

MAR 8 2005
Place On Calendar

HOUSE FILE 616
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HSB 155)

Passed House, Date 3-29-05 Passed Senate, Date 4-18-05
Vote: Ayes 99 Nays 1 Vote: Ayes 49 Nays 0
Re-passed Approved 5/3/05
4-21-05 99-0

A BILL FOR

1 An Act revising requirements applicable to county and multicounty
2 decategorization of child welfare and juvenile justice funding
3 projects.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

5

HOUSE FILE 616

H-1059

1 Amend House File 616 as follows:

2 1. Page 3, line 17, by inserting after the word
3 "expenditure" the following: "as directed by the
4 project's governance board".

5 2. Page 4, line 31, by inserting after the word
6 "manager." the following: "The department shall not
7 act unilaterally without the concurrence of a
8 decategorization project's governance board to
9 transfer or otherwise utilize funding designated for
10 the project's child welfare funding pool and a
11 decategorization agreement shall not provide that
12 authority for the department."

By WHITAKER of Van Buren

H-1059 FILED MARCH 14, 2005

HF 616

18
19
20
21
22

1 Section 1. Section 232.188, Code 2005, is amended by
2 striking the section and inserting in lieu thereof the
3 following:

4 232.188 DECATEGORIZATION OF CHILD WELFARE AND JUVENILE
5 JUSTICE FUNDING INITIATIVE.

6 1. DEFINITIONS. For the purposes of this section, unless
7 the context otherwise requires:

8 a. "Decategorization governance board" or "governance
9 board" means the group that enters into and implements a
10 decategorization project agreement.

11 b. "Decategorization project" means the county or counties
12 that have entered into a decategorization agreement to
13 implement the decategorization initiative in the county or
14 multicounty area covered by the agreement.

15 c. "Decategorization services funding pool" or "funding
16 pool" means the funding designated for a decategorization
17 project from all sources.

18 2. PURPOSE. The decategorization of the child welfare and
19 juvenile justice funding initiative is intended to establish a
20 system of delivering human services based upon client needs to
21 replace a system based upon a multitude of categorical
22 programs and funding sources, each with different service
23 definitions and eligibility requirements. The purposes of the
24 decategorization initiative include but are not limited to
25 redirecting child welfare and juvenile justice funding to
26 services which are more preventive, family-centered, and
27 community-based in order to reduce use of restrictive
28 approaches which rely upon institutional, out-of-home, and
29 out-of-community services.

30 3. IMPLEMENTATION.

31 a. Implementation of the initiative shall be through
32 creation of decategorization projects. A project shall
33 consist of either a single county or a group of counties
34 interested in jointly implementing the initiative.

35 Representatives of the department, juvenile court services,

1 and county government shall develop a project agreement to
2 implement the initiative within a project.

3 b. The initiative shall include community planning
4 activities in the area covered by a project. As part of the
5 community planning activities, the department shall partner
6 with other community stakeholders to develop service
7 alternatives that provide less restrictive levels of care for
8 children and families receiving services from the child
9 welfare and juvenile justice systems within the project area.

10 c. The decategorization initiative shall not be
11 implemented in a manner that limits the legal rights of
12 children and families to receive services.

13 4. GOVERNANCE BOARD.

14 a. In partnership with an interested county or group of
15 counties which has demonstrated the commitment and involvement
16 of the affected county department, or departments of human
17 services, the juvenile justice system within the project area,
18 and board, or boards, of supervisors in order to form a
19 decategorization project, the department shall develop a
20 process for combining specific state and state-federal funding
21 categories into a decategorization services funding pool for
22 that project. A decategorization project shall be implemented
23 by a decategorization governance board. The decategorization
24 governance board shall develop specific, quantifiable short-
25 term and long-term plans for enhancing the family-centered and
26 community-based services and reducing reliance upon out-of-
27 community care in the project area.

28 b. The department shall work with the decategorization
29 governance boards to best coordinate planning activities and
30 most effectively target funding resources. A departmental
31 service area manager shall work with the decategorization
32 governance boards in that service area to support board
33 planning and service development activities and to promote the
34 most effective alignment of resources.

35 c. A decategorization governance board shall coordinate

1 the project's planning and budgeting activities with the
2 departmental service area manager for the county or counties
3 comprising the project area and the community empowerment area
4 board or boards for the community empowerment area or areas
5 within which the decategorization project is located.

6 5. FUNDING POOL.

7 a. The governance board for a decategorization project
8 shall manage the project's decategorization services funding
9 pool to provide more flexible, individualized, family-
10 centered, preventive, community-based, comprehensive, and
11 coordinated service systems for children and families served
12 in that project area. A funding pool shall also be used for
13 child welfare and juvenile justice systems enhancements.

14 b. Notwithstanding section 8.33, moneys designated for a
15 project's decategorization services funding pool that remain
16 unencumbered or unobligated at the close of the fiscal year
17 shall not revert but shall remain available for expenditure
18 for child welfare and juvenile justice systems enhancements
19 and other purposes of the project until the close of the
20 succeeding fiscal year and shall be known as "carryover
21 funding". Moneys may be made available to a funding pool from
22 one or more of the following sources:

23 (1) Funds designated for the initiative in a state
24 appropriation.

25 (2) Child welfare and juvenile justice services funds
26 designated for the initiative by a departmental service area
27 manager.

28 (3) Juvenile justice program funds designated for the
29 initiative by a chief juvenile court officer.

30 (4) Carryover funding.

31 (5) Any other source designating moneys for the funding
32 pool.

33 c. The services and activities funded from a project's
34 funding pool may vary depending upon the strategies selected
35 by the project's governance board and shall be detailed in an

1 annual child welfare and juvenile justice decategorization
2 services plan developed by the governance board. A
3 decategorization governance board shall involve community
4 representatives and county organizations in the development of
5 the plan for that project's funding pool. In addition, the
6 governance board shall coordinate efforts through
7 communication with the appropriate departmental service area
8 manager regarding budget planning and decategorization service
9 decisions.

10 d. A decategorization governance board is responsible for
11 ensuring that decategorization services expenditures from that
12 project's funding pool do not exceed the amount of funding
13 available. If necessary, the governance board shall reduce
14 expenditures or discontinue specific services as necessary to
15 manage within the funding pool resources available for a
16 fiscal year.

17 e. The annual child welfare and juvenile justice
18 decategorization services plan developed for use of the
19 funding pool by a decategorization governance board shall be
20 submitted to the department administrator of child welfare
21 services and the Iowa empowerment board. In addition, the
22 decategorization governance board shall submit an annual
23 progress report to the department administrator and the Iowa
24 empowerment board which summarizes the progress made toward
25 attaining the objectives contained in the plan. The progress
26 report shall serve as an opportunity for information sharing
27 and feedback.

28 6. DEPARTMENTAL ROLE. A departmental service area's share
29 of the child welfare appropriation that is not allocated by
30 law for the decategorization initiative shall be managed by
31 and is under the authority of the service area manager. A
32 service area manager is responsible for meeting the child
33 welfare service needs in the counties comprising the service
34 area with the available funding resources.

35 Sec. 2. Section 232.190, subsection 3, Code 2005, is

1 amended to read as follows:

2 3. Applications for moneys from the community grant fund
3 shall demonstrate a collaborative effort by all relevant local
4 government and school officials and service agencies with
5 authority, responsibilities, or other interests within the
6 decategorization project area. Proposed plans set forth in
7 the applications shall reflect community-wide consensus in how
8 to remediate community problems related to juvenile crime.
9 Services provided under a grant through this program shall be
10 comprehensive, preventive, community-based, and shall utilize
11 flexible delivery systems and promote youth development. A
12 plan for grant moneys under this section shall be a part of or
13 be consistent with the annual child welfare and juvenile
14 justice decategorization services plan developed by the
15 governance board of the decategorization project area and
16 submitted to the department of human services and Iowa
17 empowerment board pursuant to section 232.188.

18 Sec. 3. Section 235.7, subsection 2, Code 2005, is amended
19 to read as follows:

20 2. MEMBERSHIP. The department may authorize the
21 governance boards of decategorization of child welfare and
22 juvenile justice funding decategorization projects established
23 under section 232.188 to appoint the transition committee
24 membership and may utilize the boundaries of decategorization
25 projects to establish the service areas for transition
26 committees. The committee membership may include but is not
27 limited to department of human services staff involved with
28 foster care, child welfare, and adult services, juvenile court
29 services staff, staff involved with county general relief
30 under chapter 251 or 252, or of the central point of
31 coordination process implemented under section 331.440, school
32 district and area education agency staff involved with special
33 education, and a child's court appointed special advocate,
34 guardian ad litem, service providers, and other persons
35 knowledgeable about the child.

1 Sec. 4. Section 237A.1, subsection 3, paragraph k,
2 subparagraph (2), Code 2005, is amended to read as follows:

3 (2) A contract approved by a ~~local-decategorization~~
4 governance board of a decategorization of child welfare and
5 juvenile justice funding project created under section
6 232.188.

7 EXPLANATION

8 This bill revises requirements applicable to county and
9 multicounty decategorization of child welfare and juvenile
10 justice funding projects in Code section 232.188 by striking
11 and replacing the section. The funding sources subject to
12 decategorization are primarily from appropriations made to the
13 department of human services.

14 The bill reorganizes the Code section into topic headings
15 listing definitions, implementation requirements, governance
16 board provisions, funding pool provisions, and the
17 departmental role.

18 The term "child welfare funding pool" used in current law
19 to describe the funding available to a project is changed to a
20 defined term, "decategorization services funding pool" or
21 "funding pool". In addition, new definitions are provided for
22 governance boards and decategorization projects.

23 The bill provides a list of general potential funding
24 sources that may be designated for the funding pool, including
25 "carryover funding" that does not revert to the fund from
26 which appropriated at the close of a fiscal year. In
27 addition, authority is provided for juvenile justice system
28 services funding to be designated for a funding pool. The
29 current law's list of specific services for which funding can
30 be used as part of decategorization is replaced with a general
31 statement of purpose.

32 Language in current law requiring the relationship between
33 the department and the governance board, areas of authority,
34 budgeting structure, and a dispute resolution methodology to
35 be outlined in a decategorization agreement is stricken. The

1 department and the board are annually required by current law
2 to agree on a budget by a particular date. Instead, the bill
3 requires communication and coordination between a project
4 governance board and the departmental service area manager.

5 The bill provides that the departmental service area
6 manager is responsible for meeting the child welfare service
7 needs for that area within available funding resources. A
8 project's governance board is responsible for ensuring that
9 expenditures do not exceed the amount available for a fiscal
10 year from the project funding pool.

11 The bill amends various Code sections to conform references
12 to the decategorization projects and service plans.

HOUSE FILE 616

S-3125

1 Amend House File 616, as passed by the House, as
2 follows:

3 1. Page 3, line 8, by striking the words "shall
4 manage" and inserting the following: "has authority
5 over".

6 2. Page 3, line 9, by inserting after the word
7 "pool" the following: "and shall manage the pool".

8 3. Page 3, line 17, by inserting after the word
9 "expenditure" the following: "as directed by the
10 project's governance board".

By KEITH A. KREIMAN
MAGGIE TINSMAN

S-3125 FILED APRIL 14, 2005

25

**SENATE AMENDMENT TO
HOUSE FILE 616**

H-1398

1 Amend House File 616, as passed by the House, as
2 follows:

3 1. Page 3, line 8, by striking the words "shall
4 manage" and inserting the following: "has authority
5 over".

6 2. Page 3, line 9, by inserting after the word
7 "pool" the following: "and shall manage the pool".

8 3. Page 3, line 17, by inserting after the word
9 "expenditure" the following: "as directed by the
10 project's governance board".

RECEIVED FROM THE SENATE

H-1398 FILED APRIL 19, 2005

Rep. Granzow Chair
Rep. Nuttler
Rep. Hunter

Succeeded By
SF 10616

HSB 155
HUMAN RESOURCES

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
HUMAN SERVICES BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act revising requirements applicable to county and multicounty
2 decategorization of child welfare and juvenile justice funding
3 projects.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

1 Section 1. Section 232.188, Code 2005, is amended by
2 striking the section and inserting in lieu thereof the
3 following:

4 232.188 DECATEGORIZATION OF CHILD WELFARE AND JUVENILE
5 JUSTICE FUNDING INITIATIVE.

6 1. DEFINITIONS. For the purposes of this section, unless
7 the context otherwise requires:

8 a. "Decategorization governance board" or "governance
9 board" means the group that enters into and implements a
10 decategorization project agreement.

11 b. "Decategorization project" means the county or counties
12 that have entered into a decategorization agreement to
13 implement the decategorization initiative in the county or
14 multicounty area covered by the agreement.

15 c. "Decategorization services funding pool" or "funding
16 pool" means the funding designated for a decategorization
17 project from all sources.

18 2. PURPOSE. The decategorization of the child welfare and
19 juvenile justice funding initiative is intended to establish a
20 system of delivering human services based upon client needs to
21 replace a system based upon a multitude of categorical
22 programs and funding sources, each with different service
23 definitions and eligibility requirements. The purposes of the
24 decategorization initiative include but are not limited to
25 redirecting child welfare and juvenile justice funding to
26 services which are more preventive, family-centered, and
27 community-based in order to reduce use of restrictive
28 approaches which rely upon institutional, out-of-home, and
29 out-of-community services.

30 3. IMPLEMENTATION.

31 a. Implementation of the initiative shall be through
32 creation of decategorization projects. A project shall
33 consist of either a single county or a group of counties
34 interested in jointly implementing the initiative.
35 Representatives of the department, juvenile court services,

1 and county government shall develop a project agreement to
2 implement the initiative within a project.

3 b. The initiative shall include community planning
4 activities in the area covered by a project. As part of the
5 community planning activities, the department shall partner
6 with other community stakeholders to develop service
7 alternatives that provide less restrictive levels of care for
8 children and families receiving services from the child
9 welfare and juvenile justice systems within the project area.

10 c. The decategorization initiative shall not be
11 implemented in a manner that limits the legal rights of
12 children and families to receive services.

13 4. GOVERNANCE BOARD.

14 a. In partnership with an interested county or group of
15 counties which has demonstrated the commitment and involvement
16 of the affected county department, or departments of human
17 services, the juvenile justice system within the project area,
18 and board, or boards, of supervisors in order to form a
19 decategorization project, the department shall develop a
20 process for combining specific state and state-federal funding
21 categories into a decategorization services funding pool for
22 that project. A decategorization project shall be implemented
23 by a decategorization governance board. The decategorization
24 governance board shall develop specific, quantifiable short-
25 term and long-term plans for enhancing the family-centered and
26 community-based services and reducing reliance upon out-of-
27 community care in the project area.

28 b. The department shall work with the decategorization
29 governance boards to best coordinate planning activities and
30 most effectively target funding resources. A departmental
31 service area manager shall work with the decategorization
32 governance boards in that service area to support board
33 planning and service development activities and to promote the
34 most effective alignment of resources.

35 c. A decategorization governance board shall coordinate

1 the project's planning and budgeting activities with the
2 departmental service area manager for the county or counties
3 comprising the project area and the community empowerment area
4 board or boards for the community empowerment area or areas
5 within which the decategorization project is located.

6 5. FUNDING POOL.

7 a. The governance board for a decategorization project
8 shall manage the project's decategorization services funding
9 pool to provide more flexible, individualized, family-
10 centered, preventive, community-based, comprehensive, and
11 coordinated service systems for children and families served
12 in that project area. A funding pool shall also be used for
13 child welfare and juvenile justice systems enhancements.

14 b. Notwithstanding section 8.33, moneys designated for a
15 project's decategorization services funding pool that remain
16 unencumbered or unobligated at the close of the fiscal year
17 shall not revert but shall remain available for expenditure
18 for child welfare and juvenile justice systems enhancements
19 and other purposes of the project until the close of the
20 succeeding fiscal year and shall be known as "carryover
21 funding". Moneys may be made available to a funding pool from
22 one or more of the following sources:

23 (1) Funds designated for the initiative in a state
24 appropriation.

25 (2) Child welfare and juvenile justice services funds
26 designated for the initiative by a departmental service area
27 manager.

28 (3) Juvenile justice program funds designated for the
29 initiative by a chief juvenile court officer.

30 (4) Carryover funding.

31 (5) Any other source designating moneys for the funding
32 pool.

33 c. The services and activities funded from a project's
34 funding pool may vary depending upon the strategies selected
35 by the project's governance board and shall be detailed in an

1 annual child welfare and juvenile justice decategorization
2 services plan developed by the governance board. A
3 decategorization governance board shall involve community
4 representatives and county organizations in the development of
5 the plan for that project's funding pool. In addition, the
6 governance board shall coordinate efforts through
7 communication with the appropriate departmental service area
8 manager regarding budget planning and decategorization service
9 decisions.

10 d. A decategorization governance board is responsible for
11 ensuring that decategorization services expenditures from that
12 project's funding pool do not exceed the amount of funding
13 available. If necessary, the governance board shall reduce
14 expenditures or discontinue specific services as necessary to
15 manage within the funding pool resources available for a
16 fiscal year.

17 e. The annual child welfare and juvenile justice
18 decategorization services plan developed for use of the
19 funding pool by a decategorization governance board shall be
20 submitted to the department administrator of child welfare
21 services and the Iowa empowerment board. In addition, the
22 decategorization governance board shall submit an annual
23 progress report to the department administrator and the Iowa
24 empowerment board which summarizes the progress made toward
25 attaining the objectives contained in the plan. The progress
26 report shall serve as an opportunity for information sharing
27 and feedback.

28 6. DEPARTMENTAL ROLE. A departmental service area's share
29 of the child welfare appropriation that is not allocated by
30 law for the decategorization initiative shall be managed by
31 and is under the authority of the service area manager. A
32 service area manager is responsible for meeting the child
33 welfare service needs in the counties comprising the service
34 area with the available funding resources.

35 Sec. 2. Section 232.190, subsection 3, Code 2005, is

1 amended to read as follows:

2 3. Applications for moneys from the community grant fund
3 shall demonstrate a collaborative effort by all relevant local
4 government and school officials and service agencies with
5 authority, responsibilities, or other interests within the
6 decategorization project area. Proposed plans set forth in
7 the applications shall reflect community-wide consensus in how
8 to remediate community problems related to juvenile crime.
9 Services provided under a grant through this program shall be
10 comprehensive, preventive, community-based, and shall utilize
11 flexible delivery systems and promote youth development. A
12 plan for grant moneys under this section shall be a part of or
13 be consistent with the annual child welfare and juvenile
14 justice decategorization services plan developed by the
15 governance board of the decategorization project area and
16 submitted to the department of human services and Iowa
17 empowerment board pursuant to section 232.188.

18 Sec. 3. Section 235.7, subsection 2, Code 2005, is amended
19 to read as follows:

20 2. MEMBERSHIP. The department may authorize the
21 governance boards of decategorization of child welfare and
22 juvenile justice funding decategorization projects established
23 under section 232.188 to appoint the transition committee
24 membership and may utilize the boundaries of decategorization
25 projects to establish the service areas for transition
26 committees. The committee membership may include but is not
27 limited to department of human services staff involved with
28 foster care, child welfare, and adult services, juvenile court
29 services staff, staff involved with county general relief
30 under chapter 251 or 252, or of the central point of
31 coordination process implemented under section 331.440, school
32 district and area education agency staff involved with special
33 education, and a child's court appointed special advocate,
34 guardian ad litem, service providers, and other persons
35 knowledgeable about the child.

1 department and the board are annually required by current law
2 to agree on a budget by a particular date. Instead, the bill
3 requires communication and coordination between a project
4 governance board and the departmental service area manager.

5 The bill provides that the departmental service area
6 manager is responsible for meeting the child welfare service
7 needs for that area within available funding resources. A
8 project's governance board is responsible for ensuring that
9 expenditures do not exceed the amount available for a fiscal
10 year from the project funding pool.

11 The bill amends various Code sections to conform references
12 to the decategorization projects and service plans.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35



STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES
KEVIN W. CONCANNON, DIRECTOR

January 28, 2005

To: Members of Iowa General Assembly

From: Kate Walton, Legislative Liaison

Subject: LSB 1275- Child Welfare, Proposed Department of Human Services Bill Revising Requirements for Decategorization of Child Welfare and Juvenile Justice Funding

Please find attached for your review LSB 1275 that is a proposal from the Department of Human Services revising requirements in Iowa Code Chapter 232.188 for Decategorization of Child Welfare and Juvenile Justice Funding. Revision is needed to provide additional clarity on the requirements for Decategorization and to make the legislation consistent with the current structure and practice of the Department. The original Decategorization legislation was enacted in 1993 when the program was still in its initial phase; there were only five [5] approved projects, and the structure of the Department included thirty-eight [38] human services area offices and five [5] regional offices. Now the Department is organized into 8 service areas and Decategorization has expanded over the years to thirty-nine [39] different projects encompassing ninety-eight of Iowa's ninety-nine counties. There have also been changes in the Department's child welfare budgeting process to reflect the current organizational structure. These changes indicate the need to propose statutory revisions.

It is the purpose of this legislation to provide a more organized delineation of requirements for Decategorization by reorganizing the Code section into topic headings, including headings on definitions, implementation requirements, governance board provisions, funding pool provisions, and the Department's role in the program. In addition, the proposed legislation clearly defines: the role of Decategorization project governance boards, what funding streams governance boards are responsible for managing, specific funding sources that can be included in the Decategorization services funding pool, the role of Department service area managers, and the child welfare funding these managers exercise authority over. The proposal describes how governance boards and service area managers are expected to work together in coordinating planning and targeting available funding resources.

It is the intent of this proposal to provide a clear and current description of the requirements and operating principles of the Decategorization of Child Welfare and Juvenile Justice funding program. Additional clarity will result in greater understanding among the multiple partners involved and increase the effectiveness of the program.

Please feel free to contact me at 515-281-4387 or at kw Walton@dhs.state.ia.us with any questions concerning the Department's proposal. Thank you for your attention.

HOUSE FILE 616

AN ACT

REVISING REQUIREMENTS APPLICABLE TO COUNTY AND MULTICOUNTY
DECATEGORIZATION OF CHILD WELFARE AND JUVENILE JUSTICE
FUNDING PROJECTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 232.188, Code 2005, is amended by striking the section and inserting in lieu thereof the following:

232.188 DECATEGORIZATION OF CHILD WELFARE AND JUVENILE
JUSTICE FUNDING INITIATIVE.

1. DEFINITIONS. For the purposes of this section, unless the context otherwise requires:

a. "Decategorization governance board" or "governance board" means the group that enters into and implements a decategorization project agreement.

b. "Decategorization project" means the county or counties that have entered into a decategorization agreement to implement the decategorization initiative in the county or multicounty area covered by the agreement.

c. "Decategorization services funding pool" or "funding pool" means the funding designated for a decategorization project from all sources.

2. PURPOSE. The decategorization of the child welfare and juvenile justice funding initiative is intended to establish a system of delivering human services based upon client needs to replace a system based upon a multitude of categorical programs and funding sources, each with different service definitions and eligibility requirements. The purposes of the decategorization initiative include but are not limited to redirecting child welfare and juvenile justice funding to services which are more preventive, family-centered, and

community-based in order to reduce use of restrictive approaches which rely upon institutional, out-of-home, and out-of-community services.

3. IMPLEMENTATION.

a. Implementation of the initiative shall be through creation of decategorization projects. A project shall consist of either a single county or a group of counties interested in jointly implementing the initiative. Representatives of the department, juvenile court services, and county government shall develop a project agreement to implement the initiative within a project.

b. The initiative shall include community planning activities in the area covered by a project. As part of the community planning activities, the department shall partner with other community stakeholders to develop service alternatives that provide less restrictive levels of care for children and families receiving services from the child welfare and juvenile justice systems within the project area.

c. The decategorization initiative shall not be implemented in a manner that limits the legal rights of children and families to receive services.

4. GOVERNANCE BOARD.

a. In partnership with an interested county or group of counties which has demonstrated the commitment and involvement of the affected county department, or departments of human services, the juvenile justice system within the project area, and board, or boards, of supervisors in order to form a decategorization project, the department shall develop a process for combining specific state and state-federal funding categories into a decategorization services funding pool for that project. A decategorization project shall be implemented by a decategorization governance board. The decategorization governance board shall develop specific, quantifiable short-term and long-term plans for enhancing the family-centered and community-based services and reducing reliance upon out-of-community care in the project area.

b. The department shall work with the decategorization governance boards to best coordinate planning activities and most effectively target funding resources. A departmental service area manager shall work with the decategorization governance boards in that service area to support board planning and service development activities and to promote the most effective alignment of resources.

c. A decategorization governance board shall coordinate the project's planning and budgeting activities with the departmental service area manager for the county or counties comprising the project area and the community empowerment area board or boards for the community empowerment area or areas within which the decategorization project is located.

5. FUNDING POOL.

a. The governance board for a decategorization project has authority over the project's decategorization services funding pool and shall manage the pool to provide more flexible, individualized, family-centered, preventive, community-based, comprehensive, and coordinated service systems for children and families served in that project area. A funding pool shall also be used for child welfare and juvenile justice systems enhancements.

b. Notwithstanding section 8.33, moneys designated for a project's decategorization services funding pool that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure as directed by the project's governance board for child welfare and juvenile justice systems enhancements and other purposes of the project until the close of the succeeding fiscal year and shall be known as "carryover funding". Moneys may be made available to a funding pool from one or more of the following sources:

(1) Funds designated for the initiative in a state appropriation.

(2) Child welfare and juvenile justice services funds designated for the initiative by a departmental service area manager.

(3) Juvenile justice program funds designated for the initiative by a chief juvenile court officer.

(4) Carryover funding.

(5) Any other source designating moneys for the funding pool.

c. The services and activities funded from a project's funding pool may vary depending upon the strategies selected by the project's governance board and shall be detailed in an annual child welfare and juvenile justice decategorization services plan developed by the governance board. A decategorization governance board shall involve community representatives and county organizations in the development of the plan for that project's funding pool. In addition, the governance board shall coordinate efforts through communication with the appropriate departmental service area manager regarding budget planning and decategorization service decisions.

d. A decategorization governance board is responsible for ensuring that decategorization services expenditures from that project's funding pool do not exceed the amount of funding available. If necessary, the governance board shall reduce expenditures or discontinue specific services as necessary to manage within the funding pool resources available for a fiscal year.

e. The annual child welfare and juvenile justice decategorization services plan developed for use of the funding pool by a decategorization governance board shall be submitted to the department administrator of child welfare services and the Iowa empowerment board. In addition, the decategorization governance board shall submit an annual progress report to the department administrator and the Iowa empowerment board which summarizes the progress made toward attaining the objectives contained in the plan. The progress report shall serve as an opportunity for information sharing and feedback.

6. DEPARTMENTAL ROLE. A departmental service area's share of the child welfare appropriation that is not allocated by law for the decategorization initiative shall be managed by and is under the authority of the service area manager. A service area manager is responsible for meeting the child welfare service needs in the counties comprising the service area with the available funding resources.

Sec. 2. Section 232.190, subsection 3, Code 2005, is amended to read as follows:

3. Applications for moneys from the community grant fund shall demonstrate a collaborative effort by all relevant local government and school officials and service agencies with authority, responsibilities, or other interests within the decategorization project area. Proposed plans set forth in the applications shall reflect community-wide consensus in how to remediate community problems related to juvenile crime. Services provided under a grant through this program shall be comprehensive, preventive, community-based, and shall utilize flexible delivery systems and promote youth development. A plan for grant moneys under this section shall be a part of or be consistent with the annual child welfare and juvenile justice decategorization services plan developed by the governance board of the decategorization project area and submitted to the department of human services and Iowa empowerment board pursuant to section 232.188.

Sec. 3. Section 235.7, subsection 2, Code 2005, is amended to read as follows:

2. MEMBERSHIP. The department may authorize the governance boards of decategorization of child welfare and juvenile justice funding decategorization projects established under section 232.188 to appoint the transition committee membership and may utilize the boundaries of decategorization projects to establish the service areas for transition committees. The committee membership may include but is not limited to department of human services staff involved with foster care, child welfare, and adult services, juvenile court

services staff, staff involved with county general relief under chapter 251 or 252, or of the central point of coordination process implemented under section 331.440, school district and area education agency staff involved with special education, and a child's court appointed special advocate, guardian ad litem, service providers, and other persons knowledgeable about the child.

Sec. 4. Section 237A.1, subsection 3, paragraph k, subparagraph (2), Code 2005, is amended to read as follows:

(2) A contract approved by a ~~local~~-decategorization governance board of a decategorization of child welfare and juvenile justice funding project created under section 232.188.

CHRISTOPHER C. RANTS
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 616, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved 5/3, 2005

THOMAS J. VILSACK
Governor