

Budget Note:

The Oregon Health Authority will report to the Emergency Board in September 2014 on plans to appoint a state dental director as part of the agency's 2015-17 budget request. The report will include a position description outlining the duties of this position and the estimated costs to fill the position.

Central and Shared Services/Statewide Assessments and Enterprise-wide Costs

The budget adjustments included in House Bill 5201 reflect net decreases of \$7.3 million General Fund, \$3.6 million Other Funds limitation and \$81.9 million Federal Funds limitation.

The reductions in these budgets are primarily the result of transferring the budget and staff from the Office of Health Policy and Research and the new Transformation Center, both currently in Central Services, over to the new Health Policy Programs. These actions are included in the rebalance. The Subcommittee approved a restoration of \$1.8 million, or all of the 2% supplemental ending balance holdback that was included in the legislatively adopted budget.

An updated Package 091 Statewide Administrative Savings was approved in which a portion of the agency's reduction was moved from services and supplies to personal services. These reductions are all in Shared Services, which for OHA are the information technology services provided to both OHA and the Department of Human Services. One of the strategies for efficiencies is to do more projects with agency staff, rather than hiring contractors to perform the work at a higher price. The agency also expects to reduce expenditures related to mainframe printing by working with recipients to see which reports are still used. There are also opportunities to standardize software tools and reduce the amount of annual maintenance and support required.

Department of Human Services

The Department of Human Services (DHS) 2013-15 budget is organized through eight budget structures and five appropriations. The budget structures reflect five direct program areas (Self Sufficiency, Child Welfare, Vocational Rehabilitation, Aging and People with Disabilities, and Developmental Disabilities) and three program support functions (Central, Shared Services, and State Assessments and Enterprise-wide Costs). In addition, the agency's rebalance plan approved by the Subcommittee as part of House Bill 5201 adds a new program structure – Program Design Services – to consolidate and better capture cross-program work, such as licensing and regulatory oversight. The funding and position transfers from the programs to the new structure drive decreases in program budgets that net out across the agency; these should not be confused with program reductions.

Setting aside statewide budget issues, the agency's rebalance plan, which was presented at the January 2104 meeting of the Interim Joint Committee on Ways and Means, generates a net savings of \$0.5 million General Fund. This net positive position reflects both costs and savings tied to agency caseloads, costs per case, and a slightly higher federal percentage for FMAP eligible costs. It also accounts for new program funding gaps identified since the 2013 session, including \$2.2 million General Fund needed to avoid going to a wait list for Vocational Rehabilitation services and \$1.9 million General Fund to cover a 6% interim rate increase for employment services providers in the Developmental Disabilities program.

The rebalance plan also contains several technical adjustments/transfers within the agency and between DHS and the Oregon Health Authority. Internal DHS changes, mostly tied to allocating costs and budget with more precision than was used during budget development, net to zero. There is a net increase of \$1.8 million General Fund in the DHS budget due to the realignment of costs between DHS and OHA associated with mental health facility development and outreach services; changes between the two agencies net to zero.

In addition to rebalance adjustments, the Subcommittee approved a direct restoration of \$11.4 million General Fund withheld in the legislatively adopted budget for the 2% supplemental ending balance; this represents 25% of the holdback amount. Through the use of one-time revenues in both OHA and DHS, including \$3.3 million Federal Funds in bonus revenue received under the Supplemental Nutrition Assistance Program (SNAP) and \$15.0 million Federal Funds in Temporary Assistance for Needy Families (TANF) carryforward revenue, the remaining holdback of \$34.2 million General Fund was covered. The Subcommittee did not make any program reductions, but budget risks do remain. These include changes to caseloads, final sequestration actions, potential federal penalties, litigation and other legal costs, and federal rule changes affecting home care workers.

The Subcommittee approved several other changes (additions) beyond the rebalance and statewide actions. The most significant of these is a series of investments totaling \$8.3 million General Fund (\$9.4 million total funds), which is sourced by \$26 million General Fund set aside side for senior programs during the 2013 Special Session. Overall, House Bill 5201 increased the agency's budget by \$66.8 million General Fund, \$27.0 million Other Funds, and \$125.4 million total funds, or about 2.4% overall. The net change to positions is an increase of 1 position and a decrease of 3.49 FTE, which reflects a mix of phase-ins, position eliminations, and classification changes.

A more detailed description of each program area follows. For context regarding caseload changes, the 2013-15 legislatively adopted budget was based on the spring 2013 caseload forecast; the rebalance adjustments in House Bill 5201 factor in caseload and cost changes tied to the fall 2013 forecast, published in December 2013.

Self Sufficiency

The budget adjustments approved by the Subcommittee for the Self Sufficiency (SS) program reflect net decreases of \$19.8 million General Fund, \$13.1 million Other Funds limitation, \$7.4 million Federal Funds limitation, and 77 positions (77.00 FTE).

Rebalance adjustments account for projected growth of about 3% in the overall 2013-15 SNAP caseload from the previous forecast. Embedded in the net increase is a decrease in the number of SS households receiving SNAP, while the number of Aging and People with Disabilities households receiving SNAP continues to grow. Caseloads in the TANF cash assistance programs are down 1% from the spring numbers, at a biennial average of 33,591 families. Overall caseload savings of \$1.0 million General Fund are included in the agency's rebalance calculation. Budget and program risks for these economically-sensitive caseloads include final structure of the SNAP program upon federal reauthorization, growth in participating households associated with increased Medicaid enrollments under the Affordable Care Act, and possible extension of unemployment benefits.

To support implementation of a new program structure, Program and Design Services (PDS), \$9.4 million total funds and 75 positions (75.00 FTE) are transferred out of SS and into PDS. Technical adjustments and transfers account for a decrease of \$44.9 million total funds and 2

positions (2.00 FTE); the largest portion is \$33.4 million totals funds associated with moving the budget for the Modernization project from SS to the Office of IT Business Supports, which is part of the new PDS budget structure.

The Subcommittee approved use of \$18.3 million in one-time federal revenues (SNAP bonus and TANF carryforward) to help fully restore the 2% holdback. Another change outside the agency's rebalance plan is a one-time investment of \$200,000 General Fund to support nutritional programs. Half of the money will help increase the number of summer and after-school food sites by at least 50 over the next year through offering technical assistance and implementing practices to help sustain programs into the futures. The other half, which will be matched with \$100,000 in federal dollars, will be used to help seniors and other eligible groups or individuals with low participation rates access SNAP benefits, update online tools, and develop client education materials around protecting benefit cards.

An increase of \$2,200,000 Other Funds expenditure limitation was also approved by the Subcommittee and should allow the Employment Related Day Care (ERDC) program to achieve an average monthly caseload of 8,500 over the last 12 months of the biennium. One-time funding to support this increase is available due to a higher than anticipated amount of Child Care Development Fund (CCDF) carryforward revenue from the 2011-13 biennium. While the budget continues to be inadequate to meet program needs – there are currently over 800 families on the waiting list – the Legislature is committed to improving program effectiveness and flexibility within available resources. With this goal in mind, the Subcommittee adopted the following budget note:

Budget Note:

The Oregon Department of Education - Early Learning Division's Office of Child Care and the Department of Human Services will convene a workgroup of stakeholders to develop a set of policy recommendations on how best to modify the ERDC program to provide child care subsidies to working parents enrolled in post-secondary higher education. The agencies will report these recommendations back to the Emergency Board in May 2014; the expectation is that rulemaking to implement legislatively approved changes would follow soon after. Program elements to address within the recommendations should include eligibility criteria, work hour requirements, school attendance verification, academic standing expectations, limitations on assistance, TANF leavers, families having children with special needs, program exit income limits, child care quality, data reporting, caseload priorities, and program evaluation.

Child Welfare

The budget adjustments approved by the Subcommittee for the Child Welfare (CW) program reflect an increase of \$16.5 million General Fund, a decrease of \$1.6 million Other Funds limitation, an increase of \$5.2 million Federal Funds limitation, and a decrease of 18 positions (18.00 FTE).

While forecasts for individual CW caseloads have fluctuated between the spring and fall forecasts, these changes did not drive any budget adjustments. The rebalance does include savings from a change in the Federal Medical Assistance Percentage (FMAP), decreasing General Fund need by \$0.9 million. Based on the latest federal estimates, the 2013-15 biennial average FMAP rate will increase from 63.06% to 63.40%, which reduces the state contribution percentage. This change also affects other agency programs.

The approved budget adjustments include \$0.3 million General Fund to correct an error made in 2013-15 budget development. In the agency's 2011-13 budget, a one-time revenue source (federal grant) was used to sustain the post-adoptions program. However, the one-time action was not

reversed as planned. A portion of the FMAP General Fund savings is used to cover the oversight and maintain the program at the 2013-15 legislatively adopted level. Also included is spending authority and eight limited duration positions (8.00 FTE) to support work under a federal grant. DHS received legislative approval to apply for the grant, which supports recruiting resource families for foster children, in May 2013.

To support the new program structure, Program and Design Services (PDS), \$4.0 million total funds and 26 positions (16.00 FTE) are transferred out of CW and into PDS. Technical adjustments and transfers account for an increase of \$1.7 million total funds for this program.

The Subcommittee added \$800,000 General Fund to establish necessary legal, financial, and administrative foundations to launch a Pay for Prevention effort in Oregon. The money will go to the Center for Evidence-Based Policy at OHSU for conducting economic research, developing provider capacity, and building a performance measurement, accounting and reporting system. The ultimate goal of the initiative is to identify young children most at-risk, implement evidence-based supports designed to achieve specific outcomes, and invest in performance-based contracting that links payment to outcomes through social impact financing. The Subcommittee approved the following budget note related to the project:

Budget Note:

By January 1, 2015, the Office of the Governor and the Center for Evidence-Based Policy at OHSU will jointly report to the Human Services Subcommittee of the Emergency Board on how the Pay for Prevention money is being spent and project progress. In addition, OHSU shall solicit independent review from a panel of experts on key components of project as it is developed. The report will include a summary of the independent panel's assessment of the project, including project design, research validity, and project viability.

Vocational Rehabilitation

The Subcommittee approved budget adjustments for Vocational Rehabilitation (VR) equating to increases of \$3.6 million General Fund, \$6,703 Other Funds limitation, \$3.0 million Federal Funds limitation, and 10 positions (8.80 FTE).

The fall forecast projects caseload to be about 2% lower than the spring estimate. Any savings associated with fewer clients is masked by higher than expected costs per case, which have grown by about 5% from the spring 2013 forecast. Cost drivers include higher expenses for some services, such as technology devices for communication and mobility, and new referrals having needs more complex or costly to support than existing clients.

To maintain the program and cover these costs without moving to an Order of Selection (priority wait list), the budget approved by the Subcommittee includes an additional \$2.2 million General Fund. The extra state dollars will have implications for future Maintenance of Effort (MOE) requirements. No additional federal dollars are available at this time; there is a slight possibility re-allotment funds could be accessed later in the biennium to reduce General Fund and MOE impacts.

Technical adjustments and transfers account for an increase of \$2.7 million total funds and 10 positions (8.80 FTE); the bulk of the dollars and the positions are associated with moving work tied to the Governor's Executive Order 13-04 (employment services) from Developmental Disabilities to VR.

Aging and People with Disabilities

The budget adjustments approved by the Subcommittee in House Bill 5201 for the Aging and People with Disabilities (APD) program reflect an increase of \$12.2 million General Fund, a decrease of \$6.8 million Other Funds limitation, a decrease of \$4.0 million Federal Funds limitation, and a decrease of 78 positions (82.25 FTE).

Overall caseloads in long-term care facilities are down about 3% from the level funded in the legislatively adopted budget. In-home caseloads are just over 8% higher than budgeted, while both community-based facilities' and nursing facilities' caseloads are lower, by about 10% and 2%, respectively. After costs associated with higher acuity levels and lower than expected provider tax revenues, these changes drive a net savings of \$4.0 million General Fund. In addition to the caseload savings, APD also has \$6.6 million General Fund in savings due to the FMAP change noted previously.

While the caseload trends are consistent with APD policy goals, the Department is concerned that it may be too early in the biennium to safely capture and repurpose the associated savings. Risks include the implementation of the K Plan and the initiative to reduce nursing facility bed capacity.

To support creation of the new program structure, \$15.6 million total funds and 85 positions (85.00 FTE) are transferred out of APD and into PDS. Technical adjustments and transfers account for an increase of \$4.8 million total funds for this program and mostly consist of a net \$4.7 million total funds increase realigning budgets between APD and OHA (Addictions and Mental Health).

In addition to the rebalance changes and statewide adjustments, this program was significantly impacted by the Subcommittee's approval of funding for several senior programs or initiatives, including two pieces of legislation. While APD is not always the directed recipient or primarily participant in these projects, the bulk of the money does flow through DHS and the program has a key role in coordinating activities and reporting. The following section discusses the funding decisions and associated expectations.

Recommendations for 2013 Special Session \$26 million Special Purpose Appropriation for Seniors

During the 2013 Special Session in September 2013, as part of HB 5101 (2013), \$26.0 million General Fund was set aside in a Special Purpose Appropriation (SPA) to the Emergency Board for Board for future distribution to programs or activities supporting seniors. Over the four months between that action and the 2014 Legislative Session, the Department worked with a group of stakeholders to develop a list of proposals for funding allocation.

The Subcommittee approved most of the requested projects; the remaining unallocated General Fund will stay in the Senior SPA for future distribution by the Emergency Board. The legislative intent is that the proposals currently unfunded will have first priority (i.e., portions of the SPA are set aside for these) in the next round of SPA allocations, which is likely to occur as soon as May 2014. Projects are also funded with the caveat that, for ongoing initiatives, overall 2015-17 costs should not exceed the initial 2013 Special Session revenue allocation of \$41 million plus standard inflation. This funding level restriction should be considered as the both the executive and legislative branches develop budgets for the 2015-17 biennium. In addition, some projects were approved as one-time expenditures and are generally not expected to roll forward; these programs have been identified as such in the following narrative. However, these programs' status as one-time expenditures may be evaluated for

ongoing status based on program development and the level of resources available in 2015-17. If included as ongoing, the program costs should be clearly identifiable within the 2015-17 budget build.

Funding recipients are expected to work with the Department of Human Services to provide to the Joint Committee on Ways and Means Subcommittee on Human Services during the 2015 Legislative Session a coordinated update on what was accomplished with these investments.

Projects or proposals brought forward for consideration for Senior SPA funding, along with the Subcommittee's recommendation are summarized in the table below. Subsequent narrative sections describe expectations regarding each project or proposal and next steps, including future allocations for projects for which funds are not being authorized at this time. For reference, summary item numbers 1 through 21 correspond in order to the consensus list developed by the Campaign for Oregon's Seniors & People with Disabilities; three other proposals were added as issues surfaced during the legislative session.

2013 Special Session \$26M Appropriation Allocation Recommendations

Item #	Item	Who	Request	Approved	Recommendation
1	Geriatric/disability/mental health and addiction specialists for each county	OHA - AMH	2,800,000	-	Hold; present plan in May
2	Senior mental health training	OHA - AMH	700,000	-	Hold; present plan in May
3	Enhance funding for elder and disabled transit services	ODOT	4,000,000	4,000,000	Fund
4	Geriatric medication competency training pilot	DHS - APD	1,600,000	1,600,000	Fund but require May report on RFP
5	Training on Alzheimer's/dementias	DHS - APD	450,000	450,000	Fund but require May report on RFP
6	Training for caregivers on challenging behaviors	DHS - APD	400,000	400,000	Fund but require May report on RFP
7	First responder training on Alzheimer's/dementias	DHS - APD	500,000	500,000	Fund but require May report on RFP
8	Increase access to caregiver training statewide	DHS - APD	350,000	350,000	Fund but require May report on RFP
9	Restoration of Quality Care Fund sweep	DHS - APD	1,000,000	1,000,000	Restore fund but report on spending plan
10	SB 1553 - Public Guardianship Program	LTCO	949,183	949,183	Fund
11	Re-establish annual reporting for long term care	DHS - APD	750,000	100,000	Partially fund; report back in May
12	Develop community based care capacity index	DHS - APD	750,000	100,000	Partially fund; report back in May
13	General Assistance study	DHS - APD	112,000	112,000	Fund
14	Collect/analyze data on via annual BRFSS report	OHA - PH	30,000	30,000	Fund
15	Cash Oregon Grant for technology upgrade	DHS - APD	150,000	150,000	Fund
16	Personal Incidental Fund (PIF) from \$30 to \$100 per month	DHS - APD	1,300,000	539,728	Fund at \$60 and start indexing
17	Initiate SB 870 to expand coverage for younger persons with disabilities	DHS - APD	3,000,000	-	Hold; present pilot plan in May
18	HB 4151 - Elder Abuse Task Force Recommendation	DHS - APD	149,365	149,365	Fund
19	Adult Protection Services Technology Investment	DHS - APD	1,000,000	-	Hold; pending business case and plan
20	AAAs - Replace Older Americans Act lost due to sequestration cuts	DHS - APD	2,500,000	-	Hold; pending actual awards/need
21	AAAs - Evidence based health promotion/disease prevention	DHS - APD	1,250,000	1,250,000	Fund
22	Senior Property Tax Deferral Hardship Fund (\$313,800)	DHS - APD	313,800	313,800	Fund
23	SB 1542 - Expand Home Care Registry to Private Payers	DHS - APD	1,281,297	1,281,297	Fund
24	Medford Senior Center Nutrition Program	DAS	20,000	20,000	Fund

Total **25,355,645** **13,295,373**

SPA Amount	26,000,000	26,000,000
SPA Remaining	644,355	12,704,627

Items #1 and #2 were not funded by the Subcommittee, pending a report to the May meeting of the Emergency Board. The current \$3.5 million General Fund (\$7.0 million total funds) proposal places geriatric and disability mental health and addiction specialists in all 36 county mental health programs, in order to improve services for older adults with mental illness. Behavioral health services for older adults rest in systems of care that are often times disconnected. These systems include Aging and People with Disabilities long term care, home health, Medicare (including Medicare Advantage plans) and community mental health programs. The geriatric specialist would focus on the coordination of these systems within their community to meet the behavioral health needs of older adults. In its report, the Oregon Health Authority will provide a more detailed plan for both the services and training components of the proposal. The report should include how to structure the program and how to best work with Coordinated Care Organizations, in both the short and long run, considering that these staff would service Medicare clients as well as those eligible for Medicaid. The report should also address the appropriate level of staffing in different areas of the state.

Item #3 was funded, adding \$4.0 million General Fund for senior and disabled transportation budgeted in the Department of Transportation (ODOT). The program distributes funds to counties, transit districts, and tribes that provide transportation services for older adults and persons with disabilities. This infusion brings total funding for the biennium to \$11.0 million, which is about 30% of the estimated need as evaluated in a 2010 study by Portland State University.

Items #4 through #8, at a total of \$3.3 million General Fund were approved on a *one-time* basis for the Department of Human Services to fund a broad scale Caregiver Training Initiative designed to provide consistent, standardized, and evidence-based training across all segments of the long term care services and supports (LTCSS) continuum. The growing population of seniors and people with disabilities requires a well-trained workforce and the development of additional community resources for both professional and family caregivers. Curriculum, trainings, and capacity development will be targeted in the following areas:

- Geriatric medication management and competency
- Alzheimer's disease and related dementias
- Challenging behaviors in non-dementia populations
- Specialized training for the public safety workforce on Alzheimer's and related dementias
- Enhanced training and access to caregiver trainings in underserved areas, populations and settings

DHS will issue a Request for Proposal (RFP) for organizations with the demonstrated experience, competency, expertise and ability to develop, coordinate and conduct trainings, curriculums and materials to reach all the intended audiences identified. Organizations will need to demonstrate the ability to work statewide with both private and public entities in the development, coordination and successful execution of this initiative. Programming should be aligned with current state policy initiatives.

The Subcommittee directed DHS to report back to the Emergency Board in May on the status of the RFP with the goal being for trainings to commence by July 2014.

For **Item #9**, the Subcommittee approved a *one-time* allocation of \$1.0 million General Fund, which allows Quality Care Fund resources to be directed back from general program expenditures to training, technical assistance, quality improvement initiatives and licensing activities. The fund's revenue comes from long-term care facility licensing fees and civil penalties. Prior to formally allocating Quality Care Fund dollars to projects or initiatives, the Department will report to the Emergency Board on the spending plan, the process used to decide on fund allocations,

and the overall plan for managing the fund going forward. This report will be provided in May 2014 in conjunction with the training RFP report discussed above.

Funding for **Item #10**, which was approved in the amount of \$949,183 General Fund, will support a new Public Guardian and Conservator program within the office of the Long Term Care Ombudsman (LTCC). The program is created with passage of SB 1553 (2014); more information on the program is included in the LTCO narrative.

Items #11 and #12 take care of two data and information reporting gaps in the Department of Human Services. The approved initial allocation of \$200,000 General Fund (\$100,000 per project) will allow DHS to develop a work plan and more precise costing for these projects before returning to request the remaining funding. The first project will restart annual Nursing Facility and Community Based Care utilization reports, which were discontinued in 2009 due to budget reductions. The second effort is around improving availability of quality information on community based care facilities, through development of a website that will contain information on facility location, type of care, vacancies and customer satisfaction.

An allocation of \$112,000 General Fund (**Item #13**) will allow the Department of Human Services, with stakeholder participation, to conduct a **one-time** study on and make recommendations for a program designed to provide temporary cash assistance to low-income, childless adults with disabilities (at a minimum). The Department will report the study results and program recommendations to the appropriate House and Senate policy committees and the Joint Committee on Ways and Means during the 2015 Legislative Session. The report should include, but not be limited to, data on special populations, such as homeless persons, veterans, and individuals nearing or on post-prison supervision, eligibility requirements, services offered, desired outcomes, cost avoidance, potential pilot projects, and a menu of program/funding options.

Item #14, funded at \$30,000 will go to the Oregon Health Authority (Public Health) to pay for collecting specialized data on cognitive data and caregiving under the Behavioral Risk Factor Surveillance System. These data are particularly important for the Oregon Chapter of the Alzheimer's Association and its efforts to advance research, to provide and enhance care and support, and to reduce the risk of dementia through the promotion of brain health.

The Subcommittee approved **Item #15**, at \$150,000 General Fund, which supports a grant to Cash Oregon to support the one-time purchase of new laptops for the AARP Tax Aide program. This is a volunteer program that helps low-income seniors prepare tax returns.

Each Medicaid nursing facility resident has a monthly allowance to cover personal incidental needs (**Item #16**); this amount has been set at \$30 per month for the last twenty years. The Subcommittee approved \$539,728 General Fund and \$952,472 Federal Funds for DHS to increase the amount to \$60 per month, effective July 2014. Beginning with the 2015-17 biennium, the Department is directed to begin indexing personal incidental fund increases in nursing facilities to annual increase percentages published by the social security administration. (The approved recommendation was modified from the original proposal, which requested an increase to \$100 without any indexing.)

For **Item #17**, the Subcommittee retained \$3.0 million General Fund within the SPA for distribution in May 2014, after DHS and stakeholders have brought forward a pilot project plan to make Oregon Project Independence services available to people with disabilities, as envisioned by SB 870 (2005). To provide more specific direction, the Subcommittee adopted the following budget note:

Budget Note:

The Department of Human Services shall develop a pilot project to expand Oregon Project Independence services to people with disabilities effective July 1, 2014. To meet this timeline, the Department will need to make emergency rules; that rulemaking will incorporate the feedback of appropriate stakeholders and advocates. Appropriate parties include, but are not limited to, the Oregon Association of Area Agencies on Aging and the Disability Services Advisory Councils. The pilot shall cover a regionally diverse area of Oregon, including both rural and metropolitan areas. The Department shall report on the pilot project plan, which should cover structure, outreach, evaluation, and budget components, and request release of SPA funds at the May 2014 meeting of the Emergency Board.

The Department of Human Services will study and report back to the appropriate 2015 legislative committees on the potential to transition Oregon Project Independence to a statewide, age neutral program that assesses and serves seniors and persons with physical disabilities based on need. This report will include cost projections for the expansion of services, projected caseloads and demographic distribution.

Funding for *Item #18*, which was approved in the amount of \$149,365 General Fund, \$118,680 Federal Funds, and two positions (1.34 FTE) supports work under HB 4151 (2014). This bill sets consistent timelines for investigations of elder abuse cases by DHS and directs the agency to adopt policies and guidelines for the development of an electronic database of abuse reports and to standardize investigation and reporting practices. A registry of persons working or seeking to work in elder care facilities will be implemented by January 1, 2015; the registry will augment the existing criminal background check system. One of the new positions will work with the standardized practices and protocols related to the abuse reporting and investigating components of the bill. The other one will be responsible for the registry work, including coordination with reporting facilities and development of registry rules.

Discussions regarding various systems and worker registries led the Subcommittee to adopt an associated budget note:

Budget Note:

The Department of Human Services will report to the Joint Committee on Ways and Means during the 2015 Legislative Session on the “ready to work” registry and associated rules required under HB 4151 (2014). The report should also include a section on the feasibility of developing a comprehensive (diverse care settings) and multipurpose (employment, referral, certification, background check, abuse) care worker registry, including potential efficiencies, benefits, costs, and barriers. Lastly, the report will provide an update on how administrative rule changes required by HB 3168 (2013) have reduced duplicative background check counts and decreased waiting times for applicants.

The Subcommittee did not fund *Item #19*, which is a DHS request for funding to begin developing a new system to manage adult protective services activities. At a minimum, the Department plans to finalize a system business case and explore opportunities for federal funding before returning the Emergency Board to report on the project’s progress and potentially request at least an initial allocation from the Senior SPA.

Item #20 is a request for \$2.5 million in state funding to backfill anticipated federal reductions in federal Older Americans Act dollars. Several programs administered by the local Area Agencies on Aging (AAA) are potentially affected by sequestration reductions. However, federal funding award letters have not yet been received and more recent information indicates that the shortfall may be much less than expected, if not completely mitigated. Accordingly, the Subcommittee did not allocate funds, but welcomes a SPA allocation request during the interim, depending on final federal awards and demonstrated need. Not taking action on potential sequester reductions at this time is also consistent with the approach taken in other areas of the DHS budget, where sequester impacts continue to remain an unfunded risk.

The Subcommittee approved **Item #21**, which provides \$1,250,000 General Fund to support statewide AAA efforts in the areas of Evidence Based Health Promotion and Disease Prevention. These programs serve individuals with long-term services and supports needs regardless of eligibility for entitlement programs. The money will be distributed through formula, with each region putting together a plan for that will include anticipated numbers of individuals served and outcomes.

To address back taxes for certain seniors who were allowed back into the senior property tax deferral program after being disqualified in 2011, the Subcommittee added \$313,800 General Fund (**Item #22**). The plan is for these *one-time* funds to flow through DHS to one or more Area Agencies on Aging to perform eligibility and authorize payments.

Funding for **Item #23**, which was approved in the amount of \$1,281,297 General Fund and five positions (1.41 FTE) supports work under SB 1542 (2014). This bill requires the Home Care Commission (budgeted within DHS) to administer a program enabling private payers to buy home care services from the Commission's home care registry. Currently, only individuals covered by Medicaid may hire caregivers through the registry. Under the program, the Commission will be responsible for a variety of tasks, including publicizing the registry, screening workers, setting standards, providing referrals, establishing rates, and paying wages. After General Fund pays for *one-time* start-up costs, the program will be self-supporting; the bill allows the Commission to set consumer rates at levels that support recovering up to 107% of program costs.

For **Item #24**, the Subcommittee approved \$20,000 General Fund in the DAS budget as a *one-time* pass-through to the Medford Senior Center to cover emergency need in its senior nutrition program. Last fiscal year, the program provided 17,159 meals for the elderly in Jackson County.

Developmental Disabilities

The budget changes approved by the Subcommittee in House Bill 5201 for the Developmental Disabilities (DD) program reflect net increases of \$21.9 million General Fund, \$1,291 Other Funds expenditure limitation, \$41.8 million Federal Funds expenditure limitation, and a decrease of 80 positions (78.80 FTE).

Both caseloads and cost per case in DD programs are expected to be higher than the previous forecast, driving an increase of \$10.8 General Fund (\$22.0 million Federal Funds). Caseload counts are growing and clients are moving between service categories, primarily because under the K Plan services must be provided to all eligible applicants. Costs per case are also going up due to increasing client acuity. While the legislatively adopted budget attempted to build in K Plan impacts, some elements, such as significantly more children entering the DD system or side effects of brokerages being pushed to capacity, were not anticipated in the previous forecast. These and other issues will continue to be risks moving forward.

The caseload associated costs are partially offset by FMAP rate savings of \$4.9 million General Fund and participation rate adjustments resulting in savings of \$1.3 million General Fund.

Other program costs covered in the rebalance include \$1.3 million General Fund (\$2.6 million total funds) to keep funding for the Community Developmental Disability Programs (CCDP) at 94% equity; a budget estimate error resulted in the equity level being underfunded. Another budget change provides \$1.9 million General Fund (\$5.2 million total funds) to cover a 6% interim rate increase for DD employment services providers; this item was included after discussion during November 2013 Legislative Days.

To support implementation of a new program structure, Program and Design Services (PDS), \$9.9 million total funds and 67 positions (67.00 FTE) are transferred out of APD and into PDS. Technical adjustments and transfers account for a decrease of \$4.4 million total funds and 13 positions (11.80 FTE) for this program.

Another technical change in this program area is a title clarification. To better characterize program clients, DHS is now referring to this program as Intellectual and Developmental Disabilities (I/DD).

The Subcommittee added \$490,000 General Fund (\$1,136,368 total funds) to cover a gap in some CDDP budgets due funding formula changes that left 11 of the programs with budgets below 2011-13 levels. This action corrects that disparity and supports program stability while the Department and the CDDPs are transitioning to a workload, instead of caseload, model for 2015-17 budget development.

Program Design Services

The Subcommittee approved the following budget for Program Design Services (PDS): \$20,225,454 General Fund, \$11,026,715 Other Funds, \$78,907,230 Federal Funds, and 253 positions (253.00 FTE). The idea behind establishing this new structure is to capture program design services and some direct services to DHS clients and programs that span across the Department's five major program areas. The budget is created primarily through budget transfers from other programs. The agency's plan is to increase both program utility and transparency by consolidating certain services, which include the following offices: Program Integrity, Licensing and Regulatory Oversight, IT Business Supports, Business Intelligence, and Continuous Improvement.

In addition to budget transfers, also included is an additional \$38 million Federal Funds expenditure limitation to leverage and spend additional federal match received for the Modernization technology project. The project is now housed in IT Business Supports; previously it was under the Self Sufficiency program.

Initially, the resources for each office were expected to continue to be part of each relevant program budget. However, due to budget and accounting system limitations, DHS was having difficulty providing managers and office customers with meaningful, timely, and accurate budget reports. For each program area receiving services, the Department will still be able to report on the nature and cost of services provided.

Central Services

The budget adjustments included in House Bill 5201 reflect the following net changes for Central Services: an increase of \$542,649 General Fund, a decrease of \$115,287 Other Funds expenditure limitation, and an increase of \$307,909 Federal Funds expenditure limitation. Embedded in these figures is a decrease of \$276,548 total funds associated with technical adjustments and transfers.

Shared Services

The Subcommittee approved a net increase of \$8.2 million Other Funds expenditure limitation and a net decrease of 9 positions (9.24 FTE). The changes are primarily due to technical adjustments and transfers, including five positions moving from APD and OHA-AMH to Shared Services. An increase of \$1.8 million Other Funds expenditure limitation would allow the budget to support activities in DHS and OHA program affected by 2013-15 policy option packages.

An updated Package 091 Statewide Administrative Savings was approved by the Subcommittee, and includes eliminating fourteen permanent full-time positions. The revised plan also attributes \$2 million in General Fund savings to lower leases, budgeted in Statewide Assessments and Enterprise-wide Costs, instead of Personal Services in Shared Services. The eliminated positions are as follows:

- Financial Services (3 positions, 3.00 FTE) – Principal Executive Manager D, Office Specialist 1, Administrative Specialist 2
- Shared Services Administration (1 position, 1.00 FTE) – Executive Support Specialist 2
- Performance Excellence (2 positions, 2.00 FTE) – Operations & Policy Analyst 3, Operations & Policy Analyst 4
- Human Resources (2 positions, 2.00 FTE) – Principal Executive Manger D, Human Resources Assistant
- Budget/Planning/Analysis (2 positions, 2.00 FTE) – Operations & Policy Analyst 3, Fiscal Analyst 2
- Communications (1 position, 1.00 FTE) – Operations & Policy Analyst 3
- Payment Accuracy & Recovery (3 positions, 3.00 FTE) – Revenue Agent 2, Administrative Specialist 2, Human Services Specialist 4

Statewide Assessments and Enterprise-wide Costs

The budget adjustments included in House Bill 5201 reflect the following net increases for this program unit: \$11.6 million General Fund, \$29.4 million Other Funds expenditure limitation, and \$7.6 million Federal Funds expenditure limitation. Within these numbers, technical adjustments and transfers account for an increase of \$6.0 million General Fund (\$11.2 million total funds), primarily to align the assessment budget with policy package changes in program budget structures.

In addition, the approved rebalance plan includes a request for \$30 million Other Funds expenditure limitation to support accessing a line of credit. For several biennia, the agency has used a line of credit and borrowed funds from the Treasury to finance prepayments and account for a lag in receipt of certain revenues, including provider taxes. As was done for the 2011-13 biennium, the Subcommittee requests that the Department of Administrative Services (DAS) unschedule the expenditure limitation to be accessed only as needed depending on cash flow issues. The DAS Chief Financial Office and the Legislative Fiscal Office will jointly approve any rescheduling.

An updated Package 091 Statewide Administrative Savings was approved by the Subcommittee, shifting \$2 million in General Fund savings to account for lower leases, instead of Personal Services savings. The agency identified a list of 99 leases that are set to expire over the course of the biennium and will track and document the savings expected to be achieved through improved contracting and negotiating tools. The

Department and the DAS Chief Financial Office has committed to holding budgets associated with these leases at assumed savings level for 2015-17 budget development, regardless of lease negotiation outcomes.

Long Term Care Ombudsman

The Subcommittee approved an increase of \$39,554 General Fund, which fully restores the agency's 2% supplemental ending balance holdback included in the legislatively adopted budget. The restoration will allow the agency to meet budget needs without jeopardizing implementation of Senate Bill 626 (2013), which expanded the duties of the Long Term Care Ombudsman to advocate for residents of care facilities who have mental illness or developmental disabilities.

No changes were needed to reconcile Package 091 Statewide Administrative Savings, leaving the placeholder budget category reductions intact.

To cover costs associated with Senate Bill 1553 (2104), which establishes the Public Guardian and Conservator within the office of the Long Term Care Ombudsman, the Subcommittee approved \$949,183 General Fund, 5 positions, and 2.25 FTE. This new program helps persons without relatives or friends willing or able to serve as guardians or conservators; services range from making care decisions to handling financial issues. Along with providing direct services, the program will set professional standards for and certify guardians and conservators, produce training materials, develop a volunteer program to assist the guardians and conservators, establish an eligibility process for program services, and work with local programs and organizations to provide services.

The fiscal impact includes Personal Services and related Services and Supplies for the following five positions: a Principal Exec/Manager D (Deputy Long Term Care Ombudsman), a Program Analyst 4 (Public Guardian), an Administrative Specialist 2, and two Program Analyst 2 positions (Deputy Public Guardian). Since the program starts mid-biennium, costs for 2015-17 are projected to more than double due to the additional year and anticipated growth. The budget estimate assumes a caseload of 165 clients/wards per year.

JUDICIAL BRANCH

Commission on Judicial Fitness and Disability

The Subcommittee increased General Fund appropriations by \$2,028 to restore 50% of the agency's 2% supplemental General Fund ending balance holdback.

Judicial Department

The Subcommittee increased General Fund appropriations by \$3,086,092 to restore approximately 49% of the agency's 2% supplemental General Fund ending balance holdback. The amounts of the holdback restored include a \$2 million restoration to Operations (approximately 37%). The Judicial Department's 2% ending balance holdbacks on pass-through appropriations received 25% restorations. General Fund increases to Mandated payments and to Third-party debt collection exceeded the 2% holdbacks to those programs. The Subcommittee appropriated \$762,585 General Fund to Mandated payments, to restore both the 2% supplemental General Fund ending balance holdback, and the 5% General Fund services and supplies reduction, included in the legislatively adopted budget. The Subcommittee appropriated \$250,000 General Fund to the Department, and an additional \$700,000 General Fund in a special purpose appropriation to the Emergency Board, for Third-party debt collection