

HOUSE BILL NO. 489

INTRODUCED BY O'KEEFE, BECKER, BLAYLOCK,
YELLOWTAIL, HARRINGTON, MAZUREK

IN THE HOUSE

JANUARY 31, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON HUMAN SERVICES & AGING.

 FIRST READING.

FEBRUARY 12, 1991 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

FEBRUARY 13, 1991 PRINTING REPORT.

FEBRUARY 15, 1991 ON MOTION, TAKEN FROM SECOND READING
AND REREFERRED TO THE COMMITTEE
ON APPROPRIATIONS.

MARCH 23, 1991 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

MARCH 25, 1991 PRINTING REPORT.

MARCH 27, 1991 SECOND READING, DO PASS.

MARCH 28, 1991 ENGROSSING REPORT.

 THIRD READING, PASSED.
AYES, 85; NOES, 14.

 TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 28, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON FINANCE & CLAIMS.

 FIRST READING.

APRIL 12, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

APRIL 13, 1991 SECOND READING, CONCURRED IN.

APRIL 15, 1991 THIRD READING, CONCURRED IN.
AYES, 47; NOES, 1.

RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 17, 1991

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 18, 1991

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 ~~House~~ BILL NO. 489
 2 INTRODUCED BY Rep. Beckler
 3 Yellowtail Harpington
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO DEFINE THE
 5 REQUIREMENTS FOR PAYMENT OF CLOTHING FOR CHILDREN PLACED IN
 6 FOSTER HOMES; AMENDING SECTION 41-3-1103, MCA; AND PROVIDING
 7 AN EFFECTIVE DATE."
 8

9 WHEREAS, a clothing allowance is not included in the
 10 basic payment for foster care; and

11 WHEREAS, children who are removed from their home and
 12 placed in foster care typically have only the clothing they
 13 are wearing and have few other personal effects; and

14 WHEREAS, children placed in foster care eventually have
 15 the need for additional clothing because of their growth or
 16 the change in seasons or weather.

17
 18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

19 **Section 1.** Section 41-3-1103, MCA, is amended to read:

20 **"41-3-1103. Powers and duties of department.** (1) The
 21 department shall:

- 22 (a) administer all state and federal funds allocated to
- 23 the department for youth foster homes, youth group homes,
- 24 child-care agencies, and detention facilities and services
- 25 for youth in need of care, youth in need of supervision, and

1 delinquent youth, as defined in 41-5-103;

2 (b) exercise licensing authority over all detention
 3 facilities as defined in 41-5-103, youth foster homes, youth
 4 group homes, and child-care agencies;

5 (c) collect and disseminate information relating to
 6 youth in need of care, youth in need of supervision, and
 7 delinquent youth;

8 (d) provide for training of program personnel
 9 delivering services;

10 (e) in cooperation with youth care facility providers,
 11 develop and implement standards for youth care facilities;

12 (f) maintain adequate data on placements it funds in
 13 order to keep the legislature properly informed of the
 14 following:

15 (i) the breakdown of youth in need of care, youth in
 16 need of supervision, and delinquent youth by category in
 17 out-of-home care facilities;

18 (ii) the cost per facility for services rendered;

19 (iii) the type and level of care of services provided by
 20 each facility;

21 (iv) a profile of out-of-home care placements by level
 22 of care; and

23 (v) a profile of public institutional placements; and

24 (g) administer all funds allocated to the department
 25 for residential alcohol and drug abuse treatment for



LC 0705/01

1 indigent youths in need of care, indigent youths in need of
2 supervision, and indigent delinquent youths who require such
3 treatment.

4 (2) The department may:

5 (a) enter into contracts with nonprofit corporations or
6 associations or private organizations to provide facilities
7 and services for youth in need of care, youth in need of
8 supervision, and delinquent youth;

9 (b) accept gifts, grants, and donations of money and
10 property from public and private sources to initiate and
11 maintain community-based services to youth;

12 (c) adopt rules to carry out the administration and
13 purposes of this part.

14 (3) The department shall pay for room, board, clothing,
15 personal needs, transportation, and treatment in youth
16 foster care homes and youth group homes for youths committed
17 to the department who need to be placed in such facilities.
18 Payments for the clothing of a child placed in a youth
19 foster home must be provided to the extent the child needs a
20 basic wardrobe or has a special clothing need. However,
21 payments for clothing may not exceed \$500 a year per child."

22 NEW SECTION. Section 2. Effective date. {This act} is
23 effective July 1, 1991.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0489, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to define the requirements for payment of clothing for children placed in foster homes; amending section 41-3-1103, MCA; and providing an effective date.


ASSUMPTIONS:

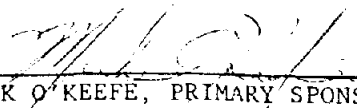
1. Current level clothing payments are based upon FY90 actual data. No increases were included in FY91, FY92 or FY93.
2. Under this act, a clothing allowance will be available for all foster family home placements on a pro-rated basis based upon the length of stay of the child.
3. DFS currently has permanent custody of approximately 300 youth which will be in care a full year. The average for the remainder of foster home placements (1,845 placements each year) will be in care on the average of 125 days (34%) of a year.
4. Title IV-E placements are currently 41.5% of total placements. The federal matching rate for Title IV-E placements will be 71.71% in FY92 and 71.90% in FY93.
5. Federal revenue available in FY92 will be 41.5% of 71.71% = 29.76%; and the FY93 percentage will be 41.5% of 71.90% = 29.84%.

FISCAL IMPACT:

Department of Family Services:

	<u>FY 92</u>			<u>FY 93</u>		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
<u>Expenditures:</u>						
Benefits & Claims	84,468	463,650	379,182	84,468	463,650	379,182
Total	84,468	463,650	379,182	84,468	463,650	379,182
<u>Funding:</u>						
General Fund	59,330	325,668	266,338	59,263	325,297	266,034
Federal Special	25,138	137,982	112,844	25,205	138,353	113,148
Total	84,468	463,650	379,182	84,468	463,650	379,182
Net Impact General Fund			266,338			266,034


 ROD SUNDSTED, BUDGET DIRECTOR DATE 2-5-91
 Office of Budget and Program Planning


 MARK O'KEEFE, PRIMARY SPONSOR DATE 2/7/91
 Fiscal Note for HB0489, as introduced **HB 489**

APPROVED BY COMM. ON HUMAN SERVICES AND AGING

1 ~~House~~ BILL NO. 489
2 INTRODUCED BY Richard Barber
3 Yellowtail Harshington
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15 the need for additional clothing because of their growth or
16 the change in seasons or weather.
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21 department shall:

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25 for residential alcohol and drug abuse treatment for

SECOND READING

HB 489



LC 0705/01

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4 (2) The department may:

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7 and services for youth in need of care, youth in need of
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10 property from public and private sources to initiate and
11 maintain community-based services to youth;

12 (c) adopt rules to carry out the administration and
13 purposes of this part.

14 (3) The department shall pay for room, board, clothing,
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19 foster home must be provided to the extent the child needs a
20 basic wardrobe or has a special clothing need. However,
21 payments for clothing may not exceed \$500 a year per child."

22 NEW SECTION. Section 2. Effective date. [This act] is
23 effective July 1, 1991.

-End-

RE-REFERRED AND
APPROVED BY COMMITTEE
ON APPROPRIATIONS
AS AMENDED

HOUSE BILL NO. 489

INTRODUCED BY O'KEEFE, BECKER, BLAYLOCK,
YELLOWTAIL, HARRINGTON, MAZUREK

A BILL FOR AN ACT ENTITLED: "AN ACT TO DEFINE THE
REQUIREMENTS FOR PAYMENT OF CLOTHING FOR CHILDREN PLACED IN
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FAMILY SERVICES; AMENDING SECTION 41-3-1103, MCA; AND
PROVIDING AN EFFECTIVE DATE."

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delinquent youth, as defined in 41-5-103;

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each facility;

(iv) a profile of out-of-home care placements by level
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(v) a profile of public institutional placements; and



1 (g) administer all funds allocated to the department
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3 indigent youths in need of care, indigent youths in need of
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5 treatment.

6 (2) The department may:

7 (a) enter into contracts with nonprofit corporations or
8 associations or private organizations to provide facilities
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16 (3) The department shall pay for room, board, clothing,
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21 foster home must be provided to the extent the child needs a
22 basic wardrobe or has a special clothing need. However,
23 payments for clothing may not exceed \$500 \$300 a year per
24 child."

25 NEW SECTION. SECTION 2. APPROPRIATION. THERE IS

1 APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT OF
2 FAMILY SERVICES FOR THE BIENNIUM ENDING JUNE 30, 1993, THE
3 SUM OF \$266,186 TO CARRY OUT THE PURPOSES OF [THIS ACT].

4 NEW SECTION. Section 3. Effective date. [This act] is
5 effective July 1, 1991.

-End-

1 HOUSE BILL NO. 489

2 INTRODUCED BY O'KEEFE, BECKER, BLAYLOCK,

3 YELLOWTAIL, HARRINGTON, MAZUREK

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5 effective July 1, 1991.

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
April 12, 1991

MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration House Bill No. 489 (third reading -- blue), respectfully report that House Bill No. 489 be amended and as so amended be concurred in:

1. Page 3, line 25.

Strike: "THERE IS"

2. Page 4, line 1.

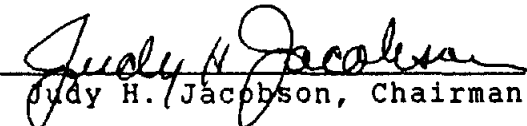
Strike: "APPROPRIATED FROM THE GENERAL FUND"

Insert: "The amount of \$266,186 from the general fund and \$112,996 from federal special revenue funds are appropriated"

3. Page 4, lines 2 and 3.

Strike: "THE SUM OF \$266,186"

Signed:


Judy H. Jacobson, Chairman

AP 4-12-91
Amd. Coord.

SB 4-12-91 10:05
Sec. of Senate

SENATE
HB 489

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25 NEW SECTION. SECTION 2. APPROPRIATION. --THERE----- IS

1 APPROPRIATED--FROM--THE--GENERAL-FUND THE AMOUNT OF \$266,186
2 FROM THE GENERAL FUND AND \$112,996 FROM FEDERAL SPECIAL
3 REVENUE FUNDS ARE APPROPRIATED TO THE DEPARTMENT OF FAMILY
4 SERVICES FOR THE BIENNIUM ENDING JUNE 30, 1993, THE--SUM--OF
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