

April 5, 2009 - The Legislative Session is Over

This Legislative Session will go down as one of the toughest in recent memory. Several huge initiatives were planned during this session, which possibly was more than this General Assembly could handle. Juvenile Justice Code Rewrite, Residential Child Care Licensing Reform, Mental Health Reform, the Reorganization of the Department of Human Resources, and not to mention the budgetary crisis that the State and Nation faced, made the job of the Legislators much harder (and Lobbyist too.) The battles were often bitter with competing interests playing out on the House and Senate floors, behind closed doors, and in the halls of the the Capitol.

Several worthy initiatives were postponed until next year or even later. The Juvenile Justice Code Rewrite is huge and will take careful deliberation by the legislature to fully appreciate. Residential Child Care Licensing Reform was lost in the breakup of DHR and lack of support by DHR and the Governor's Office. Mental Health Reform was partially addressed with the Division being pulled out of DHR along with Developmental Disabilities. This breakup came without any additional funding to address it's major challenges. The budget begs the question of reform.

The budget was saved by the Federal Stimulus package which addressed many of the concerns faced by the Department of Education, Community Health and Human Resources. This package would have been even more effective at addressing critical needs if the Legislators had passed a Tobacco Tax and not given some additional tax cuts. The [Georgia Budget and Policy Institute](#) makes a persuasive case why Georgia can not afford any more tax cut incentives.

Below are some of the highlights or lowlights:

[FY10 - Budget](#) - Child Welfare Services were devastated with a \$25 million cut. This represents nearly a 7% cut to their budget. Promises of the continuation of a 15:1 Child to Case Worker ratio is going to be difficult to maintain. The Out of Home Budget of DHR has been cut by more than \$22 million since the FY09 budget was first cut in September. This represents an 8.3% cut for the foster children who are in the custody of the State. Spared from budget cuts were the rates for our Child Placing Agencies and Child Caring Institutions. Cuts to the budget were made by lowering the utilization of RBWO and the savings reflected in using in home services.

Of interest to Out of Home Care Providers:

Restored - **Child Placing Agency Rates** for the lowest three levels of care - \$2 million
Cut - Reflect savings to **RBWO** through lower utilization - \$1.2 million
Cut - Reduce funds to higher utilization of in-home services - \$4.7 million
Restored - 5% cut in **DOE Education Funds** to Residential Treatment Center - \$120,000

Reorganization of the Department of Human Resources. - [HB228](#) was legislation that saw passage this session concerning the reorganization of DHR. This legislation creates two new Departments, the Department of Human Services and the Department of Behavioral Health and Developmental Disabilities. The new Department of Behavioral Health and Developmental Disabilities will oversee the mental health, addictive disease and developmentally disabilities programs currently housed in DHR. .

The reorganization plan would place the Division of Public Health and the health regulation programs of DHR within the Department of Community Health. Most health care regulatory activities now in the Office of Regulatory Services will be moved to this new Division of Public Health. The licensing functions of the Office of Regulatory Services of Children's Residential Services will remain with DHR and will regulate only residential child care and community living arrangements. In [HB228](#) ORS were given vast new powers to issue warrants to secure entry into private agencies and to secure their records without the permission of the agency. These warrants must be secured from a judge for cause. Community Living Arrangements licensing will remain with DHR.

The remaining social services under DHR will become the Department of Human Services. Programs included in this department will include Developmental Disabilities, Aging, Division of Family and Children Services (DFCS) and Child Support.

Other reports of [legislation of interest](#) to child welfare stakeholders, by clicking link http://rs6.net/tn.jsp?et=1102541288343&s=5533&e=001mQaRJJ_b5cblx72ccbuMBNEkGhcFtJwAHxiIRA-J1DpCiDUoPf96wVt8uSBU7OiUS6NdDHYXt5DRcWtkAG4a48ms8gWAIJAaRtdU7oCEgAU=