



ARIZONA STATE SENATE
Fifty-Second Legislature, Second Regular Session

FACT SHEET FOR S.B. 1536

human services; budget reconciliation; 2016-2017

Purpose

Makes statutory and session law changes related to human services to reconcile the FY 2017 state budget.

Background

The Arizona Constitution prohibits substantive law from being included in the general appropriations, capital outlay appropriations and supplemental appropriations bills. However, it is often necessary to make statutory and session law changes to effectuate the budget. Thus, separate bills called budget reconciliation bills (BRBs) are introduced to enact these provisions. Because BRBs contain substantive law changes, the Arizona Constitution provides that they become effective on the general effective date, unless an emergency clause is enacted.

Provisions

Spending Authority

1. Allows the Department of Child Safety (DCS), retroactive to July 1, 2015, to use \$3.8 million from monies allocated to DCS from the State Lottery Fund for in-home preventive support services in FY 2016.
2. Prohibits the Department of Economic Security and DCS, retroactive to July 1, 2015, from spending any federal TANF block grant monies in FY 2016, in excess of \$218,728,100 unless either department receives a supplemental appropriation in FY 2016. Does not reduce the General Fund appropriations for either department in relation to any excess federal funds received.

Department of Economic Security (DES)

Child Care and Cash Assistance

3. Continues DES's ability in FY 2017 to reduce maximum income eligibility levels for child care assistance in order to manage within available monies and continues the requirement that DES notify JLBC within 15 days of making such a change.
4. Continues requiring DES in FY 2017 to screen and test adult TANF Cash Assistance recipients who DES has reasonable cause to believe use controlled substances illegally and renders recipients who test positive for a non-prescribed controlled substance ineligible for benefits for one year.

Developmental Disability Group Homes

5. Requires DES, beginning November 1, 2016, to annually submit an update of plans for the Arizona Training program and associated group homes to the Joint Legislative Budget Committee (JLBC) for review, including a potential time table for the closure of any facilities, a timeline for the complete transition of current residents to new settings and the estimated fiscal impact.
6. Requires DES to include in the estimated fiscal impact above, an estimate of the costs to:
 - a) maintain existing service levels for transitioning residents;
 - b) build capacity in the community to support transitioning residents;
 - c) provide enhanced and independent monitoring and oversight of each new placement; and
 - d) provide protection and advocacy services and medical and behavioral health care support for transitioning residents.
7. Requires DES to do the following for each resident affected and the person's legal guardian:
 - a) before submitting its initial update to JLBC, send written notice of the intention to develop person-centered service plans to identify potential residential settings and in-home service options based on individual needs and personal choices; and
 - b) conduct individual meetings regarding the transition process and provide a list of potential residential settings and in-home service options.
8. Requires final decisions regarding residential placements and services for residents affected be based on person-centered plans, individual assessed needs and individual preferences.

Department of Child Safety (DCS)

9. Requires DCS, retroactive to July 1, 2016, to:
 - a) review the implementation of new foster home licensing rules, guidelines and checklists;
 - b) review the cases in which a foster home license was denied;
 - c) hold public meetings on implementation of new licensing rules, guidelines and checklists;
 - d) identify any modifications required in licensing rules, guidelines or checklists; and
 - e) provide a report of the findings from the above to the Speaker of the House of Representatives and the President of the Senate on or before December 31, 2016.
10. Repeals the review requirement above on October 1, 2017.
11. Continues both the requirement that DCS establish a mechanism to direct complaints to the Office of Ombudsman-Citizens Aide and the Ombudsman-Citizens Aide's authority to refer DCS matters to the Presiding Judge of the Superior Court after investigating a complaint, until June 30, 2018, retroactive to July 1, 2016.
12. Requires DCS and the Early Childhood Development and Health Board (First Things First) to jointly report to JLBC on collaborative efforts to address child welfare, including the level of coordination among DCS, First Things First and community groups to promote the well-being of children and families identified in reports of abuse and neglect, by February 1, 2017.

Auditor General Reports

13. Requires the Auditor General to provide the following reports concerning DCS:
 - a) an *administrative staffing* report that evaluates the reasonability of current administrative staffing levels and compares these with other state agencies and best practices and addresses DCS's staffing analysis processes, to be submitted by February 1, 2017; and
 - b) a *recruiting, training, retention and use of staff* report that reviews current practices in these areas in regard to mission critical child safety staff compared to other states and best practices and that determines the availability of services and use of supportive practices for caseworkers, to be submitted by September 30, 2017;

14. Requires the Auditor General to provide an evaluation of DCS's substance abuse treatment program *Families F.I.R.S.T.* (FIRST) to be submitted by March 31, 2018 that:
 - a) compares FIRST to other states' practices and best practices, including the use of interventions listed in the California evidence-based clearinghouse for child welfare;
 - b) examines the role of recovery coaches, halfway houses, transportation, counseling, drug testing, housing assistance and other services;
 - c) examines the prevalence of waiting lists or other barriers to treatment for parents of children in out-of-home care or who receive in-home preventive support services; and
 - d) recommends improvements.

15. Requires the Auditor General to provide the reports above to the Governor, the Speaker of the House of Representatives, the President of the Senate and the Directors of JLBC and the Governor's Office of Strategic Planning and Budgeting.

Miscellaneous

16. Makes technical and conforming changes.

17. Becomes effective on the general effective date, with specific retroactive provisions as noted.

Prepared by Senate Research

April 26, 2016

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