

**SB 790 A BUDGET REPORT and MEASURE SUMMARY**

**Joint Committee On Ways and Means**

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**Reviewed By:** MaryMichelle Sosne, Legislative Fiscal Office

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**Department of Human Services**

**2023-25**

PRELIMINARY

**Budget Summary**

|                     | 2021-23 Legislatively<br>Approved Budget | 2023-25 Current Service<br>Level | 2023-25 Committee<br>Recommendation | Committee Change from 2021-23<br>Leg. Approved |               |
|---------------------|--|----------------------------------|-------------------------------------|--|---------------|
|                     |  |                                  |                                     | \$ Change                                      | % Change      |
| General Fund        | \$ -                                     | \$ -                             | \$ 205,644                          | \$ 205,644                                     | 100.0%        |
| Other Funds Limited | \$ -                                     | \$ -                             | \$ 341,894                          | \$ 341,894                                     | 100.0%        |
| <b>Total</b>        | <b>\$ -</b>                              | <b>\$ -</b>                      | <b>\$ 547,538</b>                   | <b>\$ 547,538</b>                              | <b>100.0%</b> |

**Position Summary**

|                                      |      |      |      |      |
|--------------------------------------|------|------|------|------|
| Authorized Positions                 | 0    | 0    | 2    | 2    |
| Full-time Equivalent (FTE) positions | 0.00 | 0.00 | 1.50 | 1.50 |

**Summary of Revenue Changes**

Senate Bill 790 provides \$205,644 General Fund and \$341,894 Other Funds expenditure limitation to the Department of Human Services (DHS) to support the anticipated increase in workload associated with allegations of child abuse in a public education program.

**Summary of Health and Human Services Subcommittee Action**

Senate Bill 790 modifies definition of ‘abuse’ is modified to include the restraint, seclusion, and/or infliction of corporal punishment of a child in violation of existing public education restraint, seclusion, and student conduct statutes. The bill specifies what criteria DHS will utilize to determine the responsibility of a public education program in a case of substantiated child abuse.

The measure prohibits DHS from substantiating an allegation of child abuse against an employee of a public education program if the employee has not been trained and the restraint was used in response to an imminent risk of serious bodily injury, and/or the employee did not act with reckless regard of student safety and the restraint did not pose a significant risk to impeding a student’s breathing. However, the public education program may still be held responsible for the employee’s actions. The measure requires DHS to submit a quarterly report on child abuse investigations in public education programs to the interim legislative committees related to child welfare. The first quarterly report is due January 1, 2024. The measure applies to incidents occurring on or after July 1, 2023.

Senate Bill 790 provides \$547,538 total funds, which includes \$205,644 General Fund, \$341,894 Other Funds expenditure limitation, and two permanent full-time Investigator 3 positions (1.50 FTE) to process the anticipated increase in investigations.

**DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION**

Department of Human Services  
Mike Streepy -- 971-283-1198

| DESCRIPTION  | GENERAL FUND | LOTTERY FUNDS | OTHER FUNDS |            | FEDERAL FUNDS |            | TOTAL ALL FUNDS | POS | FTE  |
|--|--------------|---------------|-------------|------------|---------------|------------|-----------------|-----|------|
|  |              |               | LIMITED     | NONLIMITED | LIMITED       | NONLIMITED |                 |     |      |
| <u>SUBCOMMITTEE ADJUSTMENTS</u>                                |              |               |             |            |               |            |                 |     |      |
| <b>SCR 010-45 - DHS Shared Services</b>                        |              |               |             |            |               |            |                 |     |      |
| Personal Services  | \$ -         | \$ -          | \$ 318,527  | \$ -       | \$ -          | \$ -       | \$ 318,527      | 2   | 1.50 |
| Services and Supplies  | \$ -         | \$ -          | \$ 20,752   | \$ -       | \$ -          | \$ -       | \$ 20,752       |     |      |
| <b>SCR 010-50 - State Assessment and Enterprise-wide Costs</b> |              |               |             |            |               |            |                 |     |      |
| Services and Supplies  | \$ 9,371     | \$ -          | \$ 104      | \$ -       | \$ -          | \$ -       | \$ 9,475        |     |      |
| Special Payments   | \$ 196,273   | \$ -          | \$ 2,511    | \$ -       | \$ -          | \$ -       | \$ 198,784      |     |      |
| TOTAL ADJUSTMENTS  | \$ 205,644   | \$ -          | \$ 341,894  | \$ -       | \$ -          | \$ -       | \$ 547,538      | 2   | 1.50 |
| SUBCOMMITTEE RECOMMENDATION                                    | \$ 205,644   | \$ -          | \$ 341,894  | \$ -       | \$ -          | \$ -       | \$ 547,538      | 2   | 1.50 |

PRELIMINARY