

Senate Subcommittee Report

Agency: Department for Children and Families

Bill No. SB 237

Bill Sec. 84

Analyst: Deckard

Analysis Pg. No. 2474

Budget Page No. 156

Expenditure Summary	Agency Request FY 2016	Governor Recommendation FY 2016*	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 228,014,716	\$ 234,942,880	\$ 0
Other Funds	399,011,393	377,925,531	0
Subtotal	<u>\$ 627,026,109</u>	<u>\$ 612,868,411</u>	<u>\$ 0</u>
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 627,026,109</u></u>	<u><u>\$ 612,868,411</u></u>	<u><u>\$ 0</u></u>
FTE positions	2,251.5	2,251.5	0.0
Non FTE Uncl. Perm. Pos.	260.5	260.5	0.0
TOTAL	<u><u>2,512.0</u></u>	<u><u>2,512.0</u></u>	<u><u>0.0</u></u>

*Note: Includes GBA No. 1, Item 9, to fund the spring Human Services Consensus Caseload estimate to add \$16,700,000 from the State General Fund and delete \$13,591,000 from other funding sources for FY 2016 and GBA No. 1, Item 5, to add a new federal fund and expenditures of \$6,254,584, all from federal funds, for a SNAP Employment and Training Pilot program for FY 2016. Changes reflected in the table only.

Agency Request

The **agency** requests expenditures of \$627.0 million, including \$228.0 million from the State General Fund for FY 2016. The request is an increase of \$8.1 million, or 1.3 percent, from all funding sources, including \$9.2 million, or 4.2 percent, from the State General Fund, above the FY 2015 revised estimate. The request includes an increase of \$7.1 million, including \$5.0 million from the State General Fund, in expenditures for Kansas Eligibility Enforcement System (KEES) above the amount requested for FY 2015. These increases reflect a transition from the development phase to the operational phase of the project. Also associated with KEES was a change in the payment methodology with the Kansas Department for Health and Environment. Also included in the request is \$375,000 for expenses associated with the agency's relocation to a new office location in FY 2016 and an anticipated increase of \$626,000 in Accounting, Payroll and Budget Systems Support fees paid to the Department of Administration.

The FY 2016 request includes the addition of \$2.2 million from the State General Fund to replace fee funds which are not available in FY 2016 and the addition of \$3.7 million from the State General Fund to maintain base funding from FY 2015.

The agency request includes State Operations expenditures totaling \$239.8 million, including \$133.0 million for salaries and wages and \$104.0 million for contractual services. The agency estimate also includes \$387.3 million for other assistance expenditures. These

expenditures include cash assistance, employment assistance, and energy assistance. Other expenditures include foster care assistance, child care assistance and adoption assistance.

The agency request includes \$228.0 million from the State General Fund, \$32.3 million from the Children's Initiatives Fund, and \$342.7 million from federal funding sources.

Governor's Recommendation

The **Governor** recommends FY 2016 expenditures of \$603.5 million, including \$218.2 million from the State General Fund. The recommendation is a decrease of \$23.5 million, or 3.8 percent, including \$9.8 million, or 4.3 percent, from the State General Fund, below the agency's request. The recommendation is a reduction of \$1.5 million, or 0.3 percent, from all funding sources, including \$6.1 million, or 2.7 percent, from the State General Fund, below the Governor's FY 2015 recommendation.

The FY 2016 recommendation includes adjustments totaling \$23.5 million to the agency's request. These changes include the addition of \$1.0 million from all funding sources and reduction of \$903,379 from the State General Fund, to fully fund the fall human services consensus caseload estimate for this agency. In addition, the recommendation includes a reduction of \$25,000, all from the Children's Initiatives Fund, from the Children's Initiatives Accountability Fund. Also included is a reduction of \$6.0 million, all from the Children's Initiatives Fund, to eliminate funding for the Kansas Reads to Succeed program, which contracted with the Lexia reading program.

The Governor's recommendation also includes a transfer of \$9.2 million from the Kansas Endowment for Youth Fund (located within Kansas Public Employees Retirement System) to the State General Fund in FY 2016.

The Governor's recommendation includes a reduction of \$1,703,340, including \$924,515 from the State General Fund, to reduce employer contributions for state employee health insurance.

The recommendation also includes a reduction of \$16.8 million, including \$8.0 million from the State General Fund, to continue the 4.0 percent State General Fund reduction. This reduction will be managed by eliminating funding for the migration of legacy systems from the mainframe, a reduction in the amount for rehabilitation case services and the consolidation of the Strategic Development and Faith Based Initiatives program into other programs within the agency in FY 2016. Additionally, included in the reductions is an increase in salaries and wages shrinkage savings, a decrease in operating expenditures, and a reorganization of Information Technology Services within the agency.

The Governor issued Executive Reorganization Order (ERO) No. 43 to transfer the responsibility for Medicaid eligibility determination and associated employees from the Department for Children and Families to the Department of Health and Environment effective January 1, 2016. The Governor indicates this reorganization is anticipated to increase accuracy in Medicaid eligibility determination and reduce program expenditures partially through uniform implementation of policy and processing changes. The associated saving will be split between this Department and the Department for Aging and Disabilities Services. In addition, ERO No. 43 will transfer foster care licensing responsibilities from the Department of Health and Environment to the Department for Children and Families effective July 1, 2015. The Governor indicated the reorganization is anticipated to streamline the licensing process.

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation with the following adjustments:

1. Delete the below proviso language which was included in previous years if the Governor chooses to include it in the appropriations bill:

Provided, That expenditures may be made from the Rehabilitation Services account for the acquisition of durable medical equipment and assistive technology devices: *Provided, however*, That all such expenditures for durable equipment or assistive technology devices shall require a \$1 for \$1 match from non-state sources;

During the fiscal year ending June 30, 2015, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2015 for the Kansas department for children and families as authorized by this or other appropriation act of the 2013 or 2014 regular session of the legislature, expenditures shall be made by the secretary for children and families for fiscal year 2015 to fix, charge and collect fees from parents for services provided to their children by an institution or program of the Kansas department for children and families: *Provided*, That all moneys received by the Kansas department for children and families for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the social welfare fund.

On July 1, 2014, October 1, 2014, January 1, 2015, and April 1, 2015, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer \$559,307 from the child care/development block grant federal fund of the Kansas department for children and families to the child care and development block grant — federal fund of the department of health and environment — division of health.

On August 1, 2014, the director of accounts and reports shall transfer \$20,400 from the social welfare fund and \$39,600 from the federal child support enforcement fund of the Kansas department for children and families to the child support enforcement contractual agreement fund of the department of revenue to reimburse costs of administrative expenses of child support enforcement activities under the agreement.

Senate Committee Recommendation

The **Committee** concurs with the Subcommittee's recommendation with the following adjustment:

1. Add \$12.0 million, all from the State General Fund, for the Department for Children and Families for FY 2016. The Department is currently cooperating with the federal Administration for Children and Families review of federal funds expended for the foster care program. The Human Services Consensus Caseload estimate for foster care included the addition of \$12.0 million from the State General Fund to provide for sufficient cash flow for the agency in FY 2015 for the program.

The potential exists that this issue will not be resolved by FY 2016, therefore the additional funding is being added to provide assurances that this program will have additional resources if federal funds are not available. To ensure that the funds are only used if needed, the recommendation includes the addition of language that the additional \$12.0 million shall only be expended for this program and shall not be expended except upon specific authorization by the state finance council acting on this matter, which is characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.

2. Increase the transfer from the Kansas Endowment for Youth Fund to the Children's Initiatives Fund by \$2.1 million, from \$49.1 million to \$51.2 million, for FY 2016.

Senate Committee of the Whole Recommendation

The **Committee of the Whole** concurs with the Committee's recommendation with the following adjustment:

1. Add language directing the Secretary to sell property located in Neosho County for FY 2016.

House Budget Committee Report

Agency: Department for Children and Families **Bill No.** HB 2370 **Bill Sec.** 84

Analyst: Deckard **Analysis Pg. No.** 2474 **Budget Page No.** 156

Expenditure Summary	Agency Request FY 2016	Governor Recommendation FY 2016*	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 228,014,716	\$ 234,942,880	\$ 0
Other Funds	399,011,393	377,925,531	3,000,000
Subtotal	\$ 627,026,109	\$ 612,868,411	\$ 3,000,000
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 627,026,109	\$ 612,868,411	\$ 3,000,000
FTE positions	2,251.5	2,251.5	0.0
Non FTE Uncl. Perm. Pos.	260.5	260.5	0.0
TOTAL	2,512.0	2,512.0	0.0

*Note: Includes GBA No. 1, Item 9, to fund the spring Human Services Consensus Caseload estimate to add \$16,700,000 from the State General Fund and delete \$13,591,000 from other funding sources for FY 2016 and GBA No. 1, Item 5, to add a new federal fund and expenditures of \$6,254,584, all from federal funds, for a SNAP Employment and Training Pilot program for FY 2016. Changes reflected in the table only.

Agency Request

The **agency** requests expenditures of \$627.0 million, including \$228.0 million from the State General Fund for FY 2016. The request is an increase of \$8.1 million, or 1.3 percent, from all funding sources, including \$9.2 million, or 4.2 percent, from the State General Fund, above the FY 2015 revised estimate. The request includes an increase of \$7.1 million, including \$5.0 million from the State General Fund, in expenditures for Kansas Eligibility Enforcement System (KEES) above the amount requested for FY 2015. These increases reflect a transition from the development phase to the operational phase of the project. Also associated with KEES was a change in the payment methodology with the Kansas Department for Health and Environment. Also included in the request is \$375,000 for expenses associated with the agency's relocation to a new office location in FY 2016 and an anticipated increase of \$626,000 in Accounting, Payroll and Budget Systems Support fees paid to the Department of Administration.

The FY 2016 request includes the addition of \$2.2 million from the State General Fund to replace fee funds which are not available in FY 2016 and the addition of \$3.7 million from the State General Fund to maintain base funding from FY 2015.

The agency request includes State Operations expenditures totaling \$239.8 million, including \$133.0 million for salaries and wages and \$104.0 million for contractual services. The agency estimate also includes \$387.3 million for other assistance expenditures. These expenditures include cash assistance, employment assistance, and energy assistance. Other expenditures include foster care assistance, child care assistance and adoption assistance.

The agency request includes \$228.0 million from the State General Fund, \$32.3 million from the Children's Initiatives Fund, and \$342.7 million from federal funding sources.

Governor's Recommendation

The **Governor** recommends FY 2016 expenditures of \$603.5 million, including \$218.2 million from the State General Fund. The recommendation is a decrease of \$23.5 million, or 3.8 percent, including \$9.8 million, or 4.3 percent, from the State General Fund, below the agency's request. The recommendation is a reduction of \$1.5 million, or 0.3 percent, from all funding sources, including \$6.1 million, or 2.7 percent, from the State General Fund, below the Governor's FY 2015 recommendation.

The FY 2016 recommendation includes adjustments totaling \$23.5 million to the agency's request. These changes include the addition of \$1.0 million from all funding sources and reduction of \$903,379 from the State General Fund, to fully fund the fall human services consensus caseload estimate for this agency. In addition, the recommendation includes a reduction of \$25,000, all from the Children's Initiatives Fund, from the Children's Initiatives Accountability Fund. Also included is a reduction of \$6.0 million, all from the Children's Initiatives Fund, to eliminate funding for the Kansas Reads to Succeed program, which contracted with the Lexia reading program.

The Governor's recommendation also includes a transfer of \$9.2 million from the Kansas Endowment for Youth Fund (located within Kansas Public Employees Retirement System) to the State General Fund in FY 2016.

The Governor's recommendation includes a reduction of \$1,703,340, including \$924,515 from the State General Fund, to reduce employer contributions for state employee health insurance.

The recommendation also includes a reduction of \$16.8 million, including \$8.0 million from the State General Fund, to continue the 4.0 percent State General Fund reduction. This reduction will be managed by eliminating funding for the migration of legacy systems from the mainframe, a reduction in the amount for rehabilitation case services and the consolidation of the Strategic Development and Faith Based Initiatives program into other programs within the agency in FY 2016. Additionally, included in the reductions is an increase in salaries and wages shrinkage savings, a decrease in operating expenditures, and a reorganization of Information Technology Services within the agency.

The Governor issued Executive Reorganization Order (ERO) No. 43 to transfer the responsibility for Medicaid eligibility determination and associated employees from the Department for Children and Families to the Department of Health and Environment effective January 1, 2016. The Governor indicates this reorganization is anticipated to increase accuracy in Medicaid eligibility determination and reduce program expenditures partially through uniform implementation of policy and processing changes. The associated saving will be split between this Department and the Department for Aging and Disability Services. In addition, ERO No. 43 will transfer foster care licensing responsibilities from the Department of Health and Environment to the Department for Children and Families effective July 1, 2015. The Governor indicated the reorganization is anticipated to streamline the licensing process.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following notations and adjustments:

1. The Budget Committee recommends the full Appropriations Committee consider the following action in regards to the Parents as Teachers Program, in the Department of Education and Court Appointed Special Advocates Program in the Judicial Branch.
 - Add language requiring the Department of Education to develop and implement a pilot program for Parents as Teachers which is means tested and provides free services for families below 200 percent of the federal poverty level (FPL) for FY 2016.
 - Add language requiring a report back from the Department of Education on outcomes and other program information to the appropriate committees during the 2016 and 2017 Legislative Sessions.
 - Delete \$3.0 million, all from the Children's Initiatives Fund for Parents as Teachers for FY 2016, and add the same amount from special revenue funds.
 - Transfer \$3.0 million, all from the Temporary Assistance for Needy Families federal fund, from the Department for Children and Families to the Department of Education for the purpose of implementing a Parents as Teachers Program for FY 2016.
 - Add language making the transfer from the Department for Children and Families for FY 2016 contingent upon a memorandum of understanding with the Department of Education that the Parents as Teachers program structure meets the requirements of receiving federal Temporary Assistance for Needy Families funds.
 - Add language requesting the Department of Education consider implementing a sliding fee scale for FY 2016 for families receiving services from the Parents as

Teachers program, for those families with an income above a determined percent of the federal poverty level to contribute a portion of the cost of the program.

- Delete \$200,000, all from the Children's Initiatives Fund, for Parents as Teachers in the Department of Education budget for FY 2016.
 - Add \$200,000, all from the Children's Initiatives Fund for the Court Appointed Special Advocates for Children (CASA) in the Judicial branch budget for FY 2016. The Budget Committee notes that CASA provides an invaluable resource for abused and neglected children. The 23 Kansas CASA programs in Kansas, with 838 volunteers, provided over 60,000 hours of advocacy for 1,946 children in 2013. The Budget Committee is concerned with information received that funding has been reduced for this important program from the Judicial Branch and recommends the additional funding to ensure that vulnerable children receive the services they need when interacting with the courts.
2. Add language to direct the Director of Accounts and Reports to withhold 10.0 percent of each Children's Initiatives Fund account until the Children's Cabinet certifies all requested information regarding the programs funded by these accounts has been provided by the program or grant recipients, with a copy of the certification provided to the Division of the Budget and the Kansas Legislative Research Department. The Budget Committee notes concern on the lack of responsiveness to information requested in order to perform evaluation of the program by some recipients of Children's Initiatives Fund moneys. The Budget Committee notes its belief that these recipients have a responsibility to provide information as a part of their accountability in receiving moneys from this source.
 3. Add \$3.0 million, all from the Children's Initiatives Fund, for a reading program for students for FY 2016, contingent upon funding being available in the Children's Initiatives Fund. In addition, add language requiring a request for proposal (RFP) process for awarding the funding and requiring the following minimum requirements:
 - Create a personalized learning path for students and continually tailor instruction to the individual needs of the student while providing the teacher with the resources to deliver direct instruction based on the student's performance data;
 - Meet the criteria of having research that is peer reviewed and published in national scientific reading journals;
 - Provide teachers with executable, norm-referenced performance data on a daily basis that enables teachers to plan and modify reading instruction without having to stop instructional time to administer a test;
 - Provide regular periodic and highly accurate predictive scores for K, 1st, 2nd, and 3rd graders, which indicate the likelihood of students reading grade level reading skills by the end of the school year; and
 - Are highly correlated with commonly used reading assessments, including DIBELS, AIMS Web, NWEA MAP assessment, and the Kansas State Reading Test and aligned with the Common Core Standards.

House Committee Recommendation

The **House Committee** concurs with the Budget Committee's recommendation with the following adjustments:

1. Took no action on the items related to Parents as Teachers in Number 1.
2. Did not take the action related to the Court Appointed Special Advocates program listed in Number 1. The Committee instead transferred \$200,000, all from the Kansas Endowment for Youth Fund, to the Judicial Branch special revenue fund for FY 2016 for this program.
3. Funding from the Children's Initiatives Fund was not available for the reading program listed in Number 3. The Committee noted its intention to revisit the potential funding for a reading program requiring the following minimum requirements:
 - Create a personalized learning path for students and continually tailor instruction to the individual needs of the student while providing the teacher with the resources to deliver direct instruction based on the student's performance data;
 - Meet the criteria of having research that is peer reviewed and published in national scientific reading journals;
 - Provide teachers with executable, norm-referenced performance data on a daily basis that enables teachers to plan and modify reading instruction without having to stop instructional time to administer a test;
 - Provide regular periodic and highly accurate predictive scores for K, 1st, 2nd, and 3rd graders, which indicate the likelihood of students reading grade level reading skills by the end of the school year; and
 - Are highly correlated with commonly used reading assessments, including DIBELS, AIMS Web, NWEA MAP assessment, and the Kansas State Reading Test and aligned with the Common Core Standards.

Conference Committee Recommendation (House Sub. for SB 112)

The **Conference Committee** concurs with the Governor's recommendation with the following adjustments:

1. Concur with GBA No. 1, Item 5, to add a new federal fund and expenditures of \$6.3 million, all from federal funds, for a SNAP Employment and Training Pilot program for FY 2016.
2. Delete \$1.4 million, including \$0.8 million from the State General Fund, to reduce the Kansas Public Employees Retirement System employer contribution rate from 12.37 percent to 10.91 percent for FY 2016. This implements the provisions of SB 228.
3. Concur with GBA No. 1, Item 9, to fund the spring Human Services Consensus Caseload estimate to add \$16.7 million from the State General Fund and delete \$13.6 million from other funding sources for FY 2016.

4. Delete \$731,268 from all funding sources including an addition of \$319,767 from the State General Fund to implement the provisions of Senate Sub. for HB 2258 for FY 2016.
5. Add language directing the Director of Accounts and Reports to withhold 10.0 percent of each Children's Initiatives Fund account until the Children's Cabinet certifies all requested information has been provided for FY 2016.
6. Increase the transfer from the Kansas Endowment for Youth Fund to the Children's Initiatives Fund by \$2.1 million for FY 2016.
7. Add \$2.5 million, including \$51,000 from the State General Fund, and a reduction of 115.0 FTE positions to implement the provision of ERO No. 43 which transfers the medicaid eligibility determination program to the Department of Environment and which transfers the foster care licensing program to the Department of Children and Families for FY 2016.
8. Transfer \$500,000, all from the Other State Fees Fund, to the State General Fund, for FY 2016.
9. Delete \$1,940, all from the State General Fund, for a 50.0 percent reduction of advertising expenditures for FY 2016.
10. Delete \$97,034 all from the State General Fund, for a 25.0 percent reduction of travel expenditures for FY 2016.
11. Delete \$292,920, including \$156,499 from the State General Fund, to suspend employer contributions to the Kansas Public Employees Retirement System Group Insurance Fund, or Death and Disability Fund, for the final seven pay periods for FY 2016.
12. Add language directing the Secretary to sell property located in Neosho County for FY 2016.
13. Add language to utilize State General Fund moneys if balances in the Kansas Endowment for Youth Fund or the Children's Initiatives Fund are insufficient to cover appropriations and transfers for FY 2016.
14. Add language to prohibit expenditures on newspapers and magazines, including electronic subscriptions, for FY 2016.

	Governor's Recommendation FY 2016*	Legislative Action	Legislative Approved FY 2016	Governor's Veto FY 2016	Final Legislative Approved FY 2016
All Funds					
State Operations	\$ 235,219,312	\$ 1,053,799	\$ 236,273,111	\$ 0	\$ 236,273,111
Aid to Local Units	0	0	0	0	0
Other Assistance	377,649,099	(1,051,035)	376,598,064	0	376,598,064
Subtotal- Operations	\$ 612,868,411	\$ 2,764	\$ 612,871,175	\$ 0	\$ 612,871,175
Capital Improvements	0	0	0	0	0
TOTAL	<u>\$ 612,868,411</u>	<u>\$ 2,764</u>	<u>\$ 612,871,175</u>	<u>\$ 0</u>	<u>\$ 612,871,175</u>
State General Fund					
State Operations	\$ 100,438,665	\$ (640,788)	\$ 99,797,877	\$ 0	\$ 99,797,877
Aid to Local Units	0	0	0	0	0
Other Assistance	134,504,215	0	134,504,215	0	134,504,215
Subtotal-Operating	\$ 234,942,880	\$ (640,788)	\$ 234,302,092	\$ 0	\$ 234,302,092
Capital Improvements	0	0	0	0	0
TOTAL	<u>\$ 234,942,880</u>	<u>\$ (640,788)</u>	<u>\$ 234,302,092</u>	<u>\$ 0</u>	<u>\$ 234,302,092</u>
FTE Positions	2,251.5	(115.0)	2,136.5	0.0	2,136.5
Non-FTE Unclass. Perm. Pos.	260.5	0.0	260.5	0.0	260.5
TOTAL	<u>2,512.0</u>	<u>(115.0)</u>	<u>2,397.0</u>	<u>0.0</u>	<u>2,397.0</u>

*Note: Includes GBA No. 1, Item 9, to fund the spring Human Services Consensus Caseload estimate to add \$16,700,000 from the State General Fund and delete \$13,591,000 from other funding sources for FY 2016 and GBA No. 1, Item 5, to add a new federal fund and expenditures of \$6,254,584, all from federal funds, for a SNAP Employment and Training Pilot program for FY 2016.