treatment.

25           (e) A person diagnosed as having acquired immunodeficiency  
26 syndrome.

27           (f) A person receiving special education services through the

1 local intermediate school district.

2 (g) A caretaker of a disabled person who meets the  
3 requirements specified in subdivision (a), (b), (e), or (f).

4 (2) Applicants for and recipients of the state disability  
5 assistance program shall be considered needy if they:

6 (a) Meet the same asset test as is applied for the family  
7 independence program.

8 (b) Have a monthly budgetable income that is less than the  
9 payment standards.

10 (3) Except for a person described in subsection (1)(c) or (d),  
11 a person is not disabled for purposes of this section if his or her  
12 drug addiction or alcoholism is a contributing factor material to  
13 the determination of disability. "Material to the determination of  
14 disability" means that, if the person stopped using drugs or  
15 alcohol, his or her remaining physical or mental limitations would  
16 not be disabling. If his or her remaining physical or mental  
17 limitations would be disabling, then the drug addiction or  
18 alcoholism is not material to the determination of disability and  
19 the person may receive state disability assistance. Such a person  
20 must actively participate in a substance abuse treatment program,  
21 and the assistance must be paid to a third party or through vendor  
22 payments. For purposes of this section, substance abuse treatment  
23 includes receipt of inpatient or outpatient services or  
24 participation in alcoholics anonymous or a similar program.

25 (4) A refugee or asylee who loses his or her eligibility for  
26 the federal supplemental security income program by virtue of  
27 exceeding the maximum time limit for eligibility as delineated in 8

1 USC 1612 and who otherwise meets the eligibility criteria under  
2 this section shall be eligible to receive benefits under the state  
3 disability assistance program.

4 Sec. 605. The level of reimbursement provided to state  
5 disability assistance recipients in licensed adult foster care  
6 facilities shall be the same as the prevailing supplemental  
7 security income rate under the personal care category.

8 Sec. 606. County department offices shall require each  
9 recipient of family independence program and state disability  
10 assistance who has applied with the social security administration  
11 for supplemental security income to sign a contract to repay any  
12 assistance rendered through the family independence program or  
13 state disability assistance program upon receipt of retroactive  
14 supplemental security income benefits.

15 Sec. 607. (1) The department's ability to satisfy  
16 appropriation deductions in part 1 for state disability  
17 assistance/supplemental security income recoveries and public  
18 assistance recoupment revenues shall not be limited to recoveries  
19 and accruals pertaining to state disability assistance, or family  
20 independence assistance grant payments provided only in the current  
21 fiscal year, but may include revenues collected during the current  
22 year that are prior year related and not a part of the department's  
23 accrued entries.

24 (2) The department may use supplemental security income  
25 recoveries to satisfy the deduct in any line in which the revenues  
26 are appropriated, regardless of the source from which the revenue  
27 is recovered.

1       Sec. 608. Adult foster care facilities providing domiciliary  
2 care or personal care to residents receiving supplemental security  
3 income or homes for the aged serving residents receiving  
4 supplemental security income shall not require those residents to  
5 reimburse the home or facility for care at rates in excess of those  
6 legislatively authorized. To the extent permitted by federal law,  
7 adult foster care facilities and homes for the aged serving  
8 residents receiving supplemental security income shall not be  
9 prohibited from accepting third-party payments in addition to  
10 supplemental security income provided that the payments are not for  
11 food, clothing, shelter, or result in a reduction in the  
12 recipient's supplemental security income payment.

13       Sec. 609. The state supplementation level under the  
14 supplemental security income program for the personal care/adult  
15 foster care and home for the aged categories shall not be reduced  
16 during the current fiscal year. The legislature shall be notified  
17 not less than 30 days before any proposed reduction in the state  
18 supplementation level.

19       Sec. 610. (1) In developing good cause criteria for the state  
20 emergency relief program, the department shall grant exemptions if  
21 the emergency resulted from unexpected expenses related to  
22 maintaining or securing employment.

23       (2) For purposes of determining housing affordability  
24 eligibility for state emergency relief, a group is considered to  
25 have sufficient income to meet ongoing housing expenses if their  
26 total housing obligation does not exceed 75% of their total net  
27 income.



1           (3) State emergency relief payments shall not be made to  
2 individuals who have been found guilty of fraud in regard to  
3 obtaining public assistance.

4           (4) State emergency relief payments shall not be made  
5 available to persons who are out-of-state residents or illegal  
6 immigrants.

7           (5) State emergency relief payments for rent assistance shall  
8 be distributed directly to landlords and shall not be added to  
9 Michigan bridge cards.

10          Sec. 613. The department shall provide reimbursements for the  
11 final disposition of indigent persons if the deceased's remains  
12 have not been claimed by a person having the right to control the  
13 disposition of the body regardless of whether there is no person  
14 with that right, the person cannot be located, or the person fails  
15 or refuses to exercise that right. The maximum allowable  
16 reimbursement for the final disposition shall be \$800.00. In  
17 addition, reimbursement for a cremation permit fee of up to \$75.00  
18 and for mileage at the standard rate will also be made available  
19 for an eligible cremation. The reimbursements under this section  
20 shall be used for disposal by cremation unless the deceased's  
21 expressed religious preference prohibits cremation.

22          Sec. 614. The funds available in part 1 for burial services  
23 shall be available if the deceased was an eligible recipient and an  
24 application for emergency relief funds was made within 10 business  
25 days of the burial or cremation of the deceased person. Each  
26 provider of burial services shall be paid directly by the  
27 department.

1       Sec. 615. Except as required by federal law or regulations,  
2 funds appropriated in part 1 shall not be used to provide public  
3 assistance to a person who is an illegal alien. This section shall  
4 not prohibit the department from entering into contracts with food  
5 banks, emergency shelter providers, or other human services  
6 agencies who may, as a normal part of doing business, provide food  
7 or emergency shelter.

8       Sec. 619. (1) Subject to subsection (2), the department shall  
9 exempt from the denial of title IV-A assistance and food assistance  
10 benefits under 21 USC 862a any individual who has been convicted of  
11 a felony that included the possession, use, or distribution of a  
12 controlled substance, after August 22, 1996, provided that the  
13 individual is not in violation of his or her probation or parole  
14 requirements. Benefits shall be provided to such individuals as  
15 follows:

16       (a) A third-party payee or vendor shall be required for any  
17 cash benefits provided.

18       (b) An authorized representative shall be required for food  
19 assistance receipt.

20       (2) Subject to federal approval, an individual is not entitled  
21 to the exemption in this section if the individual was convicted in  
22 2 or more separate cases of a felony that included the possession,  
23 use, or distribution of a controlled substance after August 22,  
24 1996.

25       Sec. 620. The department shall establish a work group to  
26 explore if privatization of Medicaid eligibility determination  
27 would lead to increased efficiencies and budgetary savings. The

1 work group shall include, but not be limited to, the department and  
2 members of the legislature.

3       Sec. 643. As a condition of receipt of federal TANF funds,  
4 homeless shelters and human services agencies shall collaborate  
5 with the department to obtain necessary TANF eligibility  
6 information on families as soon as possible after admitting a  
7 family to the homeless shelter. From the funds appropriated in part  
8 1 for homeless programs, the department is authorized to make  
9 allocations of TANF funds only to the agencies that report  
10 necessary data to the department for the purpose of meeting TANF  
11 eligibility reporting requirements. Homeless shelters or human  
12 services agencies that do not report necessary data to the  
13 department for the purpose of meeting TANF eligibility reporting  
14 requirements will not receive reimbursements which exceed the per  
15 diem amount they received in fiscal year 2000. The use of TANF  
16 funds under this section should not be considered an ongoing  
17 commitment of funding.

18       Sec. 644. The department shall prioritize the money  
19 appropriated in part 1 for homeless programs to support regional  
20 homeless shelters that offer wraparound services in cases where  
21 shelters have a lower cost per night than an alternative emergency  
22 shelter.

23       Sec. 645. An individual or family is considered homeless, for  
24 purposes of eligibility for state emergency relief, if living  
25 temporarily with others in order to escape domestic violence. For  
26 purposes of this section, domestic violence is defined and verified  
27 in the same manner as in the department's policies on good cause

1 for not cooperating with child support and paternity requirements.

2       Sec. 653. From the funds appropriated in part 1 for food  
3 assistance, an individual who is the victim of domestic violence  
4 and does not qualify for any other exemption may be exempt from the  
5 3-month in 36-month limit on receiving food assistance under 7 USC  
6 2015. This exemption can be extended an additional 3 months upon  
7 demonstration of continuing need.

8       Sec. 660. From the funds appropriated in part 1 for food bank  
9 funding, the department is authorized to make allocations of TANF  
10 funds only to the agencies that report necessary data to the  
11 department for the purpose of meeting TANF eligibility reporting  
12 requirements. The agencies that do not report necessary data to the  
13 department for the purpose of meeting TANF eligibility reporting  
14 requirements will not receive allocations in excess of those  
15 received in fiscal year 2000. The use of TANF funds under this  
16 section should not be considered an ongoing commitment of funding.

17       Sec. 669. The department shall allocate up to \$2,880,000.00  
18 for the annual clothing allowance. The allowance shall be granted  
19 to all eligible children in a family independence program group  
20 that does not include an adult.

21       Sec. 670. By March 1 of the current fiscal year, the  
22 department shall submit a report to the house and senate  
23 subcommittees on the department budget and house and senate fiscal  
24 agencies and policy offices regarding child development and care  
25 program activities in the previous fiscal year. The report shall  
26 include the following:

27       (a) The amount of child care payments made by the parents for

1 child care charges, by provider type, not paid by the department's  
2 child development and care subsidy.

3 (b) The number of enrolled child care providers with a  
4 reported annual household income of \$15,000.00 or less.

5 (c) The number of enrolled child care providers with a  
6 reported annual household income of more than \$15,000.00 but not  
7 more than \$25,000.00.

8 (d) The number of enrolled child care providers with a  
9 reported annual household income of more than \$25,000.00 but not  
10 more than \$35,000.00.

11 (e) The number of enrolled child care providers with a  
12 reported annual household income of more than \$35,000.00.

13 Sec. 672. (1) The department's office of inspector general  
14 shall report to the senate and house of representatives  
15 appropriations subcommittees on the department budget, the senate  
16 and house fiscal agencies, and the senate and house policy offices  
17 by May 1 of the current fiscal year on department efforts to reduce  
18 inappropriate use of Michigan bridge cards. The department shall  
19 provide information on the number of recipients of services who  
20 used their electronic benefit transfer card inappropriately and the  
21 current status of each case.

22 (2) As used in this section, "inappropriate use" means not  
23 used to meet a family's ongoing basic needs, including food,  
24 clothing, shelter, utilities, household goods, personal care items,  
25 and general incidentals.

26 Sec. 673. (1) The department shall immediately send  
27 notification to a client participating in the state child

1 development and care program and his or her child care provider if  
2 the client's eligibility is reduced or eliminated.

3 (2) If the department fails to notify a provider as required  
4 by subsection (1), the department shall continue to pay for  
5 services by the provider to the day of the notice.

6 (3) By March 1 of the current fiscal year, the department  
7 shall submit a report to the senate and house appropriations  
8 subcommittees for the department budget and the senate and house  
9 fiscal agencies and policy offices on any additional expenditures  
10 paid to child care providers as a result of the requirements in  
11 subsection (2).

12 Sec. 677. The department shall establish a state goal for the  
13 percentage of family independence program (FIP) cases involved in  
14 employment activities. The percentage established shall not be less  
15 than 50%. On a quarterly basis, the department shall report to the  
16 senate and house appropriations subcommittees on the department  
17 budget, the senate and house fiscal agencies and policy offices,  
18 and the state budget director on the current percentage of FIP  
19 cases involved in JET employment activities and an estimate of the  
20 current percentage of FIP cases that meet federal work  
21 participation requirements. If the FIP case percentage is below the  
22 goal for more than 2 consecutive quarters, the department shall  
23 develop a plan to increase the percentage of FIP cases involved in  
24 employment-related activities. The department shall deliver the  
25 plan during the next annual budget presentation to the senate and  
26 house appropriations subcommittees on the department budget.

27 Sec. 680. (1) It is the intent of the legislature that the

1 department achieve \$7,000,000.00 in savings through the child  
2 development and care program by revising the maximum number of  
3 reimbursable hours per recipient.

4 (2) It is the intent of the legislature that the department  
5 achieve \$5,000,000.00 in savings through the child development and  
6 care program by improving the error rates for income verification  
7 and income eligibility.

8 Sec. 686. (1) The department shall ensure that program policy  
9 requires caseworkers to confirm that individuals presenting  
10 personal identification issued by another state seeking assistance  
11 through the family independence program, food assistance program,  
12 state disability assistance program, or medical assistance program  
13 are not receiving benefits from any other state.

14 (2) The department shall require caseworkers to confirm the  
15 address provided by any individual seeking family independence  
16 program benefits or state disability assistance benefits.

17 (3) The department shall prohibit individuals with property  
18 assets assessed at a value higher than \$500,000.00 from accessing  
19 assistance through department-administered programs, unless such a  
20 prohibition would violate federal rules and guidelines.

21 (4) The department shall require caseworkers to obtain an up-  
22 to-date telephone number during the eligibility determination or  
23 redetermination process for individuals seeking medical assistance  
24 benefits. On a monthly basis, the department shall provide the  
25 department of community health an updated list of telephone numbers  
26 for medical assistance recipients.

27 Sec. 696. From the money appropriated in part 1, the

1 department shall allocate \$100,000.00 to the Chaldean community  
2 foundation. This money shall be utilized to provide translation  
3 services, health care services, youth tutoring and mentoring  
4 programs, and refugee resettlement services.

#### 5 JUVENILE JUSTICE SERVICES

6 Sec. 706. Counties shall be subject to 50% chargeback for the  
7 use of alternative regional detention services, if those detention  
8 services do not fall under the basic provision of section 117e of  
9 the social welfare act, 1939 PA 280, MCL 400.117e, or if a county  
10 operates those detention services programs primarily with  
11 professional rather than volunteer staff.

12 Sec. 707. In order to be reimbursed for child care fund  
13 expenditures, counties are required to submit department-developed  
14 reports to enable the department to document potential federally  
15 claimable expenditures. This requirement is in accordance with the  
16 reporting requirements specified in section 117a(7) of the social  
17 welfare act, 1939 PA 280, MCL 400.117a.

18 Sec. 708. (1) As a condition of receiving money appropriated  
19 in part 1 for the child care fund line item, by December 15 of the  
20 current fiscal year, counties shall have an approved service  
21 spending plan for the current fiscal year. Counties must submit the  
22 service spending plan to the department by October 1 of the current  
23 fiscal year for approval. The department shall approve within 30  
24 calendar days after receipt a properly completed service plan that  
25 complies with the requirements of the social welfare act, 1939 PA  
26 280, MCL 400.1 to 400.119b.



1           (2) The department shall provide a report on the number of  
2 counties that fail to submit a service spending plan by October 1  
3 of the current fiscal year. The report shall be submitted to the  
4 house and senate appropriations subcommittees on the department  
5 budget, the house and senate fiscal agencies, and the house and  
6 senate policy offices by December 15 of the current fiscal year.

7           Sec. 710. The department, the county of Wayne, and the third  
8 circuit court may rewrite the memorandum of understanding (MOU)  
9 that permits the county of Wayne to manage its juvenile justice  
10 system so that the MOU takes into account all interested parties,  
11 including, but not limited to, the legislature.

12           Sec. 717. (1) The department shall contract using private  
13 revenues with the Michigan public health institute to conduct a  
14 behavioral health study of juvenile justice facilities operated or  
15 contracted for by the state. The study shall utilize diagnostic  
16 clinical interviews with and records reviews for a representative  
17 random sample of juvenile justice system detainees to develop a  
18 report on each of the following:

19           (a) The proportion of juvenile justice detainees with a  
20 primary diagnosis of emotional disorder, the percentage of those  
21 detainees considered to currently require mental health treatment,  
22 and the proportion of those detainees currently receiving mental  
23 health services, including a description and breakdown,  
24 encompassing, at a minimum, the categories of inpatient,  
25 residential, and outpatient care, of the type of mental health  
26 services provided to those detainees.

27           (b) The proportion of juvenile justice detainees with a

1 primary diagnosis of addiction disorder, the percentage of those  
2 detainees considered to currently require substance abuse  
3 treatment, and the proportion of those detainees currently  
4 receiving substance abuse services, including a description and  
5 breakdown, encompassing, at a minimum, the categories of  
6 residential and outpatient care, of the type of substance abuse  
7 services provided to those detainees.

8 (c) The proportion of juvenile justice detainees with a dual  
9 diagnosis of emotional disorder and addiction disorder, the  
10 percentage of those detainees considered to currently require  
11 treatment for their condition, and the proportion of those  
12 detainees currently receiving that treatment, including a  
13 description and breakdown, encompassing, at a minimum, the  
14 categories of mental health inpatient, mental health residential,  
15 mental health outpatient, substance abuse residential, and  
16 substance abuse outpatient, of the type of treatment provided to  
17 those detainees.

18 (d) Data indicating whether juvenile justice detainees with a  
19 primary diagnosis of emotional disorder, a primary diagnosis of  
20 addiction disorder, and a dual diagnosis of emotional disorder and  
21 addiction disorder were previously hospitalized in a state  
22 psychiatric hospital for persons with mental illness. These data  
23 shall be broken down according to each of these 3 respective  
24 categories.

25 (e) Data indicating whether and with what frequency juvenile  
26 justice detainees with a primary diagnosis of emotional disorder, a  
27 primary diagnosis of addiction disorder, and a dual diagnosis of

1 emotional disorder and addiction disorder have been detained  
2 previously. These data shall be broken down according to each of  
3 these 3 respective categories.

4 (f) Data classifying the types of offenses historically  
5 committed by juvenile justice detainees with a primary diagnosis of  
6 emotional disorder, a primary diagnosis of addiction disorder, and  
7 a dual diagnosis of emotional disorder and addiction disorder.  
8 These data shall be broken down according to each of these 3  
9 respective categories.

10 (g) Data indicating whether juvenile justice detainees have  
11 previously received services managed by a community mental health  
12 program or substance abuse coordinating agency. These data shall be  
13 broken down according to the respective categories of detainees  
14 with a primary diagnosis of emotional disorder, a primary diagnosis  
15 of addiction disorder, and a dual diagnosis of emotional disorder  
16 and addiction disorder.

17 (2) The report referenced under subsection (1) would be  
18 provided not later than June 30 of the current fiscal year to the  
19 senate and house appropriations subcommittees on human services,  
20 the senate and house fiscal agencies and policy offices, and the  
21 state budget director.

22 Sec. 719. The department shall notify the legislature at least  
23 30 days before closing or making any change in the status,  
24 including the licensed bed capacity and operating bed capacity, of  
25 a state juvenile justice facility.

26 Sec. 724. The department shall establish a work group to study  
27 the feasibility of contracting out the juvenile justice secure

1 treatment beds for males and females operated by the department's  
2 bureau of juvenile justice to private nonprofit child caring  
3 institutions that are nationally accredited and licensed in this  
4 state. The work group shall include, but not be limited to, the  
5 department, members of the house and senate appropriations  
6 subcommittees on the department budget, and representatives of 2  
7 statewide organizations whose members consist of private nonprofit  
8 child caring institutions.

9 **LOCAL OFFICE SERVICES**

10 Sec. 750. The department shall maintain out-stationed  
11 eligibility specialists in community-based organizations, community  
12 mental health agencies, nursing homes, and hospitals unless a  
13 community-based organization, community mental health agency,  
14 nursing home, or hospital requests that the program be discontinued  
15 at its facility.

16 Sec. 753. By January 1, 2012, the department shall implement  
17 the recommendations of the 2004 public private partnership  
18 initiative's training committee to define, design, and implement a  
19 train-the-trainer program to certify private agency staff to  
20 deliver child welfare staff training, explore the use of e-learning  
21 technologies, and include consumers in the design and  
22 implementation of training. The intent of the legislature is to  
23 reduce training and travel costs for both the department and the  
24 private agencies. The department shall report no later than  
25 December 1 of the current fiscal year on each specific policy  
26 change made to implement enacted legislation and the plans to

1 implement the recommendations, including timelines, to the senate  
2 and house appropriations subcommittees on the department budget,  
3 the senate and house standing committees on human services matters,  
4 the senate and house fiscal agencies and policy offices, and the  
5 state budget director.

6 **CHILD SUPPORT ENFORCEMENT**

7       Sec. 901. (1) The appropriations in part 1 assume a total  
8 federal child support incentive payment of \$26,500,000.00.

9       (2) From the federal money received for child support  
10 incentive payments, \$12,000,000.00 shall be retained by the state  
11 and expended for child support program expenses.

12       (3) From the federal money received for child support  
13 incentive payments, \$14,500,000.00 shall be paid to the counties  
14 based on each county's performance level for each of the federal  
15 performance measures as established in 45 CFR 305.2.

16       (4) If the child support incentive payment to the state from  
17 the federal government is greater than \$26,500,000.00, then 100% of  
18 the excess shall be retained by the state and is appropriated until  
19 the total retained by the state reaches \$15,397,400.00.

20       (5) If the child support incentive payment to the state from  
21 the federal government is greater than the amount needed to satisfy  
22 the provisions identified in subsections (1), (2), (3), and (4),  
23 the additional funds shall be subject to appropriation by the  
24 legislature.

25       (6) If the child support incentive payment to the state from  
26 the federal government is less than \$26,500,000.00, then the state

1 and county share shall each be reduced by 50% of the shortfall.

2       Sec. 909. (1) If statewide retained child support collections  
3 exceed \$38,300,000.00, 75% of the amount in excess of  
4 \$38,300,000.00 is appropriated to legal support contracts. This  
5 excess appropriation may be distributed to eligible counties to  
6 supplement and not supplant county title IV-D funding.

7       (2) Each county whose retained child support collections in  
8 the current fiscal year exceed its fiscal year 2004-2005 retained  
9 child support collections, excluding tax offset and financial  
10 institution data match collections in both the current year and  
11 fiscal year 2004-2005, shall receive its proportional share of the  
12 75% excess.

13       Sec. 910. (1) If title IV-D-related child support collections  
14 are escheated, the state budget director is authorized to adjust  
15 the sources of financing for the funds appropriated in part 1 for  
16 legal support contracts to reduce federal authorization by 66% of  
17 the escheated amount and increase general fund/general purpose  
18 authorization by the same amount. This budget adjustment is  
19 required to offset the loss of federal revenue due to the escheated  
20 amount being counted as title IV-D program income in accordance  
21 with federal regulations at 45 CFR 304.50.

22       (2) The department shall notify the chairs of the house and  
23 senate appropriations subcommittees on the department budget and  
24 the house and senate fiscal agencies within 15 days of the  
25 authorization adjustment in subsection (1).

26 **COMMUNITY ACTION AND ECONOMIC OPPORTUNITY**

1       Sec. 1103. (1) The department shall establish a work group to  
2   develop a more efficient way to administer state emergency relief,  
3   low income home energy assistance program, and weatherization. The  
4   work group shall include, but not be limited to, the department and  
5   members of the legislature.

6       (2) By April 1, 2012, the department shall report to the  
7   senate and house appropriations subcommittees on the department  
8   budget, the senate and house fiscal agencies, and the senate and  
9   house policy offices on the findings of the work group established  
10   in subsection (1).

11       Sec. 1105. The department shall report to the house and senate  
12   appropriations subcommittees on the department budget, the house  
13   and senate fiscal agencies, the house and senate policy offices,  
14   and the state budget office by February 1 of the current fiscal  
15   year on the number of homes, the approximate value of each home,  
16   and the square footage of each home weatherized through the  
17   appropriations in section 104 during the preceding quarter of the  
18   calendar year.

19                                   PART 2A

20                   PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

21                                   FOR FISCAL YEAR 2012-2013

22   GENERAL SECTIONS

23       Sec. 1201. It is the intent of the legislature to provide  
24   appropriations for the fiscal year ending on September 30, 2013 for  
25   the line items listed in part 1. The fiscal year 2012-2013  
26   appropriations are anticipated to be the same as those for fiscal

1 year 2011-2012, except that the line items will be adjusted for  
2 changes in caseload and related costs, federal fund match rates,  
3 economic factors, and available revenue. These adjustments will be  
4 determined after the January 2012 consensus revenue estimating  
5 conference.