

**MINUTES OF THE MEETING OF THE
SENATE COMMITTEE ON FINANCE
AND
ASSEMBLY COMMITTEE ON WAYS AND MEANS
SUBCOMMITTEES ON HUMAN SERVICES**

**Eightieth Session
May 15, 2019**

The joint meeting of the Subcommittees on Human Services of the Senate Committee on Finance and the Assembly Committee on Ways and Means was called to order by Chair Moises Denis at 8:24 a.m. on Wednesday, May 15, 2019, in Room 3137 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4404B of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

SENATE SUBCOMMITTEE MEMBERS PRESENT:

Senator Moises Denis, Chair
Senator Joyce Woodhouse
Senator Chris Brooks
Senator James A. Settlemeyer
Senator Ben Kieckhefer

ASSEMBLY SUBCOMMITTEE MEMBERS PRESENT:

Assemblywoman Maggie Carlton, Vice Chair
Assemblywoman Dina Neal
Assemblywoman Ellen B. Spiegel
Assemblywoman Robin L. Titus

COMMITTEE MEMBERS ABSENT:

Assemblywoman Teresa Benitez-Thompson, Chair (Excused)
Assemblyman Jason Frierson (Excused)
Assemblyman John Hambrick (Excused)

STAFF MEMBERS PRESENT:

Alex Haartz, Principal Deputy Fiscal Analyst

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Cindy Jones, Assembly Fiscal Analyst
Leannndra Copeland, Program Analyst
Tom Weber, Committee Secretary
Jennifer McEntee, Committee Secretary

CHAIR DENIS:

Today we will hear closing reports for the Nevada Department of Health and Human Services (DHHS), Division of Welfare and Supportive Services (DWSS).

LEANNNDRA COPELAND (Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau):

The first budget account (B/A) is Welfare Field Services, B/A 101-3233 and begins on page 3 of the Human Services Joint Subcommittee Closing List #8 ([Exhibit C](#)) .

HHS-Welfare - Welfare Field Services — Budget Page DHHS-DWSS-22
(Volume II)
Budget Account 101-3233

There is one major closing issue in this budget described on page 5 of [Exhibit C](#) related to staffing adjustments due to projected changes in monthly client transactions as reflected in decision unit M-200. The Division estimates its staffing needs through a staffing model based on monthly client transactions. This model was first used in the 2017 Session. Consistent with previous legislative sessions, the Division provided updated client transaction projections in March 2019. The projected transactions are displayed on the table on page 5 of [Exhibit C](#). There is an expected decline in client transactions in the upcoming biennium.

M-200 Demographics/Caseload Changes — Page DHHS-DWSS-25

Based on the updated projections, rather than adding staff as recommended in the Executive Budget, the Division indicates 39 positions could be eliminated for the 2019-2021 biennium—7 permanent and 32 intermittent positions. The Division does not anticipate any layoffs associated with the elimination of these positions, as there is sufficient turnover in the Division and filled positions could be transferred to vacant positions.

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Based on the updated projections, the fiscal impact creates savings of \$1.3 million, approximately \$417,000 of which is General Fund appropriations, in fiscal year (FY) 2020 and \$1.9 million, approximately \$595,599 of which is General Fund appropriations, in FY 2021. The first table on page 6 of [Exhibit C](#) shows the administrative assistants and family services specialists that would be eliminated by permanent and intermittent position status.

The bottom of page 6 of [Exhibit C](#) shows the three types of caseloads: Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program and Medicaid. Each caseload is expected to decline in the upcoming biennium. The overall caseload is expected to decline by 5.8 percent, or approximately 64,000 cases, when comparing FY 2021 to FY 2018.

Do the Subcommittees wish to approve the March 2019 caseload transaction projections which would result in the elimination of 29 positions—5 permanent and 24 intermittent—in FY 2020 and an additional 10 positions—2 permanent and 8 intermittent—in FY 2021 for a savings of \$1.3 million, of which \$416,930 is General Fund, in FY 2020 and \$1.9 million, of which \$595,599 is General Fund, in FY 2021?

SENATOR CANCELA MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE THE MARCH 2019 CASELOAD TRANSACTION PROJECTIONS RESULTING IN THE ELIMINATION OF 29 POSITIONS—5 PERMANENT AND 24 INTERMITTENT—IN FY 2020 AND AN ADDITIONAL 10 POSITIONS—2 PERMANENT AND 8 INTERMITTENT—IN FY 2021 FOR A SAVINGS OF \$1.3 MILLION, OF WHICH \$416,930 IS GENERAL FUND, IN FY 2020 AND \$1.9 MILLION, OF WHICH \$595,599 IS GENERAL FUND, IN FY 2021.

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED. (SENATOR BROOKS WAS EXCUSED FOR THE VOTE.)

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Ms. COPELAND:

Staff recommends the approval of the other closing items as recommended by the Governor and the technical adjustment noted by staff. Staff requests authority to make other technical adjustments as needed.

ASSEMBLYWOMAN CARLTON MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE THE OTHER CLOSING ITEMS AS RECOMMENDED BY THE GOVERNOR AND THE TECHNICAL ADJUSTMENT NOTED BY STAFF AND PROVIDE FISCAL STAFF AUTHORITY TO MAKE OTHER TECHNICAL ADJUSTMENTS AS NEEDED.

SENATOR WOODHOUSE SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. COPELAND:

Next is B/A 101-3238, Child Support Enforcement Program (CSEP). There are three major closing issues.

HHS-Welfare - Child Support Enforcement Program — Budget Page
DHHS-DWSS-29 (Volume II)
Budget Account 101-3238

The first major closing issue, decision unit E-228, is discussed beginning on page 10 of [Exhibit C](#) to reestablish 52 positions that currently exist. The total recommendation is \$5 million, of which \$1.6 million is General Fund appropriations, over the biennium.

E-228 Efficient and Responsive State Government — Page DHHS-DWSS-33

This decision unit represents a change in the funding source supporting the existing positions. The positions are currently funded with a State Share of Collections reserves; this would change the funding to a split between

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General Fund appropriations in the amount of 34 percent and the remainder federal funds. The reserves in this budget are generated from the State Share of Collections revenue which is a recoupment of the child support collections made on behalf of families receiving assistance under TANF. The collection is split between the State and the federal Office of Child Support Enforcement based on the current Federal Medical Assistance Percentage (FMAP) rate.

Historically, this budget has not received General Fund support for its ongoing operations. According to the Agency, many factors contributed to declining reserves in this budget including a continual decline in the State Share of Collections retained by the program based upon increases in the FMAP rate. In addition, the Agency notes that from FY 2008 to FY 2013, a total of \$2.7 million in reserves were transferred to the State General Fund to address declining General Fund revenues. Staff notes the 2009, 2013 and 2017 Legislatures approved utilizing reserves totaling \$1.4 million to support costs associated with the CSEP's information system replacement.

A staffing reduction of 52 positions would result in a 61 percent reduction in field staff, leaving 33 staff responsible for the caseload. A reduction of 52 staff members would impact the Division's ability to meet its federally required performance measures.

The Agency indicates it is exploring ways to reduce costs. Although the Division does not anticipate an immediate return to General Fund independence, the Agency indicated circumstances may change to allow the removal of General Fund money from this budget in the future.

Do the Subcommittees wish to approve the Governor's recommendation of \$1.4 million, of which \$322,582 is from the General Fund, in FY 2020 and \$3.6 million, of which \$1.2 million is from the General Fund, in FY 2021 to reestablish 21 positions in FY 2020 and 52 in FY 2021 and associated operating costs which were removed from the base budget due to the depletion of this budget's reserves?

SENATOR WOODHOUSE MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE THE GOVERNOR'S RECOMMENDATION OF \$1.4 MILLION, OF WHICH \$322,582 IS FROM THE GENERAL FUND, IN

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FY 2020 AND \$3.6 MILLION, OF WHICH \$1.2 MILLION IS FROM THE GENERAL FUND, IN FY 2021 TO REESTABLISH 21 POSITIONS IN FY 2020 AND 52 IN FY 2021 AND ASSOCIATED OPERATING COSTS WHICH WERE REMOVED FROM THE BASE BUDGET DUE TO THE DEPLETION OF THIS BUDGET'S RESERVES.

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. COPELAND:

The next major closing issue is reflected in decision unit E-226. The Governor recommends eliminating 4 vacant administrative assistant positions in the State Collections and Disbursement Unit due to efficiency gains for projected savings of \$426,626 over the 2019-2021 biennium.

E-226 Efficient and Responsive State Government — Page DHHS-DWSS-32

In FY 2018, the Division implemented a new web-based collections and disbursement system, as approved by the 2017 Legislature, to assist in the collections and disbursement of child support payments. The Division indicates it has been able to eliminate processes such as opening mail, sorting mail and individual scanning and indexing of documents and that the four positions recommended in this decision unit have remained vacant for more than a year with no effect on the unit's productivity.

Do the Subcommittees wish to approve a projected savings of \$426,626 over the 2019-2021 biennium eliminating 4 vacant administrative assistant positions in the State Collections and Disbursement Unit due to efficiency gains as recommended by the Governor?

ASSEMBLYWOMAN TITUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE A PROJECTED SAVINGS OF

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\$426,626 OVER THE 2019-2021 BIENNIUM ELIMINATING 4 VACANT ADMINISTRATIVE ASSISTANT POSITIONS IN THE STATE COLLECTIONS AND DISBURSEMENT UNIT DUE TO EFFICIENCY GAINS AS RECOMMENDED BY THE GOVERNOR.

SENATOR WOODHOUSE SECONDED THE MOTION.

CHAIR DENIS:

This is one of the cases where automation is actually working, and we do not have to have people to do that. Hopefully, it will give us an opportunity to increase other areas where waits may exist.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. COPELAND:

The third major closing issue is the implementation of the federally mandated fee increase. This is decision unit E-501 that begins on page 12 of [Exhibit C](#).

M-501 Mandates - Rate Increase — Page DHHS-DWSS-32

To implement a federally mandated fee increase, the Executive Budget recommends a net revenue increase of \$274,631 over the 2019-2021 biennium. Custodial parents who have never received public assistance must pay an annual fee per federal law. The Bipartisan Budget Act of 2018, enacted on February 9, 2018, requires states to raise the amount of the annual fee from \$25 to \$35, effective October 2019. Assembly Bill (A.B.) 527, which was introduced on May 7, 2019, and referred to the Assembly Committee on Ways and Means, would amend the provisions of *Nevada Revised Statute* 425.3847 to implement the federally mandated fee increase.

ASSEMBLY BILL 527: Revises provisions relating to the annual fee imposed for collections of child support in certain cases. (BDR 38-1246)

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Do the Subcommittees wish to approve a net revenue increase of \$274,631 over the 2019-2021 biennium to implement a federally mandated fee increase from \$25 to \$35 annually, effective October 2019, contingent upon the approval of A.B. 527 or enabling legislation as recommended by the Governor?

Staff requests authority to make technical adjustments to this budget as necessary.

ASSEMBLYWOMAN CARLTON MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE A NET REVENUE INCREASE OF \$274,631 OVER THE 2019-2021 BIENNIUM TO IMPLEMENT A FEDERALLY MANDATED FEE INCREASE FROM \$25 TO \$35 ANNUALLY, EFFECTIVE OCTOBER 2019, CONTINGENT UPON THE APPROVAL OF A.B. 527 OR ENABLING LEGISLATION AS RECOMMENDED BY THE GOVERNOR AND TO PROVIDE FISCAL STAFF AUTHORITY TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR WOODHOUSE SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. COPELAND:

Budget account 101-3239 is the Child Support Federal Reimbursement account and begins on page 15 of [Exhibit C](#). There are no closing issues and Fiscal staff recommends approval of this budget as recommended by the Governor and requests authority to make technical adjustments as necessary.

HHS-Welfare - Child Support Federal Reimbursement — Budget Page
DHHS-DWSS-35 (Volume II)
Budget Account 101-3239

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ASSEMBLYWOMAN CARLTON MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE B/A 101-3239 AS RECOMMENDED BY THE GOVERNOR AND PROVIDE AUTHORITY TO FISCAL STAFF TO MAKE TECHNICAL ADJUSTMENTS AS NECESSARY.

SENATOR WOODHOUSE SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. COPELAND:

On page 17 of [Exhibit C](#), the Child Assistance and Development B/A 101-3267 begins. There are three major closing issues.

HHS-Welfare - Child Assistance and Development — Budget Page
DHHS-DWSS-37 (Volume II)
Budget Account 101-3267

The first major closing issue is discussed on page 18 of [Exhibit C](#). Decision unit M-200 concerns caseload changes. In March 2019, the Division provided updated caseload projections for the upcoming biennium based on the new caseload projections. It does not anticipate having to implement a waitlist in the upcoming biennium for the program. The caseload projections are shown on the table on page 18 of [Exhibit C](#). They are projected to increase from FY 2018 actuals; however, the increase is not as much as was projected in the Executive Budget.

M-200 Demographics/Caseload Changes — Page DHHS-DWSS-39

The March 2019 caseload projections indicate the total caseload is anticipated to be 4.6 percent greater in FY 2021 than the actual caseload in FY 2018. In regard to decision unit M-200, this closing document reflects a decrease in federal funds of \$1 million in FY 2020 and \$537,861 in FY 2021 from the amounts shown in the Executive Budget to account for the revised caseload

projections. The Division's federal partner required the Division to reimburse the childcare providers at a higher reimbursement rate. The Division submitted a work program to the January 2019 Interim Finance Committee (IFC) which approved the federally required rate increase to reimburse childcare providers up to a minimum of 55 percent of payment rates of a statistically valid and reliable survey. Prior to the increase, the average benefit per child was \$399.76; after, it is projected to increase to \$480.51.

The updated caseload projections also had an impact to the base budget to align projections with the FY 2019 funding. The base budget was increased by \$511,797. Although the Division projects a decrease from the caseload amounts included with the Executive Budget, the Division anticipates more federal funding would be needed in FY 2019 due to a higher projected average monthly benefit per child.

Do the Subcommittees wish to approve the revised federal funds totaling \$2.3 million in FY 2020 and \$3.2 million in FY 2021 to support providing childcare services aligned with the March 2019 caseload projections for the 2019-2021 biennium, and a technical adjustment increasing the base budget by \$511,797 in each year of the upcoming biennium to align with updated caseload projections for FY 2019?

ASSEMBLYWOMAN TITUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE THE REVISED FEDERAL FUNDS TOTALING \$2.3 MILLION IN FY 2020 AND \$3.2 MILLION IN FY 2021 TO SUPPORT PROVIDING CHILDCARE SERVICES ALIGNED WITH THE MARCH 2019 CASELOAD PROJECTIONS FOR THE 2019-2021 BIENNIUM AND A TECHNICAL ADJUSTMENT INCREASING THE BASE BUDGET BY \$511,797 IN EACH YEAR OF THE UPCOMING BIENNIUM TO ALIGN WITH UPDATED CASELOAD PROJECTIONS FOR FY 2019.

SENATOR WOODHOUSE SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. COPELAND:

Major closing issue 2 is to reimburse childcare centers up to the 75th percentile of a market rate survey as found in decision unit M-502 beginning on page 19 of [Exhibit C](#). The Governor recommends additional federal funding of \$10.4 million over the biennium, including TANF funds of \$5 million in each year, to implement a federal recommendation to reimburse childcare providers up to the 75th percentile of the current market rate survey.

M-502 Mandates — Page DHHS-DWSS-40

Nevada's Child Care and Development Program (CCDP) State Plan requires the subsidy providers' reimbursement rates link directly to the Steps to Stars Quality Rating Improvement System (QRIS) which was implemented in October 2016. Reimbursement rates scale from one-star centers which receive reimbursement at the 55th percentile of the 2015 childcare market rate survey up to five-star centers receiving reimbursement at the 75th percentile. The table on page 20 shows the actual count of children in QRIS facilities compared to the Division's projections for the 2019-2021 biennium.

In light of the Division's move to reimburse childcare providers at a minimum 1-star rating beginning in March 2019, it appears the costs associated with the 1-star rating in the M-502 decision unit are included in the M-200 decision unit. Therefore, the cost of the one-star facilities could be removed from this decision unit. The Subcommittees may wish to consider approving costs associated with only the 2- through 5-star-rated facilities, which would reduce costs by \$1.8 million in each year for a total of \$3.4 million in each year for decision unit M-502. This would align the funding with the decision unit's stated purpose of provided funding for facilities as they get promoted up in the star ranking system. Should a need arise to utilize additional TANF funding for this program, the Agency could submit a work program request for consideration by the IFC.

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Do the Subcommittees wish to approve costs associated with the 2- through 5-star-rated facilities, which would reduce costs by \$1.8 million in each year for a total of \$3.4 million in federal funds in each year of the 2019-2021 biennium?

SENATOR WOODHOUSE MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE COSTS ASSOCIATED WITH THE 2- THROUGH 5-STAR-RATED FACILITIES, WHICH WOULD REDUCE COSTS BY \$1.8 MILLION IN EACH YEAR FOR A TOTAL OF \$3.4 MILLION IN FEDERAL FUNDS IN EACH YEAR OF THE 2019-2021 BIENNIUM.

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Ms. COPELAND:

The next closing issue is additional in-State and out-of-State travel in decision unit E-277 as explained beginning on page 21 of [Exhibit C](#). The Governor recommends additional travel in support of the CCDP, funded with federal funds of \$28,332 over the 2019-2021 biennium.

E-277 Educated and Healthy Citizenry — Page DHHS-DWSS-41

The in-State travel would allow for the program to travel to Las Vegas for mandatory subgrant monitoring, meetings, trainings, etc. The out-of-State travel would allow for travel to a mandatory federal meeting. The table on page 22 of [Exhibit C](#) shows historical in-State and out-of-State travel in this budget including the Governor's recommendation.

The Agency indicates additional in-State travel would assist the Division in complying with audit requirements which requires the Division to monitor and audit subgrant awardees by performing on-site monitoring. Staff notes the

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CCDP was cited with material weakness in internal controls over compliance since 2015.

The additional out-of-State travel would allow for two additional staff members to attend the State and Territory Child Care Development Fund Administrators Meeting in Washington D.C. and three staff members to attend a regional meeting in San Francisco. Staff notes that the base budget expenditures would allow sufficient funding to meet the annual obligated attendance at the State and Territory Child Care Development Fund Administrators Meeting; the enhanced out-of-State travel funds totaling approximately \$4,500 in each year of the biennium would allow for 2 additional staff members to attend the meeting. This funding could be removed if the Subcommittees desire. The Agency indicates that if more people attend the meeting, more information will be obtained as employees could attend the various breakout sessions.

The Subcommittees may wish to consider the following options. Option 1 is to approve the Governor's recommendation for additional out-of-State travel of \$8,841 and in-State travel of \$5,325 in each year of the 2019-2021 biennium. Option 2 is to not approve \$4,384 for 2 additional trips to the State and Territory Child Care Development Fund Administrators Meeting in Washington D.C., approve \$4,457 for 3 staff members to travel out of State for a regional meeting and approve the Governor's recommendation for \$5,325 for in-State travel.

ASSEMBLYWOMAN TITUS:

We have heard throughout these hearings about the importance of in-State and out-of-State travel. I do think it is important to meet with your peers and understand what other agencies are doing. The breakout sessions, though, need to be chosen based on what is most relevant to your particular territory. I cannot justify the increase; I would support option 2.

ASSEMBLYWOMAN TITUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE OPTION 2.

SENATOR WOODHOUSE SECONDED THE MOTION.

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CHAIR DENIS:

Training is important. I am also supporting option 2.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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MS. COPELAND:

Staff recommends approval of other closing items as recommended by the Governor and requests authority to make technical adjustments as needed.

ASSEMBLYWOMAN TITUS MOVED TO RECOMMEND TO THE FULL COMMITTEES TO APPROVE OTHER CLOSING ITEMS AS RECOMMENDED BY THE GOVERNOR AND REQUESTS AUTHORITY TO MAKE TECHNICAL ADJUSTMENTS AS NEEDED.

SENATOR WOODHOUSE SECONDED THE MOTION.

ASSEMBLY: THE MOTION CARRIED UNANIMOUSLY.

SENATE: THE MOTION CARRIED UNANIMOUSLY.

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Remainder of page intentionally left blank; signature page to follow.

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CHAIR DENIS:

Seeing no public comment, this meeting is adjourned at 8:51 a.m.

RESPECTFULLY SUBMITTED:

Michael Keever,
Committee Secretary

APPROVED BY:

Senator Moises Denis, Chair

DATE: _____

Assemblywoman Maggie Carlton, Vice Chair

DATE: _____

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EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	1		Agenda
	B	2		Attendance Roster
	C	23	Leannandra Copeland / Legislative Counsel Bureau	Human Services Joint Subcommittee Closing List #8