



BILL & AMENDMENT SUMMARY

SF 2071

FY 2012 Supplemental Corrections / MH Risk Pool

Status of Bill: House Appropriations Calendar
 Committee: Appropriations (25-0)
 Lead Democrat: Rep. Todd Taylor
 Floor Manager: Rep. Gary Worthan
 Research Analyst: Joe Romano 515-281-6971
 joseph.romano@legis.state.ia.us

February 14, 2011

Background

Late December 2011, the Legislative Fiscal Committee heard from the Department of Corrections about a need for \$7 million to \$8 million in additional funding, just to maintain the current staffing levels for the Department of Correction institutions and community-based correctional services. SF 2071 was drafted in response to filling that shortfall, and to address the allowance of a third-round of mental health risk pool to help counties address services to persons placed on a wait-list. SF 2071 passed the Senate 26-23, and House Appropriations 25-0.

Summary

Division I – Corrections Appropriations

SF 2071 appropriations \$8.5 million from the general fund to the Department of Corrections for FY 2012 to help the department maintain the current staffing levels at the state correctional institutions. The bill provides funding for all the correctional institutions and community-based corrections facilities and appropriates \$2 million more than proposed by the Governor. The bill allocates \$4.9 million to the correctional institutions; \$891,040 to the Department of Corrections central office for county confinement, federal prisoners, and administration costs; and \$2.7 million to the community-based corrections facilities. (See table below for details of funding for each institution.)

The Governor recommended \$6.5 million and provided no increases to Fort Dodge, Rockwell City, Clarinda, and Mitchellville institutions and no increase for community-based corrections districts 2, 4, and 5.

| Corrections, Dept. of | Estimated FY 2012 | SF 2071 FY 2012 | Total FY 2012 With Supplemental |
|---|-----------------------|---------------------|------------------------------------|
| Ft. Madison Institution | \$ 41,031,283 | \$ 1,260,748 | \$ 42,292,031 |
| Anamosa Institution | 31,985,974 | 182,174 | 32,168,148 |
| Oakdale Institution | 55,594,426 | 995,473 | 56,589,899 |
| Newton Institution | 25,958,757 | 642,944 | 26,601,701 |
| Mt. Pleasant Inst. | 25,917,815 | 404,087 | 26,321,902 |
| Rockwell City Institution | 9,316,466 | 173,995 | 9,490,461 |
| Clarinda Institution | 24,639,518 | 374,774 | 25,014,292 |
| Mitchellville Institution | 15,615,374 | 433,931 | 16,049,305 |
| Ft. Dodge Institution | 29,062,235 | 393,923 | 29,456,158 |
| Subtotal Correctional Institutions | \$ 259,121,848 | \$ 4,862,049 | \$ 263,983,897 |

(Table Continued Next Page)

| Corrections, Dept. of | Estimated FY 2012 | SF 2071 FY 2012 | Total FY 2012 With Supplemental |
|---|------------------------------|----------------------------|--|
| Central Office | | | |
| Corrections Administration | \$ 4,835,542 | \$ 346,040 | \$ 5,181,582 |
| County Confinement | 775,092 | 300,000 | 1,075,092 |
| Federal Prisoners/Contractual | 239,411 | 245,000 | 484,411 |
| Total Central Office | \$ 5,850,045 | \$ 891,040 | \$ 6,741,085 |
| | | | |
| CBC District I - Waterloo | \$ 12,204,948 | \$ 453,140 | \$ 12,658,088 |
| CBC District II - Ames | 10,336,948 | 261,706 | 10,598,654 |
| CBC District III – Sioux City | 5,599,765 | 352,616 | 5,952,381 |
| CBC District IV – Council Bluffs | 5,391,355 | 50,996 | 5,442,351 |
| CBC District V – Des Moines | 18,742,129 | 310,675 | 19,052,804 |
| CBC District VI – Cedar Rapids | 13,112,563 | 599,943 | 13,712,506 |
| CBC District VII – Davenport | 6,492,814 | 223,774 | 6,716,588 |
| CBC District VIII – Ottumwa | 6,879,715 | 492,704 | 7,372,419 |
| Subtotal Community Based Corrections | \$ 78,760,237 | \$ 2,745,554 | \$ 81,505,791 |
| | | | |
| Total Corrections, Dept. of | \$ 343,732,130 | \$ 8,498,643 | \$ 352,230,773 |

Source: Legislative Service Agency

Division II – Risk Pool Applications for fiscal year 2011-2012

The bill establishes a process for the mental health risk pool board to allow additional allocations from the risk pool fund. The risk pool is a pot of money for counties to access if they think they will be short of funding for county administered mental health and disability services. Each year, there may or may not be money left over for the risk pool. This year, there is just over \$5 million available. Certain counties want the Legislature to allow for counties to be able to access this funding.

The bill allows for counties to access the risk pool in a three tiered criteria system. Each tier must be completed first before moving on to the next tier. First, if a county has a current waiting list for services, they can apply. At this point, this only includes Linn, Calhoun, Sac, Lucas, and maybe Osceola Counties, which will cost about \$1.5 million. After tier one is completed, then money can be distributed to tier two counties.

Tier two counties are ones with residents on the state intellectual disability services waiting list. There are approximately 44 counties with ID waivers and their need is estimated at \$746,000.

Tier three counties are any counties that meet at least one of the general risk pool criteria which are below. Tier 3 would go to support mandated services or to avoid reductions, elimination, or waiting lists for services that may place the consumer's health or safety at risk. Tier 3 also helps to maintain consumers in a community setting, creating a risk that the consumers would be placed in more restrictive, higher cost settings. There are 56 counties that would be eligible for tier three resources and this would likely use up the available funds.

- (1) Continuing support for mandated services.
- (2) Avoiding the need for reduction or elimination of critical services when the reduction or elimination places consumers' health or safety at risk.
- (3) Avoiding the need for reduction or elimination of a mobile crisis team or other critical emergency services when the reduction or elimination places the public's health or safety at risk.

(4) Avoiding the need for reduction or elimination of the services or other support provided to entire disability populations.

(5) Avoiding the need for reduction or elimination of services or other support that maintain consumers in a community setting, or creating a risk that the consumers would be placed in more restrictive, higher cost settings.

Counties will have ten days from enactment of bill to apply to the risk pool board. The risk pool board is allowed to accept or reject an application in whole and prorate distribution of funding as necessary to conform to the amount available. The bill requires the risk pool funds be distributed within 15 working days of the board's funding decision. If the distributed funds are not spent by the county by November 1, 2012, for services provided before July 1, 2012, then the county must reimburse the risk pool. The risk pool board is required to report to the Governor and the General Assembly on or before December 31, 2012, regarding funds distributed from the risk pool.

Division III – Effective Date

The bill takes effect upon enactment.

Amendment Summary

H-8009 by Appropriations Committee: The amendment reduces funding for the correctional institutions supplemental from the \$8.5 million in the bill to \$6.5 million, which means the following institutions will receive no supplemental:

- Rockwell City correctional facility funding reduced in the bill by \$173,995.
- Clarinda correctional facility funding reduced in the bill by \$374,774.
- Mitchellville correctional facility funding reduced in the bill by \$433,931.
- Fort Dodge correctional facility funding reduced in the bill by \$493,923.
- Community based corrections in Judicial District 2 (Ames) funding reduced in the bill by \$261,706.
- Community based corrections in Judicial District 4 (Council Bluffs) funding reduced in the bill by \$50,966.
- Community based corrections in Judicial District 4 (Des Moines) funding reduced in the bill by \$310,675.

The amendment also eliminates Tier 3 from the mental health risk pool, which would have gone to support mandated services or to avoid reductions, elimination, or waiting lists for services that may place the consumer's health or safety at risk. Tier 3 also helps to maintain consumers in a community setting, creating a risk that the consumers would be placed in more restrictive, higher cost settings. Eliminating Tier 3 would leave approximately \$2.75 million to \$3 million in the fund.

H-8013 to H-8009 by Heddens (D-Story): Amends the committee amendment by striking the elimination of Tier 3 of the mental health risk pool, which will restore the risk pool language as passed by the Senate.

H-XXXX to H-8009 by T. Olson (D-Linn): Amends the committee amendment by striking elimination of \$2 million in supplemental funding for the Rockwell City, Clarinda, Mitchellville, and Fort Dodge correctional facilities and community based corrections judicial districts 2, 4, and 5. The amendment maintains the supplemental funding as passed by the Senate.

H-XXXX to H-8009 by T. Olson (D-Linn): Amends the committee amendment by striking the reductions to state agencies for office supplies, utilities, and professional and scientific services, that is estimated to save \$8.5 million.