

SUBSTITUTE FOR
SENATE BILL NO. 956

A bill to make appropriations for the department of human services for the fiscal year ending September 30, 2013; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

LINE-ITEM APPROPRIATIONS
FOR FISCAL YEAR 2012-2013

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, 2013, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF HUMAN SERVICES

1	APPROPRIATION SUMMARY	
2	Full-time equated classified positions.....	11,181.0
3	Unclassified positions	6.0
4	Total full-time equated positions.....	11,187.0
5	GROSS APPROPRIATION.....	\$ 6,544,939,600
6	Interdepartmental grant revenues:	
7	Total interdepartmental grants and intradepartmental	
8	transfers	31,241,700
9	ADJUSTED GROSS APPROPRIATION.....	\$ 6,513,697,900
10	Federal revenues:	
11	Federal - other ARRA revenues.....	510,138,400
12	Total federal revenues.....	4,876,517,700
13	Special revenue funds:	
14	Total private revenues.....	16,415,000
15	Total local revenues.....	31,448,000
16	Total other state restricted revenues.....	87,772,300
17	State general fund/general purpose.....	\$ 991,406,500
18	State general fund/general purpose schedule:	
19	Ongoing state general fund/general	
20	purpose	987,469,700
21	One-time state general fund/general	
22	purpose	3,936,800
23	Sec. 102. EXECUTIVE OPERATIONS	
24	Total full-time equated positions.....	639.7
25	Full-time equated unclassified positions.....	6.0
26	Full-time equated classified positions.....	633.7
27	Unclassified salaries--6.0 FTE positions.....	\$ 647,900

1	Salaries and wages--257.7 FTE positions	15,700,300
2	Contractual services, supplies, and materials	11,260,700
3	Demonstration projects--7.0 FTE positions	10,098,300
4	Inspector general salaries and wages--132.0 FTE	
5	positions	6,429,000
6	Electronic benefit transfer EBT	12,009,000
7	Michigan community service commission--15.0 FTE	
8	positions	12,336,500
9	AFC, children's welfare and day care	
10	licensure--222.0 FTE positions	24,555,000
11	State office of administrative hearings and rules	<u>6,831,000</u>
12	GROSS APPROPRIATION	\$ 99,867,700
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	IDG from department of education	13,874,900
16	Federal revenues:	
17	Total other federal revenues	52,301,300
18	Special revenue funds:	
19	Total private revenues	8,267,200
20	Total local revenues	175,000
21	Total other state restricted revenue	25,000
22	State general fund/general purpose	\$ 25,224,300
23	Sec. 103. CHILD SUPPORT ENFORCEMENT	
24	Full-time equated classified positions..... 180.7	
25	Child support enforcement operations--174.7 FTE	
26	positions	\$ 19,861,900
27	Legal support contracts	113,253,600

1	Child support incentive payments	32,409,600
2	State disbursement unit--6.0 FTE positions	<u>12,030,600</u>
3	GROSS APPROPRIATION.....	\$ 177,555,700
4	Appropriated from:	
5	Federal revenues:	
6	Total federal revenues	154,205,800
7	Special revenue funds:	
8	Total local revenues	340,000
9	Total other state restricted revenues	770,000
10	State general fund/general purpose	\$ 22,239,900
11	Sec. 104. COMMUNITY ACTION AND ECONOMIC OPPORTUNITY	
12	Full-time equated classified positions.....	16.0
13	Bureau of community action and economic	
14	opportunity--16.0 FTE positions.....	\$ 1,989,700
15	Community services block grant	25,840,000
16	Weatherization assistance	<u>28,340,000</u>
17	GROSS APPROPRIATION.....	\$ 56,169,700
18	Appropriated from:	
19	Federal revenues:	
20	Total federal revenues	56,169,700
21	State general fund/general purpose	\$ 0
22	Sec. 105. ADULT AND FAMILY SERVICES	
23	Full-time equated classified positions.....	46.7
24	Executive direction and support--4.0 FTE positions ...	\$ 454,000
25	Guardian contract	600,000
26	Adult services policy and administration--6.0 FTE	
27	positions	724,300

1	Office of program policy--34.7 FTE positions	4,791,600
2	Employment and training support services	7,407,100
3	Wage employment verification reporting	848,700
4	Nutrition education-- 2.0 FTE positions	30,025,000
5	Elder law of Michigan MiCAFE contract	<u>175,000</u>
6	GROSS APPROPRIATION	\$ 45,025,700
7	Appropriated from:	
8	Interdepartmental grant revenues:	
9	IDG from department of education	22,500
10	Federal revenues:	
11	Total other federal revenues	40,273,400
12	Special revenue funds:	
13	State general fund/general purpose	\$ 4,729,800
14	Sec. 106. CHILDREN'S SERVICES	
15	Full-time equated classified positions..... 121.8	
16	Salaries and wages--59.2 FTE positions	\$ 3,322,400
17	Contractual services, supplies, and materials	1,276,500
18	Interstate compact	231,600
19	Seita scholarship program	100
20	Children's benefit fund donations	21,000
21	Parent support programs	2,500,000
22	Families first	16,950,700
23	Strong families/safe children	12,350,100
24	Child protection and permanency--23.0 FTE positions ..	16,589,700
25	Child abuse and neglect - children's justice act	
26	--1.0 FTE positions	613,000
27	Family reunification program	3,977,100

1	Family preservation and prevention services	
2	administration--11.0 FTE positions.....	1,368,200
3	Children's trust fund administration--12.0 FTE	
4	positions	1,204,300
5	Children's trust fund grants.....	2,325,100
6	Attorney general contract.....	4,199,000
7	Prosecuting attorney contracts.....	2,311,700
8	Child protection.....	891,500
9	Domestic violence prevention and treatment--14.6 FTE	
10	positions	15,323,100
11	Rape prevention and services--0.5 FTE positions	2,785,000
12	Child advocacy centers--0.5 FTE positions.....	<u>500,000</u>
13	GROSS APPROPRIATION.....	\$ 88,740,100
14	Appropriated from:	
15	Federal revenues:	
16	Total other federal revenues.....	79,405,500
17	Special revenue funds:	
18	Private - children's benefit fund donations.....	21,000
19	Compulsive gambling prevention fund.....	1,040,000
20	Children's trust fund.....	2,442,300
21	Sexual assault victims' prevention and treatment.....	1,000,000
22	Child advocacy centers fund.....	500,000
23	State general fund/general purpose.....	\$ 4,331,300
24	Sec. 107. CHILD WELFARE SERVICES	
25	Full-time equated classified positions.....	3,621.7
26	Children's services administration--97.0 FTE positions	\$ 6,831,400
27	Title IV-E compliance and accountability office--4.0	

1	FTE positions	495,600
2	Child welfare institute--35.0 FTE positions	5,833,900
3	Michigan youth opportunity initiative--18.0 FTE	
4	positions	1,671,800
5	Child protective services workers--1,481.0 FTE	
6	positions	59,198,200
7	Direct care workers--1,073.0 FTE positions	48,083,800
8	Education planners--14.0 FTE positions	747,400
9	Permanency planning conference coordinators--55.0	
10	FTE positions	3,218,900
11	Child welfare first line supervisors--522.0 FTE	
12	positions	36,291,400
13	Administrative support workers--226.0 FTE positions ..	7,074,700
14	Second line supervisors and technical staff--45.0	
15	FTE positions	3,278,800
16	Permanency planning specialists--48.0 FTE positions ..	2,693,200
17	Contractual services, supplies, and materials	7,343,200
18	Settlement monitor.....	1,625,800
19	Foster care payments - private.....	96,631,800
20	Foster care payments - public.....	92,695,500
21	Serious emotional disturbance - waiver program.....	3,269,000
22	Serious emotional disturbance - non-waiver program...	2,925,900
23	Guardianship assistance program.....	4,183,700
24	Child care fund.....	18,334,300
25	Child care fund administration--6.2 FTE positions	920,400
26	Adoption subsidies.....	220,501,800
27	Adoption support services--10.0 FTE positions	33,609,100

1	Youth in transition--(12.5) FTE positions	12,766,600
2	Child welfare medical/psychiatric evaluations	6,607,500
3	Psychotropic oversight contracts	1,118,300
4	Actuarially sound rate contract services	<u>500,000</u>
5	GROSS APPROPRIATION	\$ 678,452,000
6	Appropriated from:	
7	Interdepartmental grant revenues:	
8	IDG from department of education	237,600
9	Federal revenues:	
10	Total federal revenues	383,641,700
11	Special revenue funds:	
12	Private - collections	1,909,200
13	Local funds - county chargeback	17,891,800
14	State general fund/general purpose	\$ 274,771,700
15	Sec. 108. JUVENILE JUSTICE SERVICES	
16	Full-time equated classified positions..... 183.0	
17	W.J. Maxey training school--69.0 FTE positions	\$ 11,014,300
18	Bay pines center--42.0 FTE positions	4,707,400
19	Shawono center--42.0 FTE positions	4,773,900
20	Child care fund - juvenile justice	164,867,400
21	County juvenile officers	3,904,300
22	Community support services--2.0 FTE positions	1,614,600
23	Juvenile justice, administration and	
24	maintenance--23.0 FTE positions	4,362,400
25	W.J. Maxey memorial fund	45,000
26	Juvenile accountability block grant--1.0 FTE positions	1,301,800
27	Committee on juvenile justice administration--4.0	

1	FTE positions	438,900
2	Committee on juvenile justice grants	<u>5,000,000</u>
3	GROSS APPROPRIATION.....	\$ 202,030,000
4	Appropriated from:	
5	Federal revenues:	
6	Total federal revenues.....	94,493,300
7	Special revenue funds:	
8	Total private revenues.....	45,000
9	Local funds - state share education funds.....	2,135,800
10	Local funds - county chargeback.....	7,467,600
11	State general fund/general purpose.....	\$ 97,888,300
12	Sec. 109. LOCAL OFFICE STAFF AND OPERATIONS	
13	Full-time equated classified positions.....	5,798.0
14	Field staff, salaries and wages--5,559.0 FTE positions	\$ 290,630,000
15	Contractual services, supplies, and materials.....	12,082,300
16	Medical/psychiatric evaluations.....	1,420,100
17	Donated funds positions--208.0 FTE positions.....	19,230,600
18	Training and program support--21.0 FTE positions.....	2,976,000
19	Wayne County gifts and bequests.....	100,000
20	Volunteer services and reimbursement.....	1,220,800
21	SSI advocates--10.0 FTE positions.....	<u>1,011,500</u>
22	GROSS APPROPRIATION.....	\$ 328,671,300
23	Appropriated from:	
24	Interdepartmental grant revenues:	
25	IDG from department of corrections.....	100,000
26	IDG from department of education.....	7,835,400
27	Federal revenues:	

1	Total other federal revenues	197,749,400
2	Special revenue funds:	
3	Local funds	3,437,800
4	Private funds - donated funds	6,072,600
5	Private funds - Wayne County gifts	100,000
6	Supplemental security income recoveries	783,200
7	State general fund/general purpose	\$ 112,592,900
8	Sec. 110. DISABILITY DETERMINATION SERVICES	
9	Full-time equated classified positions..... 572.4	
10	Disability determination operations--546.9 FTE	
11	positions	\$ 90,508,800
12	Medical consultation program--21.4 FTE positions	2,896,700
13	Retirement disability determination--4.1 FTE positions	<u>888,800</u>
14	GROSS APPROPRIATION	\$ 94,294,300
15	Appropriated from:	
16	Interdepartmental grant revenues:	
17	IDG from DMB - office of retirement systems	1,183,200
18	ADJUSTED GROSS APPROPRIATION	\$ 93,111,100
19	Appropriated from:	
20	Federal revenues:	
21	Total federal revenues	90,318,500
22	Special revenue funds:	
23	State general fund/general purpose	\$ 2,792,600
24	Sec. 111. CENTRAL SUPPORT ACCOUNTS	
25	Rent	\$ 44,774,800
26	Occupancy charge	8,236,400
27	Travel	7,265,900

1	Equipment.....		227,300
2	Worker's compensation.....		2,808,200
3	Payroll taxes and fringe benefits.....		<u>378,647,600</u>
4	GROSS APPROPRIATION.....	\$	441,960,200
5	Appropriated from:		
6	Interdepartmental grant revenues:		
7	IDG from department of education.....		6,044,500
8	Federal revenues:		
9	Total other federal revenues.....		276,014,100
10	Special revenue funds:		
11	State general fund/general purpose.....	\$	159,901,600
12	Sec. 112. PUBLIC ASSISTANCE		
13	Full-time equated classified positions..... 7.0		
14	Family independence program.....	\$	318,354,100
15	State disability assistance payments.....		25,515,100
16	Food assistance program benefits.....		3,007,487,900
17	Food assistance program benefits (ARRA).....		510,138,400
18	State supplementation.....		57,725,800
19	State supplementation administration.....		2,681,100
20	Low-income home energy assistance program.....		174,951,600
21	Food bank funding.....		1,345,000
22	Homeless programs.....		16,084,600
23	Multicultural integration funding.....		1,515,500
24	Chaldean community foundation.....		100,000
25	Indigent burial.....		1,000,000
26	Emergency services local office allocations.....		19,615,500
27	State emergency relief energy services.....		100

1	Refugee assistance program--7.0 FTE positions	<u>27,929,900</u>
2	GROSS APPROPRIATION.....	\$ 4,164,444,600
3	Appropriated from:	
4	Federal revenues:	
5	Federal supplemental nutrition assistance revenues	
6	(ARRA)	510,138,400
7	Total other federal revenues.....	3,342,332,500
8	Special revenue funds:	
9	Child support collections.....	29,145,800
10	Supplemental security income recoveries.....	14,955,900
11	Public assistance recoupment revenue.....	7,010,000
12	Vulnerable heat and warmth fund.....	100
13	Michigan merit award trust fund.....	30,100,000
14	State general fund/general purpose.....	\$ 230,761,900
15	Sec. 113. INFORMATION TECHNOLOGY	
16	Information technology services and projects.....	\$ 115,450,900
17	Child support automation.....	<u>41,735,500</u>
18	GROSS APPROPRIATION.....	\$ 157,186,400
19	Appropriated from:	
20	Interdepartmental grant revenues:	
21	IDG from department of education.....	1,943,600
22	Federal revenues:	
23	Total federal revenues.....	103,007,400
24	Special revenue funds:	
25	State general fund/general purpose.....	\$ 52,235,400
26	Sec. 114. ONE-TIME BASIS ONLY APPROPRIATIONS	
27	State employee lump-sum payments.....	<u>\$ 10,541,900</u>

1	GROSS APPROPRIATION.....	\$	10,541,900
2	Appropriated from:		
3	Federal revenues:		
4	Total federal revenues.....		6,605,100
5	State general fund/general purpose.....	\$	3,936,800

PART 2

PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2012-2013 is \$1,079,178,800.00 and state spending from state resources to be paid to local units of government for fiscal year 2012-2013 is \$95,279,400.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF HUMAN SERVICES

17	DEPARTMENT OF HUMAN SERVICES		
18	Child care fund.....	\$	86,311,700
19	County juvenile officers.....		3,603,900
20	State disability assistance payments.....		2,286,600
21	Legal support contracts.....		2,341,000
22	Child support enforcement operations.....		583,200
23	Family independence program.....		<u>153,000</u>
24	TOTAL.....	\$	95,279,400

Sec. 202. The appropriations authorized under this act are

1 subject to the management and budget act, 1984 PA 431, MCL 18.1101
2 to 18.1594.

3 Sec. 203. As used in this act:

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

5 (b) "ARRA" means the American recovery and reinvestment act of
6 2009, Public Law 111-5.

7 (c) "Children's rights settlement agreement" means the
8 settlement agreement entered in the case of Dwayne B. vs. Snyder,
9 docket no. 2:06-cv-13548 in the United States district court for
10 the eastern district of Michigan.

11 (d) "Current fiscal year" means the fiscal year ending
12 September 30, 2013.

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

14 (f) "Director" means the director of the department of human
15 services.

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

17 (h) "IDG" means interdepartmental grant.

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

19 (j) "Previous fiscal year" means the fiscal year ending
20 September 30, 2012.

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

22 (l) "Temporary assistance for needy families" or "TANF" or
23 "title IV-A" means part A of title IV of the social security act,
24 42 USC 601 to 619.

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

27 (n) "Title IV-E" means part E of title IV of the social

1 security act, 42 USC 670 to 679c.

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

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

11 (2) Neither the department nor private service providers or
12 licensees shall be granted preferential treatment or considered
13 automatically to be in compliance with administrative rules based
14 on whether they have collective bargaining agreements with direct
15 care workers. Private service providers or licensees without
16 collective bargaining agreements shall not be subjected to
17 additional requirements or conditions of licensure based on their
18 lack of collective bargaining agreements.

19 Sec. 208. Unless otherwise specified, the department shall use
20 the Internet to fulfill the reporting requirements of this act.
21 This requirement may include transmission of reports via electronic
22 mail to the recipients identified for each reporting requirement,
23 or it may include placement of reports on the Internet or Intranet
24 site.

25 Sec. 209. Funds appropriated in part 1 shall not be used for
26 the purchase of foreign goods or services, or both, if
27 competitively priced and of comparable quality American goods or

1 services, or both, are available. Preference should be given to
2 goods or services, or both, manufactured or provided by Michigan
3 businesses, if they are competitively priced and of comparable
4 quality. In addition, preference should be given to goods or
5 services, or both, that are manufactured or provided by Michigan
6 businesses owned and operated by veterans, if they are
7 competitively priced and of comparable quality.

8 Sec. 211. Funds appropriated in part 1 shall not be used by a
9 principal executive department, state agency, or authority to hire
10 a person to provide legal services that are the responsibility of
11 the attorney general. This prohibition does not apply to legal
12 services for bonding activities and for those outside services that
13 the attorney general authorizes.

14 Sec. 212. (1) In addition to funds appropriated in part 1 for
15 all programs and services, there is appropriated for write-offs of
16 accounts receivable, deferrals, and for prior year obligations in
17 excess of applicable prior year appropriations, an amount equal to
18 total write-offs and prior year obligations, but not to exceed
19 amounts available in prior year revenues or current year revenues
20 that are in excess of the authorized amount.

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

26 Sec. 213. The department may retain all of the state's share
27 of food assistance overissuance collections as an offset to general

1 fund/general purpose costs. Retained collections shall be applied
2 against federal funds deductions in all appropriation units where
3 department costs related to the investigation and recoupment of
4 food assistance overissuances are incurred. Retained collections in
5 excess of such costs shall be applied against the federal funds
6 deducted in the executive operations appropriation unit.

7 Sec. 215. If a legislative objective of this act or the social
8 welfare act, 1939 PA 280, MCL 400.1 to 400.119b, cannot be
9 implemented without loss of federal financial participation because
10 implementation would conflict with or violate federal regulations,
11 the department shall notify the state budget director, the house
12 and senate appropriations committees, and the house and senate
13 fiscal agencies and policy offices of that fact.

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

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

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

19 (c) Fiscal year-to-date payments to a selected vendor,
20 including the vendor name, payment date, payment amount, and
21 payment description.

22 (d) The number of active department employees by job
23 classification.

24 (e) Job specifications and wage rates.

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

1 Sec. 220. The department shall ensure that faith-based
2 organizations are able to apply and compete for services, programs,
3 or contracts that they are qualified and suitable to fulfill. The
4 department shall not disqualify faith-based organizations solely on
5 the basis of the religious nature of their organization or their
6 guiding principles or statements of faith.

7 Sec. 221. (1) If the revenue collected by the department from
8 private and local sources exceeds the amount spent from amounts
9 appropriated in part 1, the revenue may be carried forward, with
10 approval from the state budget director, into the subsequent fiscal
11 year.

12 (2) The department shall provide a report on the amount of
13 each revenue stream to be carried forward, as well as the
14 cumulative amount, for the closing fiscal year by October 30, 2013,
15 to the senate and house appropriations subcommittees on the
16 department budget, the senate and house standing committees on
17 families and human services, and the senate and house fiscal
18 agencies and policy offices.

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. (1) The department shall make a determination of
13 Medicaid eligibility not later than 45 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 30 days after all information to make
18 the determination is received from the applicant.

19 (2) The department shall track the percentage of cases that
20 meet the standard of promptness described in subsection (1), and
21 this state shall include this measure in the appropriate dashboards
22 that are accessible on this state's website. The department shall
23 provide quarterly reports to the senate and house appropriations
24 subcommittees on the department budget, the senate and house
25 standing committees on families and human services, and the senate
26 and house fiscal agencies and policy offices detailing the
27 department's progress in achieving the eligibility standard of

1 promptness.

2 Sec. 224. (1) The department shall approve or deny a Medicaid
3 application for a patient of a nursing home within 30 days after
4 the receipt of the necessary information.

5 (2) The department shall track the percentage of cases that
6 meet the standard of promptness described in subsection (1), and
7 this state shall include this measure in the appropriate dashboards
8 that are accessible on this state's website. The department shall
9 provide quarterly reports to the senate and house appropriations
10 subcommittees on the department budget, the senate and house
11 standing committees on families and human services, and the senate
12 and house fiscal agencies and policy offices detailing the
13 department's progress in achieving the eligibility standard of
14 promptness.

15 Sec. 225. The department may hire physicians to be part of the
16 medical review team (MRT) on a temporary basis if Medicaid
17 applications are backlogged more than 1,500. The temporary
18 physicians shall be retained until the backlog has dropped below
19 1,000 for 2 consecutive months. The role of the physicians will be
20 to obtain medical evidence from and grant medical determinations to
21 applicants.

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, 2013, 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, 2013.

14 Sec. 232. The department shall develop a policy that will
15 limit the amount that local county offices may spend on food and
16 beverages, in order to achieve a reduction of \$200,000.00 from
17 actual expenditures for the fiscal year that ended September 30,
18 2011.

19 Sec. 250. Amounts appropriated in part 1 for information
20 technology may be designated as work projects and carried forward
21 to support technology projects under the direction of the
22 department of technology, management, and budget. Funds designated
23 in this manner are not available for expenditure until approved as
24 work projects under section 451a of the management and budget act,
25 1984 PA 431, MCL 18.1451a.

26 Sec. 251. The department and agencies receiving appropriations
27 in part 1 shall receive and retain copies of all reports funded

1 from appropriations in part 1. Federal and state guidelines for
2 short-term and long-term retention of records shall be followed.
3 The department may electronically retain copies of reports unless
4 otherwise required by federal and state guidelines.

5 Sec. 259. From the funds appropriated in part 1 for
6 information technology, departments and agencies shall pay user
7 fees to the department of technology, management, and budget for
8 technology-related services and projects. The user fees shall be
9 subject to provisions of an interagency agreement between the
10 department and agencies and the department of technology,
11 management, and budget.

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

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

23 Sec. 274. (1) The department, in collaboration with the state
24 budget office, shall submit to the house and senate appropriations
25 subcommittees on the department budget, the house and senate fiscal
26 agencies, and the house and senate policy offices on the day the
27 governor submits to the legislature the budget for the ensuing

1 fiscal year a report on spending and revenue projections for each
2 of the capped federal funds listed below. The report shall contain
3 actual spending and revenue in the previous fiscal year, spending
4 and revenue projections for the current fiscal year as enacted, and
5 spending and revenue projections within the executive budget
6 proposal for the fiscal year beginning October 1, 2013 for each
7 individual line item for the department budget. The report shall
8 also include federal funds transferred to other departments. The
9 capped federal funds shall include, but not be limited to, all of
10 the following:

- 11 (a) TANF.
- 12 (b) Title XX social services block grant.
- 13 (c) Title IV-B part I child welfare services block grant.
- 14 (d) Title IV-B part II promoting safe and stable families
15 funds.

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

- 20 (a) Other departments.
- 21 (b) Local units of government.
- 22 (c) Private sources.

23 Sec. 279. (1) All contracts relating to human services shall
24 be performance-based contracts that employ a client-centered
25 results-oriented process that is based on measurable performance
26 indicators and desired outcomes and includes the annual assessment
27 of the quality of services provided.

1 (2) During the annual budget presentation, the department
2 shall provide the senate and house appropriations subcommittees on
3 the department budget and the senate and house fiscal agencies and
4 policy offices a report detailing measurable performance
5 indicators, desired outcomes, and an assessment of the quality of
6 services provided by the department during the previous fiscal
7 year.

8 Sec. 284. (1) In addition to the funds appropriated in part 1,
9 there is appropriated an amount not to exceed \$200,000,000.00 for
10 federal contingency funds. These funds are not available for
11 expenditure until they have been transferred to another line item
12 in this act under section 393(2) of the management and budget act,
13 1984 PA 431, MCL 18.1393.

14 (2) In addition to the funds appropriated in part 1, there is
15 appropriated an amount not to exceed \$5,000,000.00 for state
16 restricted contingency funds. These funds are not available for
17 expenditure until they have been transferred to another line item
18 in this act under section 393(2) of the management and budget act,
19 1984 PA 431, MCL 18.1393.

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

26 (4) In addition to the funds appropriated in part 1, there is
27 appropriated an amount not to exceed \$20,000,000.00 for private

1 contingency funds. These funds are not available for expenditure
2 until they have been transferred to another line item in this act
3 under section 393(2) of the management and budget act, 1984 PA 431,
4 MCL 18.1393.

5 Sec. 293. The department may use money from the money
6 appropriated in part 1 to strengthen marriage and family relations
7 through the practice of marriage and family therapy for
8 individuals, families, couples, or groups. The goal of the therapy
9 shall be strengthening families by helping them avoid, eliminate,
10 relieve, manage, or resolve marital or family conflict or discord.

11 Sec. 294. Money appropriated in part 1 for the statewide
12 automated child welfare information system is contingent upon the
13 approval of an advanced planning document from the administration
14 for children and families. If the necessary matching funds are
15 identified and legislatively transferred to the information and
16 technology services and projects line item for this purpose, any
17 corresponding federal revenue required shall be appropriated at a
18 50% federal match rate. This appropriation may be designated as a
19 work project under section 451a of the management and budget act,
20 1984 PA 431, MCL 18.1451a, and carried forward to support
21 completion of this project.

22 Sec. 298. The department shall work toward a new supervisor-
23 to-staff ratio in all department divisions and subdivisions,
24 excluding the supervisor-to-staff ratios required by the children's
25 rights settlement agreement, of 1 supervisor to 12 staff members.

26 **EXECUTIVE OPERATIONS**

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

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

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

22 Sec. 311. The department shall administer licensing and
23 regulation of licensees with the highest priority given to
24 licensing activities that present the highest risk to vulnerable
25 children or adults receiving services of licensees.

26 **ADULT AND FAMILY SERVICES**

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

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

16 (3) A fatherhood initiative program established under this
17 section shall minimally include at least 3 of the following
18 components: promoting responsible, caring, and effective parenting
19 through counseling; mentoring and parental education; enhancing the
20 abilities and commitment of unemployed or low-income fathers to
21 provide material support for their families and to avoid or leave
22 welfare programs by assisting them to take advantage of job search
23 programs, job training, and education to improve their work habits
24 and work skills; improving fathers' ability to effectively manage
25 family business affairs by means such as education, counseling, and
26 mentoring in household matters; infant care; effective
27 communication and respect; anger management; children's financial

1 support; and drug-free lifestyle.

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

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

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

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

26 (3) A marriage initiative program established under this
27 section may include, but is not limited to, 1 or more of the

1 following: public advertising campaigns on the value of marriage
2 and the skills needed to increase marital stability and health;
3 education in high schools on the value of marriage, relationship
4 skills, and budgeting; premarital, marital, family, and domestic
5 violence counseling; effective communication; marriage mentoring
6 programs which use married couples as role models and mentors in
7 at-risk communities; anger management; and parenting skills to
8 improve the family structure.

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

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

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

25 Sec. 425. The department shall implement administrative
26 efforts, either through policy change or proposed legislation, to
27 reduce waste, fraud, and abuse within the employment support

1 services program, including, but not limited to, revisions to
2 current policy on car repair and car purchase payments.

3 **CHILDREN'S SERVICES**

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

10 Sec. 502. From the funds appropriated in part 1 for foster
11 care, the department shall provide 50% reimbursement to Indian
12 tribal governments for foster care expenditures for children who
13 are under the jurisdiction of Indian tribal courts and who are not
14 otherwise eligible for federal foster care cost sharing.

15 Sec. 503. (1) The department shall hire a third party to set
16 actuarially sound rates for contracts with private agencies
17 providing child welfare services, including, but not limited to,
18 foster care, residential care, and adoption services, as well as
19 for the public per diem rate that is established for providing the
20 same services. The third party shall consult with private providers
21 that have contracts with the department on establishing the costs
22 of providing services. The third party shall establish agreement
23 among the private providers and the department on the parameters
24 for setting the costs before recommending the per diem rates. The
25 rates shall be established by a third party on an annual basis
26 before implementation of contracts. By March 1, 2013, the

1 department shall provide to the senate and house appropriations
2 subcommittees on the department budget, the senate and house
3 standing committees on families and human services, and the senate
4 and house fiscal agencies and policy offices a report detailing the
5 rates.

6 (2) From the amount appropriated in part 1, up to \$500,000.00
7 shall be used for the purpose described in subsection (1).

8 Sec. 504. The department shall establish a statewide child
9 registry by December 31, 2013.

10 Sec. 505. By March 1, 2013, the department and Wayne County
11 shall provide to the senate and house appropriations committees on
12 the department budget and the senate and house fiscal agencies and
13 policy offices a report for youth served in the previous fiscal
14 year and in the first quarter of the current fiscal year outlining
15 the number of youth served within each juvenile justice system, the
16 type of setting for each youth, performance outcomes, and financial
17 costs or savings.

18 Sec. 506. The department shall guarantee that a child under
19 state or court supervision who receives Medicaid will continue to
20 receive Medicaid with no break in coverage if the child moves to
21 another county and remains under the supervision of the state or
22 court. The state or court supervision in this section may be
23 provided through public or private service providers.

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

1 during the current fiscal year for services provided in prior
2 fiscal years.

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

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

13 Sec. 510. The department, in conjunction with the legislature
14 and representatives from the counties and private child welfare
15 providers, shall carry out a work group to determine how the state
16 can best assist counties in providing performance-based community
17 programs for foster care and juvenile justice. By March 1, 2013,
18 the department shall provide to the senate and house appropriations
19 subcommittees on the department budget, the senate and house
20 standing committees on families and human services, and the senate
21 and house fiscal agencies and policy offices a report detailing the
22 work group findings.

23 Sec. 511. By February 1, 2013, the department, in conjunction
24 with the legislature and representatives from private providers,
25 state court administrators, and other interested parties, shall
26 carry out a work group to determine which statewide, standardized
27 assessment tools will be used for children in both the foster care

1 and juvenile justice systems, and the costs of implementing the
2 tools. The tools shall be used by the state, the private providers,
3 and the courts for all children under their supervision. By March
4 1, 2013, the department shall provide to the senate and house
5 appropriations subcommittees on the department budget, the senate
6 and house standing committees on families and human services, and
7 the senate and house fiscal agencies and policy offices a report
8 detailing the work group findings.

9 Sec. 512. The department shall conduct an analysis of expenses
10 in the child care fund at the county level. By March 1, 2013, the
11 department shall provide to the senate and house appropriations
12 subcommittees on the department budget, the senate and house
13 standing committees on families and human services, and the senate
14 and house fiscal agencies and policy offices a report detailing the
15 findings.

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

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

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

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

27 (d) The out-of-state facility meets all of the applicable

1 licensing standards of the state in which it is located.

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

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

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

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

23 (a) Statistical information including, at a minimum, all of
24 the following:

25 (i) The total number of reports of abuse or neglect
26 investigated under the child protection law, 1975 PA 238, MCL
27 722.621 to 722.638, and the number of cases classified under

1 category I or category II and the number of cases classified under
2 category III, category IV, or category V.

3 (ii) Characteristics of perpetrators of abuse or neglect and
4 the child victims, such as age, relationship, race, and ethnicity
5 and whether the perpetrator exposed the child victim to drug
6 activity, including the manufacture of illicit drugs, that exposed
7 the child victim to substance abuse, a drug house, or
8 methamphetamine.

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

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

16 (v) For the reported complaints of abuse or neglect by
17 teachers, school administrators, and school counselors, the number
18 of cases classified under category I or category II and the number
19 of cases classified under category III, category IV, or category V.

20 (vi) For the reported complaints of abuse or neglect by
21 teachers, school administrators, and school counselors, the number
22 of cases that resulted in separation of the child from the parent
23 or guardian and the period of time of that separation, up to and
24 including termination of parental rights.

25 (b) New policies related to children's protective services
26 including, but not limited to, major policy changes and court
27 decisions affecting the children's protective services system

1 during the immediately preceding 12-month period.

2 (c) The information contained in the report required under
3 section 8d(5) of the child protection law, 1975 PA 238, MCL
4 722.628d, on cases classified under category III.

5 (d) The department policy, or changes to the department
6 policy, regarding children who have been exposed to the production
7 or manufacture of methamphetamines.

8 Sec. 515. The department shall implement a pilot program in
9 Kent county in which all foster care and adoption services, except
10 for child protective services, shall be provided by private
11 agencies by September 30, 2013.

12 Sec. 516. The department shall prepare a report by county that
13 includes the number and percentage of foster care parents who were
14 successfully retained in the foster care program and compares
15 figures at the beginning of the fiscal year to the end-of-year
16 totals and provide the report by October 30, 2013 to the senate and
17 house appropriations subcommittees on the department budget, the
18 senate and house standing committees on families and human
19 services, and the senate and house fiscal agencies and policy
20 offices.

21 Sec. 517. The department shall conduct a work group on the
22 feasibility of implementing a dual-track child protective services
23 pilot program. By March 1, 2013, the department shall provide a
24 report on the findings of the work group to the senate and house
25 appropriations subcommittees on the department budget, the senate
26 and house standing committees on families and human services, and
27 the senate and house fiscal agencies and policy offices.

1 Sec. 518. From the amount appropriated in part 1,
2 \$2,674,700.00 shall be used to provide a 5% increase in the
3 administrative rate for private residential foster care and
4 juvenile justice facilities.

5 Sec. 519. The department shall permit any private agency that
6 has an existing contract with this state to provide foster care
7 services to be also eligible to provide treatment foster care
8 services.

9 Sec. 520. Any private child placing agency providing case
10 management and oversight services for a child placed in an in-home
11 foster care placement shall be required to continue providing these
12 services if the child moves to a residential facility placement.

13 Sec. 521. The department shall carry out a work group to
14 determine the efficacy of group home placements, as compared to
15 residential facilities, for foster care children. The work group
16 shall include successful transition back into the community after
17 such placements in its considerations. By March 1, 2013, the
18 department shall provide a report on the findings of the work group
19 to the senate and the house appropriations subcommittees on the
20 department budget, the senate and house standing committees on
21 families and human services, and the senate and house fiscal
22 agencies and policy offices.

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

1 (a) The average cost per recipient served.

2 (b) Measurable performance indicators.

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

6 (d) Monitored results.

7 (e) Innovations that may include savings or reductions in
8 administrative costs.

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

14 Sec. 532. (1) The department, in collaboration with
15 representatives of private child and family agencies, shall revise
16 and improve the annual licensing review process and the annual
17 contract compliance review process for child placing agencies and
18 child caring institutions. The improvement goals shall be safety
19 and care for children. Improvements to the review process shall be
20 directed toward alleviating administrative burdens so that agency
21 resources may be focused on children. The revision shall include
22 identification of duplicative staff activities and information
23 sought from child placing agencies and child caring institutions in
24 the annual review process. The department shall report to the
25 senate and house appropriations subcommittees on the department
26 budget, the senate and house fiscal agencies and policy offices,
27 and the state budget director on or before January 15 of the

1 current fiscal year on the findings of the annual licensing review.

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

6 Sec. 533. (1) The department shall make payments to child
7 placing facilities for in-home and out-of-home care services and
8 adoption services within 30 days of receiving all necessary
9 documentation from those agencies.

10 (2) The department shall establish a work group in conjunction
11 with private service providers to develop a plan to implement
12 electronic invoices and payments for all contracts with child
13 placing agencies.

14 (3) The department shall provide a report on the activities
15 under this section by March 1, 2013 for implementation in the
16 fiscal year ending September 30, 2014.

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

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

23 (b) The child needs re-placement and the child's permanency
24 goal is to be returned to his or her parents who at the time reside
25 out of the county or 75-mile radius.

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

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

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

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

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

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

24 Sec. 540. For children who are under state or court
25 supervision in an out-of-home placement and are prescribed
26 psychotropic medication, if the placement administration determines
27 that the medication should change, the department shall make a

1 determination on the change within 30 days of the request.

2 Sec. 546. (1) From the money appropriated in part 1 for foster
3 care payments and from child care fund, the department shall pay
4 providers of foster care services not less than a \$40.00
5 administrative rate.

6 (2) From the funds appropriated in part 1 for foster care
7 payments and from child care fund, the department shall pay
8 providers of general independent living services not less than a
9 \$30.00 administrative rate.

10 (3) From the money appropriated in part 1, the department
11 shall reinstate the specialized independent living services
12 administrative rate to levels that were in place for the fiscal
13 year ending September 30, 2011.

14 Sec. 556. (1) From the money appropriated in part 1 for
15 adoption subsidies, \$2,000,000.00 shall be used to fund a program
16 that would allow adoptive parents up to 1 year after an adoption
17 has been finalized to submit a request to revise the determination
18 of care supplement for an adopted child who has previously existing
19 special needs or request a new determination.

20 (2) The department shall provide an annual report to the
21 subcommittees of the senate and house appropriations committees on
22 the department budget with the number of complaints filed by
23 adoptive parents who were not notified that their adopted child had
24 special needs.

25 Sec. 574. (1) From the money appropriated in part 1 for foster
26 care payments, \$2,500,000.00 is allocated to support contracts with
27 child placing agencies to facilitate the licensure of relative

1 caregivers as foster parents. Agencies shall receive \$2,300.00 for
2 each facilitated licensure. The agency facilitating the licensure
3 would retain the placement and continue to provide case management
4 services for at least 50% of the newly licensed cases for which the
5 placement was appropriate to the agency. Up to 50% of the newly
6 licensed cases would have direct foster care services provided by
7 the department.

8 (2) From the money appropriated for foster care payments,
9 \$375,000.00 is allocated to support family incentive grants to
10 private and community-based foster care service providers to assist
11 with home improvements or payment for physical exams for applicants
12 needed by foster families to accommodate foster children.

13 Sec. 578. (1) The department and child placing agencies shall
14 utilize a standardized assessment tool to ensure greater
15 cooperation between the department and the department of community
16 health and to measure the mental health treatment needs of every
17 child supervised by the department. The department shall use the
18 results of this assessment process to determine the best placement
19 and the best mental health services to be provided for the child
20 while under department supervision.

21 (2) The department shall track the number and percentage of
22 children who received both a physical and mental health assessment
23 before placement in the foster care and juvenile justice systems
24 and provide quarterly reports to the senate and house
25 appropriations subcommittees on the department budget, the senate
26 and house standing committees on families and human services, and
27 the senate and house fiscal agencies and policy offices on the

1 number and percentage of children who received the assessments.

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

12 Sec. 583. By February 1 of the current fiscal year, the
13 department shall implement the recommendations of the work group
14 conducted in the fiscal year ending September 30, 2012 to determine
15 what caused individuals participating as foster parents during the
16 previous fiscal year to drop out of the program. The department
17 shall provide to the senate and house appropriations subcommittees
18 on the department budget, the senate and house standing committees
19 on families and human services, and the senate and house fiscal
20 agencies and policy offices a report detailing the department's
21 progress in implementing the recommendations.

22 Sec. 585. (1) The department shall allow private nationally
23 accredited foster care and adoption agencies to conduct their own
24 staff training, based on current department policies and
25 procedures, provided that the agency trainer and training materials
26 are accredited by the department and that the agency documents to
27 the department that the training was provided. The department shall

1 provide access to any training materials requested by the private
2 agencies to facilitate this training.

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

10 Sec. 588. (1) Concurrent with public release, the department
11 shall transmit all reports from the court-appointed settlement
12 monitor, including, but not limited to, the needs assessment and
13 period outcome reporting, to the state budget office, the senate
14 and house appropriations subcommittees on the department budget,
15 and the senate and house fiscal agencies, without revision.

16 (2) The department shall report quarterly to the state budget
17 office, the senate and house appropriations subcommittees on the
18 department budget, and the senate and house fiscal agencies, on the
19 number of children enrolled in the guardianship assistance and
20 foster care - children with serious emotional disturbance waiver
21 programs.

22 Sec. 589. From the money appropriated in part 1 to facilitate
23 the transfer of foster care cases currently under department
24 supervision from department supervision to private child placing
25 agency supervision, the department shall not transfer any foster
26 care cases that require a county contribution to the private agency
27 administrative rate.

1 **PUBLIC ASSISTANCE**

2 Sec. 601. Whenever a client agrees to the release of his or
3 her name and address to the local housing authority, the department
4 shall request from the local housing authority information
5 regarding whether the housing unit for which vrending has been
6 requested meets applicable local housing codes. Vrending shall be
7 terminated for those units that the local authority indicates in
8 writing do not meet local housing codes until such time as the
9 local authority indicates in writing that local housing codes have
10 been met.

11 Sec. 602. The department shall conduct a work group to
12 determine the feasibility of providing direct payments or vouchers
13 to landlords for rent on behalf of family independence program
14 recipients in accordance with federal regulations. By March 1,
15 2013, the department shall provide a report detailing the work
16 group findings to the senate and house appropriations subcommittees
17 on the department budget, the senate and house standing committees
18 on families and human services, and the senate and house fiscal
19 agencies and policy offices.

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

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

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

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

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

16 (a) A recipient of supplemental security income, social
17 security, or medical assistance due to disability or 65 years of
18 age or older.

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

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

26 (d) A person receiving 30-day postresidential substance abuse
27 treatment.

1 (e) A person diagnosed as having acquired immunodeficiency
2 syndrome.

3 (f) A person receiving special education services through the
4 local intermediate school district.

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

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

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

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

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

1 (4) A refugee or asylee who loses his or her eligibility for
2 the federal supplemental security income program by virtue of
3 exceeding the maximum time limit for eligibility as delineated in 8
4 USC 1612 and who otherwise meets the eligibility criteria under
5 this section shall be eligible to receive benefits under the state
6 disability assistance program.

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

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

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

27 (2) The department may use supplemental security income

1 recoveries to satisfy the deduct in any line in which the revenues
2 are appropriated, regardless of the source from which the revenue
3 is recovered.

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

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

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

26 (2) For purposes of determining housing affordability
27 eligibility for state emergency relief, a group is considered to

1 have sufficient income to meet ongoing housing expenses if their
2 total housing obligation does not exceed 75% of their total net
3 income.

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

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

10 (5) State emergency relief payments for rent assistance shall
11 be distributed directly to landlords and shall not be added to
12 Michigan bridge cards.

13 Sec. 611. The department shall conduct a work group to
14 determine whether recipients of public benefits through the food
15 assistance program and family independence program should attend at
16 least 1 annual, in-person meeting with a caseworker at a local
17 field office to receive benefits. By March 1, 2013, the department
18 shall provide a report detailing the work group findings to the
19 senate and house appropriations subcommittees on the department
20 budget, the senate and house standing committees on families and
21 human services, and the senate and house fiscal agencies and policy
22 offices.

23 Sec. 612. The department shall implement an asset test as part
24 of the eligibility determination for applicants and existing
25 recipients of the refugee assistance program medical benefits.

26 Sec. 613. The department shall provide reimbursements for the
27 final disposition of indigent persons if the deceased's remains

1 have not been claimed by a person having the right to control the
2 disposition of the body regardless of whether there is no person
3 with that right, the person cannot be located, or the person fails
4 or refuses to exercise that right. The maximum allowable
5 reimbursement for the final disposition shall be \$800.00. In
6 addition, reimbursement for a cremation permit fee of up to \$75.00
7 and for mileage at the standard rate will also be made available
8 for an eligible cremation. The reimbursements under this section
9 shall be used for disposal by cremation unless the deceased's
10 expressed religious preference prohibits cremation.

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

18 Sec. 616. The department shall require retailers that
19 participate in the electronic benefits transfer program to charge
20 no more than \$2.50 in fees for cash back as a condition of
21 participation.

22 Sec. 617. The department shall prepare a report on the number
23 and percentage of public assistance recipients, categorized by type
24 of assistance received, who were no longer eligible for assistance
25 because of their status in the law enforcement information network
26 and provide the report by October 1, 2013 to the senate and house
27 appropriations subcommittees on the department budget, the senate

1 and house standing committees on families and human services, and
2 the senate and house fiscal agencies and policy offices.

3 Sec. 618. The department shall realign its expenditures so
4 that the multicultural integration funding line item is entirely
5 funded using federal money and no money from the general fund.

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

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

15 (b) An authorized representative shall be required for food
16 assistance receipt.

17 Sec. 620. (1) The department shall establish a work group to
18 explore if privatization of Medicaid eligibility determination
19 would lead to increased efficiencies and budgetary savings. The
20 work group shall include, but not be limited to, the department and
21 members of the legislature.

22 (2) By March 1, 2013, the department shall provide a report on
23 the findings of the work group under subsection (1) to the senate
24 and house appropriations subcommittees on the department budget,
25 the senate and house standing committees on families and human
26 services, and the senate and house fiscal agencies and policy
27 offices.

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

16 Sec. 645. An individual or family is considered homeless, for
17 purposes of eligibility for state emergency relief, if living
18 temporarily with others in order to escape domestic violence. For
19 purposes of this section, domestic violence is defined and verified
20 in the same manner as in the department's policies on good cause
21 for not cooperating with child support and paternity requirements.

22 Sec. 653. From the funds appropriated in part 1 for food
23 assistance, an individual who is the victim of domestic violence
24 and does not qualify for any other exemption may be exempt from the
25 3-month in 36-month limit on receiving food assistance under 7 USC
26 2015. This exemption can be extended an additional 3 months upon
27 demonstration of continuing need.

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

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

14 Sec. 672. (1) The department's office of inspector general
15 shall report to the senate and house of representatives
16 appropriations subcommittees on the department budget, the senate
17 and house fiscal agencies, and the senate and house policy offices
18 by May 1 of the current fiscal year on department efforts to reduce
19 inappropriate use of Michigan bridge cards. The department shall
20 provide information on the number of recipients of services who
21 used their electronic benefit transfer card inappropriately and the
22 current status of each case, the number of recipients whose
23 benefits were revoked, whether permanently or temporarily, as a
24 result of inappropriate use, and the number of retailers that were
25 fined or removed from the electronic benefit transfer program for
26 permitting inappropriate use of the cards.

27 (2) As used in this section, "inappropriate use" means not

1 used to meet a family's ongoing basic needs, including food,
2 clothing, shelter, utilities, household goods, personal care items,
3 and general incidentals.

4 Sec. 673. (1) The department shall immediately send
5 notification to a client participating in the state child
6 development and care program and his or her child care provider if
7 the client's eligibility is reduced or eliminated.

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

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

17 Sec. 677. The department shall establish a state goal for the
18 percentage of family independence program (FIP) cases involved in
19 employment activities. The percentage established shall not be less
20 than 50%. On a quarterly basis, the department shall report to the
21 senate and house appropriations subcommittees on the department
22 budget, the senate and house fiscal agencies and policy offices,
23 and the state budget director on the current percentage of FIP
24 cases involved in JET employment activities and an estimate of the
25 current percentage of FIP cases that meet federal work
26 participation requirements.

27 Sec. 686. (1) The department shall ensure that program policy

1 requires caseworkers to confirm that individuals presenting
2 personal identification issued by another state seeking assistance
3 through the family independence program, food assistance program,
4 state disability assistance program, or medical assistance program
5 are not receiving benefits from any other state.

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

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

13 (4) The department shall require caseworkers to obtain an up-
14 to-date telephone number during the eligibility determination or
15 redetermination process for individuals seeking medical assistance
16 benefits. On a monthly basis, the department shall provide the
17 department of community health an updated list of telephone numbers
18 for medical assistance recipients.

19 Sec. 696. From the money appropriated in part 1, the
20 department shall allocate \$100,000.00 to the Chaldean community
21 foundation. This money shall be utilized to provide translation
22 services, health care services, youth tutoring and mentoring
23 programs, and refugee resettlement services.

24 JUVENILE JUSTICE SERVICES

25 Sec. 705. Counties shall not be charged more than 40% of the
26 per diem costs to place children under court or state supervision

1 in a state-run, secure juvenile justice facility.

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

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

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

23 (2) The department shall provide a report on the number of
24 counties that fail to submit a service spending plan by October 1
25 of the current fiscal year. The report shall be submitted to the
26 house and senate appropriations subcommittees on the department
27 budget, the house and senate fiscal agencies, and the house and

1 senate policy offices by December 15 of the current fiscal year.

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

7 Sec. 717. (1) The department shall contract using private
8 revenues with a nonprofit corporation established by the department
9 of community health to plan, promote, and coordinate health
10 services research with a public university or a consortium of
11 public universities within the state to conduct a behavioral health
12 study of juvenile justice facilities operated or contracted for by
13 the state. The study shall utilize diagnostic clinical interviews
14 with and records reviews for a representative random sample of
15 juvenile justice system detainees to develop a report on each of
16 the following:

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

25 (b) The proportion of juvenile justice detainees with a
26 primary diagnosis of addiction disorder, the percentage of those
27 detainees considered to currently require substance abuse

1 treatment, and the proportion of those detainees currently
2 receiving substance abuse services, including a description and
3 breakdown, encompassing, at a minimum, the categories of
4 residential and outpatient care, of the type of substance abuse
5 services provided to those detainees.

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

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

23 (e) Data indicating whether and with what frequency juvenile
24 justice detainees with a primary diagnosis of emotional disorder, a
25 primary diagnosis of addiction disorder, and a dual diagnosis of
26 emotional disorder and addiction disorder have been detained
27 previously. These data shall be broken down according to each of

1 these 3 respective categories.

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

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

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

20 Sec. 719. The department shall notify the legislature at least
21 30 days before closing or making any change in the status,
22 including the licensed bed capacity and operating bed capacity, of
23 a state juvenile justice facility.

24 Sec. 724. (1) The department shall establish a work group to
25 study the feasibility of contracting out operation of the W.J.
26 Maxey training school to a private nonprofit child caring
27 institution that is nationally accredited and licensed in this

1 state. The work group shall include, but not be limited to, the
2 department, members of the house and senate appropriations
3 subcommittees on the department budget, and representatives of 2
4 statewide organizations whose members consist of private nonprofit
5 child caring institutions.

6 (2) By March 1, 2013, the department shall provide a report on
7 the findings of the work group under subsection (1) to the senate
8 and house appropriations subcommittees on the department budget,
9 the senate and house standing committees on families and human
10 services, and the senate and house fiscal agencies and policy
11 offices.

12 **LOCAL OFFICE SERVICES**

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

19 Sec. 753. By January 1, 2012, the department shall implement
20 the recommendations of the 2004 public private partnership
21 initiative's training committee to define, design, and implement a
22 train-the-trainer program to certify private agency staff to
23 deliver child welfare staff training, explore the use of e-learning
24 technologies, and include consumers in the design and
25 implementation of training. The intent of the legislature is to
26 reduce training and travel costs for both the department and the

1 private agencies. The department shall report no later than
2 December 1 of the current fiscal year on each specific policy
3 change made to implement enacted legislation and the plans to
4 implement the recommendations, including timelines, to the senate
5 and house appropriations subcommittees on the department budget,
6 the senate and house standing committees on human services matters,
7 the senate and house fiscal agencies and policy offices, and the
8 state budget director.

9 **CHILD SUPPORT ENFORCEMENT**

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

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

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

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

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

1 legislature.

2 (6) If the child support incentive payment to the state from
3 the federal government is less than \$26,500,000.00, then the state
4 and county share shall each be reduced by 50% of the shortfall.

5 Sec. 909. (1) If statewide retained child support collections
6 exceed \$38,300,000.00, 75% of the amount in excess of
7 \$38,300,000.00 is appropriated to legal support contracts. This
8 excess appropriation may be distributed to eligible counties to
9 supplement and not supplant county title IV-D funding.

10 (2) Each county whose retained child support collections in
11 the current fiscal year exceed its fiscal year 2004-2005 retained
12 child support collections, excluding tax offset and financial
13 institution data match collections in both the current year and
14 fiscal year 2004-2005, shall receive its proportional share of the
15 75% excess.

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

25 (2) The department shall notify the chairs of the house and
26 senate appropriations subcommittees on the department budget and
27 the house and senate fiscal agencies within 15 days of the

1 authorization adjustment in subsection (1).

2 PART 2A

3 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

4 FOR FISCAL YEAR 2013-2014

5 **GENERAL SECTIONS**

6 Sec. 1301. It is the intent of the legislature to provide
7 appropriations for the fiscal year ending on September 30, 2014 for
8 the line items listed in part 1. The fiscal year 2013-2014
9 appropriations are anticipated to be the same as those for fiscal
10 year 2012-2013, except that the line items will be adjusted for
11 changes in caseload and related costs, federal fund match rates,
12 economic factors, and available revenue. These adjustments will be
13 determined after the January 2013 consensus revenue estimating
14 conference.