

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON WAYS AND MEANS
AND THE
SENATE COMMITTEE ON FINANCE
JOINT SUBCOMMITTEE ON HUMAN SERVICES/CIPS**

**Seventy-Fifth Session
April 9, 2009**

The Assembly Committee on Ways and Means and the Senate Committee on Finance, Joint Subcommittee on Human Services/CIPS was called to order by Chair Sheila Leslie at 8:13 a.m. on Thursday, April 9, 2009, in Room 3137 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/75th2009/committees/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

ASSEMBLY COMMITTEE MEMBERS PRESENT:

Assemblywoman Sheila Leslie, Chair
Assemblyman John Ocegüera, Vice Chair
Assemblyman Morse Arberry Jr.
Assemblywoman Barbara E. Buckley
Assemblywoman Heidi S. Gansert
Assemblyman Joseph (Joe) P. Hardy
Assemblywoman Debbie Smith

SENATE COMMITTEE MEMBERS PRESENT:

Senator Bob Coffin, Chair
Senator Bernice Mathews
Senator William J. Raggio

STAFF MEMBERS PRESENT:

Mark Stevens, Assembly Fiscal Analyst
Gary Ghiggeri, Senate Fiscal Analyst
Rex Goodman, Program Analyst
Anne Bowen, Committee Secretary
Vickie Kieffer, Committee Assistant

**DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)
DIVISION OF CHILD AND FAMILY SERVICES (DCFS)
COMMUNITY JUVENILE JUSTICE PROGRAMS (101-1383)
BUDGET PAGE DCFS-1**

Rex Goodman, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), stated the first budget to be closed was budget account (BA) 1383, Community Juvenile Justice Programs.

Mr. Goodman said there were two major closing items contained in BA 1383. The first item was the addition of funding for the Community Corrections Block Grant. Mr. Goodman said the grant was decreasing by \$40,000 in each year of the 2009-2011 biennium over the base fiscal year (FY) 2008 amount. The Division had testified in a previous hearing that additional funds had been requested for the grant but that request was not included in The Executive Budget. The DHHS included this item on the add-back list in the amount of \$490,000. Mr. Goodman said the Division had been requested to provide options for different funding levels as well as what services could be provided for those levels.

Mr. Goodman said there were three funding levels, \$216,904, \$316,904, and \$466,904. Anticipated program enhancements for each funding level had been submitted to the Subcommittee. Mr. Goodman said additional General Funds would be added to the budget for the services.

Chair Leslie commented that she supported the third option for \$466,904.

Senator Coffin agreed and stated he would support the third option in the form of a motion.

Assemblyman Arberry also said he supported the third option.

Senator Mathews commented that while she supported option 3, it was contingent upon how much money was available in the budget.

Senator Raggio said he agreed with Senator Mathews and as all budgets were reviewed, he noted his support was also contingent upon the availability of funds.

Senator Coffin remarked that he was not disagreeing with Senator Raggio, because he believed they agreed on nearly everything before the Subcommittee today. However, Senator Coffin said he considered the budget as a target for spending. He said if the Subcommittee decided on something, the money should be found, because funds already were being cut.

SENATOR COFFIN MOVED TO ADD GENERAL FUNDS IN THE
AMOUNT OF \$466,904 FOR THE COMMUNITY CORRECTIONS
BLOCK GRANT IN BUDGET ACCOUNT 101-1383.

SENATOR MATHEWS SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Buckley and
Assemblyman Hardy were not present for the vote.)

Mr. Goodman said the other item in BA 1383 requiring a decision was the elimination of a program officer position, which was related to a reduction in the grant funding projected for the next biennium. Mr. Goodman said the position was currently vacant.

Chair Leslie noted LCB staff considered the elimination of the vacant program officer position reasonable.

SENATOR COFFIN MOVED TO ELIMINATE THE PROGRAM OFFICER POSITION IN BUDGET ACCOUNT 101-1383 AS RECOMMENDED BY THE GOVERNOR.

SENATOR MATHEWS SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Buckley and Assemblyman Hardy were not present for the vote.)

BUDGET CLOSED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)
DIVISION OF CHILD AND FAMILY SERVICES (DCFS)
YOUTH ALTERNATIVE PLACEMENT (101-3147)
BUDGET PAGE DCFS-41

Rex Goodman, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), stated there were no closing issues in budget account (BA) 3147. The recommended amounts were identical to the approved budget for fiscal year (FY) 2008 and FY 2009.

Mr. Goodman said the only item of note was Senate Bill 85 that was being heard this session regarding basic funding for the China Spring Youth Camp and Aurora Pines Girls Facility in Douglas County, and the Spring Mountain Youth Camp in Clark County.

ASSEMBLYWOMAN SMITH MOVED TO CLOSE BUDGET ACCOUNT 101-3147 AS RECOMMENDED BY THE GOVERNOR.

SENATOR COFFIN SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Buckley and Assemblyman Hardy were not present for the vote.)

BUDGET CLOSED

DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)
DIVISION OF CHILD AND FAMILY SERVICES (DCFS)
JUVENILE CORRECTIONAL FACILITY (101-3148)
BUDGET PAGE DCFS-43

Rex Goodman, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), explained that budget account (BA) 3148 funded the operation of the Summit View Youth Correctional Center in Las Vegas.

Mr. Goodman said the major decision unit in BA 3148 was the closure of two housing units at the facility. Decision unit Enhancement (E) 600 would eliminate 48 beds and 24 group supervisor positions to produce a General Fund savings of approximately \$1.6 million in each year of the 2009-11 biennium.

The Subcommittee had previously heard the recommendation and expressed support at a work session held on March 26, 2009. Mr. Goodman noted that

LCB staff had worked with the Division, and additional budget reductions totaling \$12,748 in fiscal year (FY) 2009 and \$13,454 in FY 2010 had been identified in operating expenses.

Chair Leslie stated she was more comfortable with the cuts in BA 3148 because of the funding provided in BA 1383.

Senator Raggio requested clarification regarding the Community Corrections Block Grant program and its cost.

Chair Leslie explained the Community Corrections Block Grant funding would cost an additional \$466,904 per year in the 2009-11 biennium.

Mr. Goodman commented that the reductions for the Summit View Juvenile Correctional Facility in this budget account totaled \$1.6 million per year. The reductions for Caliente included in the Governor's Budget were approximately \$309,000 per year. Additional savings had been identified of close to \$200,000 for some utilities, producing a total of approximately \$500,000 per year in savings. At the Nevada Youth Training Center in Elko, the Governor's recommended savings for eliminating 20 beds was approximately \$330,000 in the first year and \$334,000 in the second year of the biennium. Mr. Goodman said the agency had identified additional group supervisor positions that should be eliminated, and those reductions totaled approximately \$279,000 in the first year of the biennium and \$292,000 in the second year of the biennium. The total savings from this budget were close to \$600,000 per year. Mr. Goodman said \$600,000, \$500,000, and \$1.6 million totaled approximately \$2.7 million in annual savings.

Senator Raggio requested documentation that showed the additional cost of the enhancements, over and above The Executive Budget.

Chair Leslie said she believed there would be substantial savings.

Assemblywoman Buckley asked whether closing the units had been the recommendation from DCFS and the community partners in the counties. Chair Leslie said that was correct.

Chair Leslie suggested accepting the Governor's recommendation in BA 3148.

SENATOR COFFIN MOVED TO CLOSE BUDGET
ACCOUNT 01-3148 AS RECOMMENDED BY THE GOVERNOR
WITH TECHNICAL ADJUSTMENTS AS RECOMMENDED BY
STAFF.

ASSEMBLYWOMAN SMITH SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)
DIVISION OF CHILD AND FAMILY SERVICES (DCFS)
CHILD CARE SERVICES (101-3149)
BUDGET PAGE DCFS-49

Rex Goodman, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), said the major closing issue in budget account (BA) 3149 was related to the return of the licensing responsibility for child care facilities from the City of Las Vegas back to the Division of Child and Family Services (DCFS).

As the Division had indicated, it was required in statute that the state performed the duties of child care licensing unless the counties or jurisdictions chose to assume those duties. The City of Las Vegas had been performing the child care licensing duties but had informed the state in May 2008 that it would relinquish those duties to DCFS in May 2009.

Mr. Goodman said with the return of the child care licensing duties to the state, the Division had requested four new child care development surveyor positions to handle the additional responsibilities. The cost associated with the requested positions was projected to total \$262,004 in FY 2009 and \$243,384 in FY 2010. There was \$20,020 in license fees projected in each year of the biennium. Mr. Goodman said child care licensing was recommended to be funded with General Funds in The Executive Budget. The Division of Welfare and Supportive Services, which provided funding from its Child Care Development Block Grant, had volunteered to provide block grant funds to fund the additional licensing duties. Budget amendment number 34 had been submitted to change the General Fund in the request to Child Care Development Block Grant funds. Mr. Goodman pointed out that was a General Fund savings of \$241,984 in FY 2009 and \$223,364 in FY 2010.

Chair Leslie stated the recommendation appeared reasonable and believed it helped that the Child Care Development Block Grant had provided funding at a higher level.

Chair Leslie commented that by statute the state was responsible if the City of Las Vegas relinquished child care licensing, so there was no choice.

Senator Coffin agreed there was no choice, but he was concerned about Clark County and the possibility it might also relinquish child care licensing because it was losing money just as the City of Las Vegas was. He believed the Subcommittee should anticipate the problem and not wait until the end of session to be informed.

Mr. Goodman said DCFS had informed him it had not received official word from Clark County.

Senator Coffin suggested the budget be closed with the knowledge that the impact of Clark County relinquishing child care licensing back to the state would be larger than with the City of Las Vegas.

Assemblywoman Buckley said she believed the Legislature should consider requiring cities and counties to provide notice within certain parameters, so the Legislature had an opportunity to review and plan. She stated mid-year hand-backs were chaotic, and prudent planning would dictate that timelines be in place.

Chair Leslie said that discussion had been held during the budget hearing, and there was a concern that Clark County might be considering relinquishing child care licensing without giving sufficient notice.

Sabra Smith-Newby, Director, Administrative Services, Clark County, stated it was not the county's intent at this point to give back the child care licensing function to the state. She added that Clark County would give appropriate notice to the state should it decide to relinquish the function.

Chair Leslie asked how Ms. Smith-Newby defined appropriate notice.

Diane Comeaux, Administrator, Division of Child and Family Services, DHHS, stated regulations required a one-year notice from the county before relinquishing the child care licensing function to the state.

Senator Coffin commented that Clark County could exercise its right to relinquish the child care licensing function at such a time when the Legislature was not in session.

Ms. Smith-Newby reiterated that she was not aware of any plan for the Clark County Board of Commissioners to relinquish the child care licensing function.

SENATOR COFFIN MOVED TO CLOSE DECISION UNIT MAINTENANCE (M) 504 IN BUDGET ACCOUNT 101-3149 AS RECOMMENDED BY THE GOVERNOR WITH TECHNICAL ADJUSTMENTS AS RECOMMENDED BY STAFF.

ASSEMBLYWOMAN SMITH SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Mr. Goodman stated another closing issue in BA 3149 was a difference in the way General Funds were provided in the budget. In the 2005-07 biennium the budget account had not received General Fund support, but in the 2007-09 biennium General Fund support had been added. The addition of General Fund was based on the fluctuation of Child Care Development Block Grant funding. In the 2007-09 biennium a small reserve had been amassed in BA 3149, according to Mr. Goodman, and it would appear the account would not require General Fund support in the 2009-11 biennium. Staff recommended that General Fund be eliminated from BA 3149 except for a \$100 placeholder amount, which would allow the agency, in case of an emergency, to appear before the Interim Finance Committee (IFC) to request an allocation.

Mr. Goodman summarized that the decision was to eliminate General Funds from BA 3149 at a savings of approximately \$53,000 in FY 2010 and \$55,000 in FY 2011.

SENATOR COFFIN MOVED TO REDUCE GENERAL FUNDS IN BUDGET ACCOUNT 3149 LEAVING A SUFFICIENT AMOUNT AS A PLACEHOLDER, AND ALLOW STAFF TO MAKE TECHNICAL ADJUSTMENTS.

ASSEMBLYWOMAN SMITH SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblyman Ocegüera was not present for the vote.)

BUDGET CLOSED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)
DIVISION OF CHILD AND FAMILY SERVICES (DCFS)
CALIENTE YOUTH CENTER (101-3179)
BUDGET PAGE DCFS-55

Rex Goodman, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), stated the major item in budget account (BA) 3179 was the closure of a residential unit and elimination of 20 beds at the Caliente Youth Center (CYC). The Executive Budget recommended the elimination of nine group supervisor positions for a savings of \$309,047 in fiscal year (FY) 2009-10 and \$313,733 in FY 2010-11. Mr. Goodman said staff had worked with the Division regarding decision unit Enhancement (E) 606 and the Division had identified one additional group supervisor 2 position that should be eliminated. Eliminating the group supervisor 2 position would result in additional General Fund savings of approximately \$53,000 in FY 2010 and approximately \$56,000 in FY 2011.

Mr. Goodman said savings had also been located relating to operating and utilities expenses totaling \$136,609 in each year of the biennium. It had been recommended that holiday pay be adjusted to the FY 2009 legislatively approved amount, which would produce savings of \$23,867.

The other major issue in BA 3179, according to Mr. Goodman, was that the Governor's budget recommended an addition of \$200,000 per year in General Funds to be provided to the Lincoln County School District. That amount would offset the reduction in Lincoln County's Distributive School Account (DSA) funding for the 20 beds eliminated at CYC. Mr. Goodman said the Division had indicated the funds would be used to support the ongoing vocational education programs at the school. At the work session hearing on March 26, 2009, there had been discussion about whether federal economic stimulus funds through the Department of Employment, Training and Rehabilitation (DETR) would be available for those activities, but it had been determined that those funds were not available for ongoing expenses.

Mr. Goodman explained that should the Subcommittee decide to eliminate the 20 beds at CYC, it would have to decide whether to add \$200,000 for ongoing vocational education programs to offset the reduction in DSA funding to Lincoln County.

Chair Leslie asked how members of the Subcommittee felt about the recommendation in The Executive Budget to offset DSA funding to Lincoln County in the amount of \$200,000.

Assemblywoman Smith commented that the Lincoln County School District was in an unusual position, but because of the decline in school enrollment, the district had already laid-off 18 employees. Rural and remote districts had a difficult time providing services, and Assemblywoman Smith said under these

circumstances she believed the Lincoln County School District should receive some help.

Chair Leslie remarked that she appreciated the rural nature of the Caliente Youth Center because she had taken a tour of the facilities in the past. She asked LCB staff whether the Legislature would have an opportunity to revisit this matter in the next session.

Mr. Goodman explained this would be a portion of the Division's line-item biennial budget, and it would be reviewed in the next session.

ASSEMBLYWOMAN SMITH MOVED TO APPROVE DECISION UNIT ENHANCEMENT (E) 606 AS RECOMMENDED BY STAFF AND APPROVE GENERAL FUNDS OF \$200,000 FOR THE LINCOLN COUNTY SCHOOL DISTRICT TO OFFSET THE REDUCTION IN DISTRIBUTIVE SCHOOL ACCOUNT FUNDING AS RECOMMENDED BY THE GOVERNOR.

SENATOR COFFIN SECONDED THE MOTION.

Senator Coffin asked how many employees would be laid-off by the action taken by the Subcommittee. Assemblywoman Smith responded that the action by the Subcommittee was not related to the layoffs, but because of the county's enrollment decline, there had already been layoff notices issued.

THE MOTION CARRIED UNANIMOUSLY.

Mr. Goodman explained that decision unit E607 recommended the elimination of a licensed psychologist position that had been vacant for some time. The Division had requested to replace that position with contract mental health services at the Caliente Youth Center (CYC). There would be an additional General Fund allocation because the salary of the vacant position would not be adequate to provide for contract services. According to Mr. Goodman, there would be an additional General Fund cost of \$12,307 in FY 2010 and \$15,367 in FY 2011 for mental health contract services.

Mr. Goodman said that decision unit M101 recommended agency-specific inflation increases for medical expenditures, pharmaceutical, and food costs.

ASSEMBLYWOMAN SMITH MOVED TO APPROVE DECISION UNIT E607 AND DECISION UNIT M101 AS RECOMMENDED BY STAFF.

SENATOR COFFIN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)
DIVISION OF CHILD AND FAMILY SERVICES (DCFS)
VICTIMS OF DOMESTIC VIOLENCE (101-3181)
BUDGET PAGE DCFS-61

Rex Goodman, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), stated there were two small closing items in budget account (BA) 3181.

Decision unit Enhancement (E) 325 was a reference to a bill draft request (BDR) that would allow BA 3181 to receive the interest revenue earned on funds held in the account that were currently being credited to the General Fund. Senate Bill (S.B.) 14 would increase the marriage license fee and fees for certified copies of marriage licenses by \$5 each to provide additional funding for BA 3181.

Mr. Goodman said the other item in the budget account indicated the Director's Office of the Department of Health and Human Services (DHHS) had identified \$200,000 per year in additional Title XX funding transferred from Temporary Assistance for Needy Families (TANF) funds. The Subcommittee had approved the transfer on April 2, 2009.

ASSEMBLYWOMAN GANSERT MOVED TO APPROVE DECISION UNIT E325 AS RECOMMENDED BY STAFF AND ADD \$200,000 PER YEAR IN TITLE XX FUNDING TRANSFERRED FROM TANF TO BUDGET ACCOUNT 3181.

ASSEMBLYWOMAN BUCKLEY SECONDED THE MOTION.

Senator Mathews commented that she had submitted S.B. 14 to increase the marriage license fee and the fee for certified copies of marriage licenses to provide an income stream for BA 3181.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)
DIVISION OF CHILD AND FAMILY SERVICES (DCFS)
TRANSITION FROM FOSTER CARE (606-3250)
BUDGET PAGE DCFS-79

Rex Goodman, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), explained that budget account (BA) 3250 was projected to collect revenues of \$750,952 in FY 2010 and \$613,887 in FY 2011 and have expenditures of \$1.1 million in each year of the biennium. At those expenditure levels, the ending reserve balance would decrease from approximately \$789,000 at the end of FY 2009 to only \$81 at the end of FY 2011. Mr. Goodman said the Division had updated the projection for revenues for FY 2009 and identified additional revenues of \$137,097. Staff recommended those additional revenues be reflected in BA 3250 as balance forward revenues and additional reserves carried through the biennium.

Mr. Goodman pointed out that if similar expenditure levels were recommended in the next biennium there would be insufficient revenue to support those expenditure levels, creating shortfalls of approximately \$400,000 per year.

Chair Leslie commented that while the funds should be used to transition foster care children, it would not be prudent to overspend and have to deny funds.

Diane Comeaux, Administrator, Division of Child and Family Services (DCFS), DHHS, stated the Department had a monitoring plan for BA 3250, but it was still considering what to do with the actual grant awards for FY 2010 and FY 2011. Ms. Comeaux noted that the revenues were difficult to project because the Division did not collect the revenues; they were deposited into the account by the Office of the State Controller Office. The funds were transmitted from the counties sporadically, but the Division monitored those deposits on a monthly basis.

SENATOR COFFIN MOVED TO ADJUST REVENUES AND EXPENDITURES IN THE 2009-11 BIENNIUM TO RECOGNIZE AN INCREASE IN THE PROJECTED RESERVE BALANCE FOR FY 2008-09 OF \$137,097.

ASSEMBLYWOMAN SMITH SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)
DIVISION OF CHILD AND FAMILY SERVICES (DCFS)
REVIEW OF DEATH OF CHILDREN (101-3251)
BUDGET PAGE DCFS-82

Rex Goodman, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), stated budget account (BA) 3251 had no major closing issues and recommended it be closed as recommended by the Governor.

ASSEMBLYWOMAN SMITH MOVED TO CLOSE BUDGET ACCOUNT 3251 AS RECOMMENDED BY THE GOVERNOR.

ASSEMBLYMAN OCEGUERA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)
DIVISION OF CHILD AND FAMILY SERVICES (DCFS)
NEVADA YOUTH TRAINING CENTER (101-3259)
BUDGET PAGE DCFS-84

Rex Goodman, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), stated closing issues in budget account BA 3259 included the closure of a residential unit which would eliminate 20 beds to produce a General Fund savings of \$331,711 in FY 2010 and \$334,172 in FY 2011.

Mr. Goodman said that in working with the Division of Child and Family Services (DCFS), it had been discovered there were revenues from the Department of Education related to the school lunch program that should have been reduced. It was recommended that funds in the amount of \$31,171 per year be reduced from the Department of Education revenues instead of from General Funds.

The number of positions that would be eliminated with the reductions of 20 beds had also been discussed, according to Mr. Goodman. The Governor's budget included the elimination of five positions; however, the Division had indicated that ten positions should be eliminated to maintain consistency with the Caliente Youth Center (CYC) and Summit View. Mr. Goodman said the elimination of those positions would produce additional General Fund savings of \$279,125 in FY 2010 and \$292,328 in FY 2011.

Chair Leslie commented that there were significant savings in BA 3259 that would aid in funding some of the add-backs.

ASSEMBLYWOMAN BUCKLEY MOVED TO ELIMINATE 20 BEDS AT THE NEVADA YOUTH TRAINING CENTER AND ELIMINATE FIVE GROUP SUPERVISOR POSITIONS AS RECOMMENDED BY THE GOVERNOR AND ALSO ELIMINATE FIVE ADDITIONAL GROUP SUPERVISOR POSITIONS IDENTIFIED BY THE DIVISION.

ASSEMBLYMAN OCEGUERA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Mr. Goodman said the other major item in BA 3259 was the transfer of the high school at NYTC to the Elko County School District as recommended by the Spending and Government Efficiency (SAGE) Commission. The transfer was recommended in the Governor's budget with General Fund savings of \$922,028 in FY 2009-10 and \$930,532 in FY 2010-11. There had been substantial discussion regarding the transfer, and the Division had provided additional information about the anticipated benefits for the youth and teachers at the facility, according to Mr. Goodman. Elko County School District had expressed its dissatisfaction with the recommendation, and its school board had voted to reject the recommendation. Mr. Goodman said at the work session hearing the Subcommittee had not expressed support for the recommendation.

Chair Leslie commented that there needed to be more consultation with the Elko County School District regarding the high school transfer.

ASSEMBLYWOMAN SMITH MOVED TO RETAIN
THE NEVADA YOUTH TRAINING FACILITY PROGRAM IN ITS
CURRENT FORM.

SENATOR COFFIN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Mr. Goodman informed the Subcommittee there were two other closing items in BA 3259. Decision unit Maintenance (M) 160 recommended the elimination of one administrative assistant position. The position had been held vacant in the 2007-09 biennium to generate budget savings and its elimination would create General Fund savings of approximately \$38,000 to \$39,000 per year as recommended by the Governor. Decision unit M101 recommended agency-specific inflation increases for the facility as well.

SENATOR COFFIN MOVED TO APPROVE DECISION UNIT M160
AND DECISION UNIT M101 AS RECOMMENDED BY THE
GOVERNOR.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

BUDGET CLOSED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)
DIVISION OF CHILD AND FAMILY SERVICES (DCFS)
YOUTH PAROLE SERVICES (101-3263)
BUDGET PAGE DCFS-91

Rex Goodman, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), stated the first closing issue in budget account (BA) 3263 was a new position for federal reporting requirements related to the Adoption and Foster Care Analysis and Reporting Systems (AFCARS). The Division had indicated it needed an additional social service program specialist position to meet the expanded requirements of the AFCARS program. Mr. Goodman said the new position would aid in developing policies and procedures and increased reporting for youth under the custody of youth parole.

Mr. Goodman said the Division had indicated the new position would help in improving the likelihood of receiving federal reimbursement for the program. It had been previously indicated that Title IV-E reimbursement could be available for juvenile justice expenses. Positions had been approved for that purpose in the past, but as yet the Division had not received any Title IV-E reimbursement.

The Division had now indicated that Senate Bill (S.B.) 86 would need to be passed in order to initiate that reimbursement and federal cost-allocation plans would have to be approved.

Mr. Goodman explained the decision before the Subcommittee was to approve the addition of one new position to support enhanced AFCARS requirements as recommended by the Governor.

Chair Leslie said she believed she understood the AFCARS requirements, but there was still some concern about positions approved in the past to attempt to receive Title IV-E funding and whether that funding had ever materialized.

Diane Comeaux, Administrator, Division of Child and Family Services, DHHS, said the need for the new position was more complicated than just the AFCARS program. When the AFCARS review was completed, the Division was found not to be in compliance because it had not included the youth parole population in reports sent to the Children's Bureau. Ms. Comeaux said the second finding was that the youth parole population was not afforded certain protections under the Social Security Act.

The issue of the youth parole population not being included in the AFCARS reporting had a simple resolution: the Division became compliant.

Ms. Comeaux said the difficulty arose with not providing protections under the Social Security Act. A bill pending in the Senate, S.B. 86, authorized protections for the juvenile parole population. Ms. Comeaux said the protections had to begin at the county level when the juveniles were taken into custody, before they ever got to the state. The ability for the state to start to collect Title IV-E revenues for the juvenile parole population would depend largely on whether or not the counties put the procedures in place. Ms. Comeaux said the counties were supportive of S.B. 86, and the bill would also give the counties an opportunity to claim Title IV-E revenues. Realistically, once the bill was passed and the state had the authority, the counties would begin working on the ability to claim Title IV-E, and approximately one year from that time the Division would begin to receive Title IV-E eligible children.

Mr. Comeaux said Mr. Goodman had referenced two positions the Division received previously to begin the procedures. She said there was really only one position approved for Title IV-E revenues, but the other approved position was to ensure Title IV-E revenue already being claimed was being claimed appropriately.

The position approved for the cost-allocation process in BA 3145 (Children, Youth and Family Administration) was one of the positions that had been eliminated, according to Ms. Comeaux. The reason for its elimination was because once negotiations commenced with the federal government, it became apparent that it was difficult for a state staff to accomplish those negotiations. While the Division had been successful with negotiations with the federal government regarding Medicaid changes, because of the difficulty, it had taken nearly two years to accomplish. Ms. Comeaux believed that the difficulty could be attributed to the inexperience of the staff. When necessary the Division was employing consultants to aid in federal government negotiations.

Chair Leslie asked whether Ms. Comeaux would object to the issuance of a Letter of Intent by the Subcommittee as well as requesting a semiannual report regarding the federal reimbursements. Ms. Comeaux replied that she would not object.

Assemblywoman Buckley commented that she had been informed that there were now 300 youth being housed out of state. She requested information regarding that possibility.

Ms. Comeaux said the Division had reported there were 23 youth parole children in out-of-state placement. APS Healthcare had indicated in a presentation that there were roughly 300 children in out-of-state placement. Ms. Comeaux said she received information from APS Healthcare that had clarified the information, and 351 children from Nevada were in both in-state and out-of-state placements. Specifically, there were 200 children placed out of state, with a majority of those children being placed by juvenile probation. Clark County Juvenile Probation had 72 children placed in out-of-state placements. Washoe County had 18 children placed out of state, and the rural counties had 10 or 11 children placed out of state.

Ms. Comeaux said the mental health consortia in Washoe and Clark Counties had made interagency agreements to form placement review teams. The goal was to review placements before the child was placed out of state. Juvenile Probation, Youth Parole, and the mental health agencies, were all members of the group as well as representatives from Nevada Parents Encouraging Parents (NVPEP). The review teams were reviewing all out-of-state placements to determine whether or not there could be a more appropriate placement in-state. APS Healthcare, Medicaid's contractor, was also working with those entities to find more appropriate placements and bring those children back into Nevada, according to Ms. Comeaux.

Ms. Comeaux noted that the Division had a Letter of Intent to report those children that were being placed out of state. Although those children were not children that the Division was placing out of state, it would be working with other agencies to provide a more accurate report to the Legislature.

Assemblywoman Buckley said she would appreciate that because she worried about the children not being placed by Youth Parole Services. She said she knew Youth Parole Services would research availability of services, and if there were no services in Nevada, the appropriate decision would be made to send a child out of state. Assemblywoman Buckley commented that she was concerned about the courts sending children out of state without appropriate research into available programs.

Chair Leslie suggested the Subcommittee support the Governor's recommendation for a new position to deal with the enhanced AFCARS requirements. She also suggested a Letter of Intent that the Division of Child and Family Services provide a semiannual update regarding the status of the federal reimbursement for juvenile justice activities.

ASSEMBLYWOMAN SMITH MOVED TO APPROVE DECISION UNIT
MAINTENANCE (M) 502 AS RECOMMENDED BY THE GOVERNOR.

SENATOR COFFIN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Rex Goodman, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), said the second item for consideration in budget account

(BA) 3263 was not included in The Executive Budget; it was the addition of four youth parole counselor positions. The Division of Child and Family Services (DCFS) had indicated that the positions were needed to reduce the staff to youth parolee ratio from 1:35 to 1:25 statewide. At a work session, the Subcommittee had expressed support for adding the positions in coordination with closing the beds at the three youth correctional facilities.

Mr. Goodman said the cost for the new positions would be \$261,472 in FY 2010 and \$331,845 in FY 2011.

Chair Leslie remarked that the new positions would be assigned to Las Vegas. She further commented that with the closing of beds at Summit View there would be more youth parolees in the community, and they needed to be adequately supervised.

ASSEMBLYMAN ARBERRY MOVED TO ADD GENERAL FUNDS TO SUPPORT FOUR ADDITIONAL YOUTH PAROLE COUNSELOR POSITIONS AND RELATED EXPENSES.

SENATOR COFFIN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Rex Goodman, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), stated the third major item in budget account (BA) 3263 was additional expenses related to reductions in Medicaid reimbursement for children's mental health expenses. The Division had created a new "specialized foster care" rate for residential treatment placements in response to several services that were currently provided by providers that had become ineligible for Medicaid reimbursement. Mr. Goodman said the Division had previously paid a "core rate" for daily services for each child in treatment services. When those services became Medicaid ineligible, the Division elected to propose a new rate funded with General Fund to keep the providers at the same level of reimbursement as previously received.

Mr. Goodman said the daily room and board rate paid to treatment providers would increase from an average of \$15.03 per day to approximately \$42.04 per day with other services still being Medicaid eligible. The General Fund impact would be approximately \$857,703 in each year of the biennium and was recommended in The Executive Budget.

ASSEMBLYWOMAN BUCKLEY MOVED TO APPROVE FUNDING FOR THE PAYMENT OF A NEW SPECIALIZED FOSTER CARE RATE TO BE PAID TO RESIDENTIAL MENTAL HEALTH CARE PROVIDERS AS RECOMMENDED BY THE GOVERNOR.

SENATOR COFFIN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Rex Goodman, Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau (LCB), stated budget amendment no. 14 had been submitted to add a

new social services program specialist position to support the Interstate Compact on Juveniles (ICJ). The ICJ was the multistate agreement to handle and facilitate the return of runaways and juvenile offenders. The ICJ had become federal law in August 2008 when it had been adopted by 35 states. Mr. Goodman said support for the program included a coordinator position and expenses for a statewide commission. The General Fund request was for \$116,030 in FY 2010 and \$126,100 in FY 2011.

ASSEMBLYMAN HARDY MOVED TO APPROVE FUNDING FOR SUPPORT OF THE INTERSTATE COMPACT ON JUVENILES (ICJ) WITH TECHNICAL ADJUSTMENTS BY STAFF FOR UPDATED EQUIPMENT PRICING.

ASSEMBLYWOMAN GANSERT SECONDED THE MOTION.

THE MOTION CARRIED. (Senator Coffin was not present for the vote.)

BUDGET CLOSED.

Larry Carter, Assistant Director, Clark County Department of Juvenile Justice Services, complimented and thanked everyone who had worked on the juvenile justice budgets. Mr. Carter noted that Nevada was becoming a model for running a juvenile justice system.

Assemblywoman Smith thanked Diane Comeaux and her staff for all their hard work.

Chair Leslie adjourned the meeting at 9:26 a.m.

RESPECTFULLY SUBMITTED:

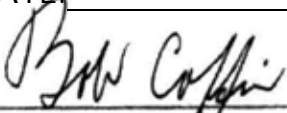
Anne Bowen
Committee Secretary

APPROVED BY:



Assemblywoman Sheila Leslie, Chair

DATE: _____



Senator Bob Coffin, Chair

DATE: _____

EXHIBITS

Committee Name: Assembly Committee on Ways and Means/Senate Committee on Finance Joint Subcommittee on Human Services/CIPS

Date: April 9, 2009

Time of Meeting: 8:13 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Guest sign-in sheet