

**SUBSTITUTE FOR
SENATE BILL NO. 530**

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending section 117a (MCL 400.117a), as amended by 2017 PA 104.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 117a. (1) As used in this section and sections 117b to
2 117g:

3 (a) "County juvenile agency" means that term as defined in
4 section 2 of the county juvenile agency act, 1998 PA 518, MCL
5 45.622.

6 (b) "County juvenile agency services" means all juvenile
7 justice services for a juvenile who is within the court's
8 jurisdiction under section 2(a) or (d) of chapter XIIIA of the

1 probate code of 1939, 1939 PA 288, MCL 712A.2, or within the
2 jurisdiction of the court of general jurisdiction under section 606
3 of the revised judicature act of 1961, 1961 PA 236, MCL 600.606, if
4 that court commits the juvenile to a county or court juvenile
5 facility under section 27a of chapter IV of the code of criminal
6 procedure, 1927 PA 175, MCL 764.27a. If a juvenile who comes within
7 the court's jurisdiction under section 2(a) or (d) of chapter XIIA
8 of the probate code of 1939, 1939 PA 288, MCL 712A.2, is at that
9 time subject to a court order in connection with a proceeding for
10 which the court acquired jurisdiction under section 2(b) or (c) of
11 chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.2,
12 juvenile justice services provided to the juvenile before the court
13 enters an order in the subsequent proceeding are not county
14 juvenile agency services, except for juvenile justice services
15 related to detention.

16 (C) "DONATED FUNDS" MEANS ANY GIFTS OF MONEY MADE AVAILABLE TO
17 THE COUNTY CHILD CARE FUND FOR SERVICES FOR CHILD WELFARE OR
18 DELINQUENCY MATTERS, INCLUDING JUVENILE JUSTICE SERVICES.

19 (D) "DONOR" MEANS THE ENTITY, PERSON, OR PERSONS PROVIDING THE
20 DONATED FUNDS.

21 (E) "GROSS EXPENDITURE" MEANS THE TOTAL ADJUSTED EXPENDITURES
22 INCLUDED IN A COUNTY'S MONTHLY EXPENDITURE REPORT AND SUBMITTED TO
23 THE DEPARTMENT.

24 (F) "IN-HOME CARE" MEANS EXPENDITURE OF CHILD CARE FUND MONEY
25 FOR SERVICES AND ITEMS LISTED IN THIS SECTION TO BE AN ALTERNATIVE
26 TO OUT-OF-HOME CARE OR TO PROVIDE AN EARLY RETURN HOME FOR A CHILD
27 PLACED OUT OF HIS OR HER HOME.

1 (G) "JUVENILE DETENTION FACILITY" MEANS A COUNTY-OPERATED OR
2 COURT-OPERATED JUVENILE FACILITY LICENSED OR APPROVED AS A CHILD
3 CARING INSTITUTION THAT HOUSES AND PROVIDES GROUP CARE, SHELTER
4 CARE, OR DETENTION ADMINISTERED AND STAFFED BY COUNTY OR COURT
5 EMPLOYEES.

6 (H) ~~(e)~~—"Juvenile justice service" means a service, exclusive
7 of judicial functions, provided by a county for juveniles who are
8 within or likely to come within the court's jurisdiction under
9 section 2 of chapter XIIIA of the probate code of 1939, 1939 PA 288,
10 MCL 712A.2, or within the jurisdiction of the court of general
11 criminal jurisdiction under section 606 of the revised judicature
12 act of 1961, 1961 PA 236, MCL 600.606, if that court commits the
13 juvenile to a county or court juvenile facility under section 27a
14 of chapter IV of the code of criminal procedure, 1927 PA 175, MCL
15 764.27a. A service includes intake, detention, detention
16 alternatives, probation, foster care, diagnostic evaluation and
17 treatment, shelter care, or any other service approved by the
18 office or county juvenile agency, as applicable, including
19 preventive, diversionary, or protective care services. A juvenile
20 justice service approved by the office or county juvenile agency
21 must meet all applicable state and local government licensing
22 standards.

23 (I) "OUT-OF-HOME CARE" MEANS PLACEMENT OUTSIDE OF THE
24 RESIDENCE OF THE CHILD'S PARENT, LEGAL GUARDIAN, OR, EXCEPT AS
25 PROVIDED IN THIS SUBDIVISION, RELATIVE WHERE THE CHILD IS FOUND,
26 FROM WHICH THE CHILD WAS REMOVED BY THE AUTHORITY OF THE COURT, OR
27 IN WHICH THE CHILD WILL BE PLACED ON A PERMANENT BASIS.

1 (2) A juvenile justice funding system for counties that are
2 not county juvenile agencies, including a child care fund, is
3 established and shall be administered under the department's
4 superintending control.

5 (3) The department shall promulgate rules under the
6 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
7 24.328, to monitor juvenile justice services money and to prescribe
8 child care fund accounting, reporting, and authorization controls
9 and procedures and child care fund expenditure classifications. For
10 counties required to have a child care fund, the department shall
11 fund services that conform to the child care rules promulgated
12 under this act.

13 (4) The department shall ~~provide for the distribution of~~
14 **DISTRIBUTE** money appropriated by the legislature to counties for
15 the cost of juvenile justice services as follows:

16 (A) **PAYMENT FOR EXPENDITURES FOR CHILDREN PLACED WITH THE**
17 **DEPARTMENT FOR CARE, SUPERVISION, OR PLACEMENT, INCLUDING CHILDREN**
18 **WHO ARE WITHIN THE COURT'S JURISDICTION UNDER SECTION 2(A) AND (B)**
19 **OF CHAPTER XIIIA OF THE PROBATE CODE OF 1939, 1939 PA 288, MCL**
20 **712A.2, SHALL BE PAID BY THE DEPARTMENT AND REIMBURSED BY THE**
21 **COUNTY FOR ALL UNDISPUTED CHARGES. IMPLEMENTATION OF THIS**
22 **SUBDIVISION TAKES EFFECT ON OCTOBER 1 OF THE FISCAL YEAR FOLLOWING**
23 **THE APPROPRIATION TO SUPPORT NEW PAYMENT PROCESSES AND THE**
24 **IMPLEMENTATION OF TECHNOLOGICAL CHANGES TO THE STATEWIDE AUTOMATED**
25 **CHILD WELFARE INFORMATION SYSTEM.**

26 (B) **PAYMENT FOR EXPENDITURES FOR CHILDREN NOT PLACED WITH THE**
27 **DEPARTMENT FOR CARE, SUPERVISION, OR PLACEMENT, INCLUDING CHILDREN**

1 WHO ARE WITHIN THE COURT'S JURISDICTION UNDER SECTION 2(A) AND (B)
2 OF CHAPTER XIIIA OF THE PROBATE CODE OF 1939, 1939 PA 288, MCL
3 712A.2, SHALL BE PAID BY A COUNTY AND BE REIMBURSED BY THE
4 DEPARTMENT FOR ALL UNDISPUTED CHARGES. EXPENDITURES DESCRIBED IN
5 THIS SUBDIVISION INCLUDE THE FOLLOWING:

6 (i) DIRECT EXPENDITURES FOR OUT-OF-HOME CARE, INCLUDING ALL OF
7 THE FOLLOWING:

8 (A) SALARIES OF COUNTY- OR COURT-OPERATED DETENTION CENTER,
9 SHELTER CARE, OR GROUP CARE FACILITY SPECIFIC EMPLOYEES, INCLUDING,
10 BUT NOT LIMITED TO, ALL OF THE FOLLOWING:

11 (I) MANAGEMENT STAFF OF A FACILITY.

12 (II) DIRECT SERVICE STAFF OF A FACILITY.

13 (III) MENTAL HEALTH STAFF OF A FACILITY.

14 (IV) SUPPORT STAFF INCLUDING CLERICAL STAFF OF A FACILITY.

15 (V) JANITORIAL, MAINTENANCE, OR GROUND STAFF OF A FACILITY, OR
16 ANY COMBINATION OF THESE.

17 (VI) KITCHEN STAFF OF A FACILITY.

18 (VII) SECURITY STAFF OF A FACILITY.

19 (VIII) CIRCUIT COURT EMPLOYEES WHO SUPPORT THE CHILD CARE FUND
20 COUNTY- OR COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR GROUP
21 CARE FACILITY.

22 (B) FRINGE BENEFITS, INCLUDING PAYROLL TAXES, MEDICAL, VISION
23 AND DENTAL INSURANCE, GROUP LIFE INSURANCE, DISABILITY INSURANCE,
24 ACCIDENT INSURANCE, HEALTH SAVINGS ACCOUNTS, RETIREMENT
25 CONTRIBUTIONS, WORKER'S COMPENSATION, AND ACCRUED SEVERANCE
26 BENEFITS OF COUNTY- OR COURT-OPERATED DETENTION CENTER, SHELTER
27 CARE, OR GROUP CARE FACILITY SPECIFIC EMPLOYEES AND CIRCUIT COURT

1 ADMINISTRATION WHO ADMINISTRATION AND SUPPORT THE CHILD CARE FUND
2 COUNTY- OR COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR GROUP
3 CARE FACILITY.

4 (C) CLOTHING FOR CHILDREN.

5 (D) FOOD FOR CHILDREN.

6 (E) MEALS FURNISHED TO STAFF WHO ARE ON DUTY AT A COUNTY- OR
7 COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR GROUP CARE
8 FACILITY AND ASSIGNED RESPONSIBILITIES FOR THE SUPERVISION AND CARE
9 OF THE YOUTH DURING FACILITY MEALTIME.

10 (F) HYGIENE SUPPLIES FOR CHILDREN, INCLUDING SHAMPOO, SOAP, OR
11 TOOTHPASTE.

12 (G) EDUCATION COSTS FOR CHILDREN WHO ARE TEMPORARY RESIDENTS
13 IN A COUNTY- OR COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR
14 GROUP CARE FACILITY AND FOR WHOM ATTENDANCE IN A PUBLIC SCHOOL
15 SYSTEM OR LOCAL EDUCATION AGENCY IS NOT AN OPTION.

16 (H) UTILITIES OF A COUNTY- OR COURT-OPERATED DETENTION CENTER,
17 SHELTER CARE, OR GROUP CARE FACILITY, INCLUDING WATER, GAS,
18 ELECTRIC, TRASH, AND SEWER.

19 (I) JANITORIAL SUPPLIES OF A COUNTY- OR COURT-OPERATED
20 DETENTION CENTER, SHELTER CARE, OR GROUP CARE FACILITY.

21 (J) KITCHEN SUPPLIES OF A COUNTY- OR COURT-OPERATED DETENTION
22 CENTER, SHELTER CARE, OR GROUP CARE FACILITY.

23 (K) LAUNDRY SUPPLIES OR SERVICE OF A COUNTY- OR COURT-OPERATED
24 DETENTION CENTER, SHELTER CARE, OR GROUP CARE FACILITY.

25 (L) LINEN SUPPLIES OR SERVICE OF A COUNTY- OR COURT-OPERATED
26 DETENTION CENTER, SHELTER CARE, OR GROUP CARE FACILITY, INCLUDING
27 TOWELS AND BEDDING.

1 (M) OFFICE SUPPLIES THAT ARE DEDICATED SOLELY TO THE COUNTY-
2 OR COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR GROUP CARE
3 FACILITY.

4 (N) CELLULAR TELEPHONES, LANDLINE TELEPHONES, AND 2-WAY RADIOS
5 USED FOR COMMUNICATION THAT ARE DEDICATED SOLELY TO THE COUNTY- OR
6 COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR GROUP CARE
7 FACILITY.

8 (O) COPY MACHINE CHARGES THAT ARE DEDICATED TO THE COUNTY- OR
9 COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR GROUP CARE
10 FACILITY.

11 (P) MATTRESS, BOX SPRING, OR BED FRAME USED IN A COUNTY- OR
12 COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR GROUP CARE
13 FACILITY.

14 (Q) MEDICAL, DENTAL, PSYCHOLOGICAL, AND PSYCHIATRIC SERVICES,
15 INCLUDING MEDICATION, FOR CHILDREN WHO ARE NOT COVERED BY ANOTHER
16 SOURCE WHICH SERVICES ARE NOT TO DETERMINE COMPETENCY.

17 (R) PERIODICALS AND BOOKS OF A COUNTY- OR COURT-OPERATED
18 DETENTION CENTER, SHELTER CARE, OR GROUP CARE FACILITY.

19 (S) RECREATIONAL SUPPLIES, PROGRAMS, AND TELEVISION IN A
20 COUNTY- OR COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR GROUP
21 CARE FACILITY.

22 (T) TRAINING FOR CHILD CARE FUND-FUNDED STAFF AND IN-SERVICE
23 EDUCATION DIRECTLY RELATED TO THE OUT-OF-HOME PROGRAM, EXCLUDING
24 TUITION GRANTS OR SCHOLARSHIPS FOR COLLEGE CREDIT.

25 (U) MILEAGE REIMBURSEMENT RATE COSTS FOR TRANSPORTING CHILDREN
26 OF A COUNTY- OR COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR
27 GROUP CARE FACILITY. MILEAGE REIMBURSEMENT RATES USED MUST ADHERE

1 TO THE COUNTY OR TRIBE PUBLISHED RATES. MILEAGE REIMBURSEMENT RATES
2 COVER ALL COSTS OF OPERATING A VEHICLE, INCLUDING MAINTENANCE,
3 REPAIRS, TAXES, GAS, INSURANCE, AND REGISTRATION FEES.

4 (V) DRUG TESTING FOR CHILDREN.

5 (W) BIRTH CERTIFICATES FOR CHILDREN.

6 (X) INCENTIVES FOR YOUTH.

7 (Y) INTERPRETER FEES FOR NONJUDICIAL PROCESSES.

8 (Z) PRINTING, BINDING, AND POSTAGE FOR MATERIALS RELATING TO
9 THE EDUCATION OR CORRESPONDENCE RELATING TO CHILDREN IN THE COUNTY-
10 OR COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR GROUP CARE
11 FACILITY.

12 (AA) MEMBERSHIP DUES OR FEES FOR PROFESSIONAL CREDENTIAL
13 MAINTENANCE OF STAFF WHO PROVIDE OR SUPPORT A SERVICE TO CHILDREN
14 UNDER THE CHILD CARE FUND, OR PROFESSIONAL STAFF FOR WHOM
15 PROFESSIONAL LICENSURE IS REQUIRED IN THEIR RESPECTIVE JOB
16 DESCRIPTION.

17 (BB) CONTRACTED PERSONNEL, PROGRAMMING, OR SERVICES, OR ANY
18 COMBINATION OF THESE.

19 (CC) NONSCHEDULED PAYMENTS.

20 (DD) NEW SERVICES THAT THE DEPARTMENT MAY AGREE WITH COUNTIES
21 AND TRIBES TO INCLUDE THAT ARE NOT IDENTIFIED IN THIS SECTION THAT
22 SUPPORT ELIGIBLE CHILDREN AND FAMILIES.

23 (ii) ADMINISTRATIVE OR INDIRECT EXPENDITURES FOR OUT-OF-HOME
24 CARE. AN ADMINISTRATIVE OR INDIRECT COST PAYMENT EQUAL TO 10% OF A
25 COUNTY'S TOTAL MONTHLY GROSS EXPENDITURES WILL AUTOMATICALLY BE
26 DISTRIBUTED TO THE COUNTY ON A MONTHLY BASIS. A COUNTY IS NOT
27 REQUIRED TO SUBMIT DOCUMENTATION TO THE DEPARTMENT FOR ANY OF THE

1 EXPENDITURES THAT ARE COVERED UNDER THE 10% PAYMENT.

2 (iii) DIRECT EXPENDITURES FOR IN-HOME CARE, INCLUDING THE
3 FOLLOWING:

4 (A) SALARIES OF CIRCUIT COURT EMPLOYEES WHO SUPPORT THE CHILD
5 CARE FUND IN-HOME CARE PROGRAM.

6 (B) FRINGE BENEFITS, INCLUDING PAYROLL TAXES, MEDICAL AND
7 DENTAL INSURANCE, GROUP LIFE INSURANCE, DISABILITY INSURANCE,
8 ACCIDENT INSURANCE, HEALTH SAVINGS ACCOUNTS, RETIREMENT
9 CONTRIBUTIONS, AND ACCRUED SEVERANCE BENEFITS OF CIRCUIT COURT
10 EMPLOYEES WHO SUPPORT THE CHILD CARE FUND IN-HOME CARE PROGRAM. FOR
11 A COUNTY THAT RECEIVES THE JUVENILE COURT OFFICER GRANT AND THE
12 APPOINTED JUVENILE COURT OFFICER WORKS WITHIN AN APPROVED PROGRAM,
13 THE PROPORTIONAL FRINGE BENEFITS FOR THE JUVENILE COURT OFFICER MAY
14 BE REIMBURSABLE.

15 (C) MILEAGE REIMBURSEMENT RATE COSTS ASSOCIATED WITH THE CHILD
16 CARE FUND IN-HOME CARE PROGRAM. MILEAGE REIMBURSEMENT RATES USED
17 MUST ADHERE TO THE COUNTY OR TRIBE PUBLISHED RATES. MILEAGE
18 REIMBURSEMENT RATES COVER ALL COSTS OF OPERATING A VEHICLE,
19 INCLUDING MAINTENANCE, REPAIRS, TAXES, GAS, INSURANCE, AND
20 REGISTRATION FEES.

21 (D) PROGRAM SUPPLIES AND MATERIALS, INCLUDING, BUT NOT LIMITED
22 TO, ALL OF THE FOLLOWING:

23 (I) PROGRAM-SPECIFIC SUPPLIES, INCLUDING RISK OR NEEDS
24 ASSESSMENTS, RECOGNITION PLAQUES, AND EDUCATIONAL OR PROGRAM
25 LICENSES.

26 (II) OFFICE SUPPLIES RELATED TO PROGRAM ACTIVITIES AND PRO-
27 SOCIAL ACTIVITIES.

1 (III) FOOD RELATED TO PROGRAM ACTIVITIES AND PRO-SOCIAL
2 ACTIVITIES.

3 (IV) DRUG TEST KITS.

4 (V) TETHERS AND OTHER FORMS OF ELECTRONIC MONITORING.

5 (E) OTHER COSTS, INCLUDING ALL OF THE FOLLOWING:

6 (I) CELLULAR TELEPHONES AND OTHER SAFETY TRACKING TECHNOLOGY
7 FOR CHILD CARE FUND-FUNDED STAFF.

8 (II) TRAINING FOR CHILD CARE FUND-FUNDED STAFF AND IN-SERVICE
9 EDUCATION RELATED TO THE IN-HOME CARE COMPONENT, EXCLUDING TUITION
10 GRANTS OR SCHOLARSHIPS FOR COLLEGE CREDIT.

11 (III) EDUCATION COSTS FOR CHILDREN WHO ARE PROHIBITED FROM
12 SCHOOL ATTENDANCE IN A PUBLIC SCHOOL SYSTEM OR THE LOCAL EDUCATION
13 AGENCY OR HAVE SEVERE EDUCATIONAL ISSUES AND HAVE BEEN COURT
14 ORDERED INTO A CHILD CARE FUND-FUNDED EDUCATIONAL PROGRAM.

15 (IV) PRINTING, BINDING, OR POSTAGE FOR MATERIALS RELATING TO
16 THE EDUCATION OR CORRESPONDENCE ON BEHALF OF CHILDREN IN THE IN-
17 HOME CARE PROGRAM.

18 (V) MEMBERSHIP DUES OR FEES - PROFESSIONAL CREDENTIAL
19 MAINTENANCE OF STAFF WHO PROVIDE OR SUPPORT A SERVICE TO CHILDREN
20 UNDER THE CHILD CARE FUND OR PROFESSIONAL STAFF FOR WHOM
21 PROFESSIONAL LICENSURE IS REQUIRED IN THEIR RESPECTIVE JOB
22 DESCRIPTIONS.

23 (VI) BUSINESS CARDS.

24 (F) OTHER PROGRAM-SPECIFIC ACTIVITIES COSTS, INCLUDING
25 ENTRANCE FEES FOR PROGRAMS.

26 (G) CONFERENCE TRAVEL COSTS FOR OTHER NON-CHILD-CARE-FUND-
27 RELATED TRAINING, INCLUDING EVIDENCE-BASED AND PROMISING PRACTICES

1 TRAINING.

2 (H) CONTRACTED PERSONNEL, PROGRAMMING, OR SERVICES, OR ANY
3 COMBINATION OF THESE.

4 (I) UNIT COST CONTRACTS, INCLUDING ALL OF THE FOLLOWING:

5 (I) CONTRACTED - DRUG TESTING - LAB (PER "DRUG TEST" BASIS).

6 (II) CONTRACTED - COUNSELOR FEES - (PER "HOUR" BASIS).

7 (III) CONTRACTED - GROUP SESSION DOLLAR PER SESSION (PER
8 "SESSION" BASIS). GROUP ROSTER DOCUMENTATION REQUIRED.

9 (IV) CONTRACTED - PSYCHOLOGICAL EVALUATIONS, EXCLUDING
10 COMPETENCY EXAMINATIONS - (PER "EVALUATION" BASIS).

11 (V) CONTRACTED - SERVICE PROVIDERS (PER "SERVICE" BASIS).

12 (J) CLOSED-END CONTRACTS. CLOSED-END CONTRACTS INCLUDE, BUT
13 ARE NOT LIMITED TO, ALL OF THE FOLLOWING:

14 (I) UNIVERSITY CONTRACTS, INCLUDING "PROGRAM EVALUATION".

15 (II) PRIVATE AGENCY SERVICES CONTRACTS.

16 (III) EDUCATIONAL SERVICES CONTRACTS.

17 (IV) COURT APPOINTED SPECIAL ADVOCATE (CASA) AND WRAPAROUND
18 CONTRACTS.

19 (V) OTHER CONTRACTS IDENTIFIABLE TO THE PROGRAM.

20 (K) NONSCHEDULED PAYMENTS OR CASE SERVICES PAYMENTS. A

21 NONSCHEDULED PAYMENT IS A PAYMENT TO AN INDIVIDUAL OR ORGANIZATION
22 FOR ITEMS SPECIFIED AND DEFINED IN THE CHILD CARE FUND HANDBOOK
23 THAT ARE NOT INCLUDED IN THE STATE-ESTABLISHED PER DIEM RATE. A
24 NONSCHEDULED PAYMENT MAY INCLUDE THE FOLLOWING LIST:

25 (I) EMERGENCY COSTS, INCLUDING IMMEDIATE FOOD, CLOTHING,
26 MEDICAL, OR DENTAL NEEDS THAT ARE NOT COVERED BY ANOTHER SOURCE.

27 (II) GYMNASIUM OR OTHER PRO-SOCIAL ACTIVITY REQUIRING A

1 MEMBERSHIP PER CHILD RELATED TO PROGRAM ACTIVITIES.

2 (III) REWARDS OR INCENTIVE PAY FOR YOUTH RELATED TO PROGRAM
3 ACTIVITIES.

4 (IV) BUS TOKENS OR GAS CARDS RELATED TO PROGRAM ACTIVITIES.

5 (V) MENTOR COSTS - MEALS, MILEAGE, MOVIES, OR SOCIAL COSTS
6 RELATED TO PROGRAM ACTIVITIES.

7 (VI) NONCONTRACTED SERVICE PROVIDER RELATED TO PROGRAM
8 ACTIVITIES.

9 (VII) NONCONTRACTED GROUP SESSION RELATED TO PROGRAM
10 ACTIVITIES.

11 (VIII) NONCONTRACTED PSYCHOLOGICAL EVALUATIONS, EXCLUDING
12 COMPETENCY EXAMINATIONS.

13 (IX) FAMILY ASSESSMENT OR EVALUATIONS.

14 (X) NONCONTRACTED COUNSELOR FEES.

15 (XI) NONCONTRACTED DRUG TESTING - LABS.

16 (XII) CAMPS OR FIELD TRIPS.

17 (XIII) BIRTH CERTIFICATES FOR CHILDREN.

18 (L) NEW SERVICES THAT THE DEPARTMENT MAY AGREE WITH COUNTIES
19 AND TRIBES TO INCLUDE THAT ARE NOT IDENTIFIED IN THIS SECTION THAT
20 SUPPORT ELIGIBLE CHILDREN AND FAMILIES.

21 (iv) ADMINISTRATIVE OR INDIRECT EXPENDITURES FOR IN-HOME CARE.
22 AN ADMINISTRATIVE OR INDIRECT COST PAYMENT EQUAL TO 10% OF A
23 COUNTY'S TOTAL MONTHLY GROSS EXPENDITURES WILL AUTOMATICALLY BE
24 DISTRIBUTED TO THE COUNTY ON A MONTHLY BASIS. A COUNTY IS NOT
25 REQUIRED TO SUBMIT DOCUMENTATION TO THE DEPARTMENT FOR ANY OF THE
26 EXPENDITURES THAT ARE COVERED UNDER THE 10% PAYMENT.

27 (C) ~~(a) For a county that is not a county juvenile agency, the~~

1 **THE COUNTY** amount distributed shall equal 50% of the annual
2 expenditures from the child care fund of the county established
3 under section 117c, except that expenditures under section 117c(3)
4 and expenditures that exceed the amount of a budget approved under
5 section 117c shall not be included. A distribution under this
6 subdivision shall not be made to a county that does not comply with
7 the requirements of this act. ~~The~~ **SUBJECT TO A COUNTY'S APPROVAL,**
8 **THE** department may reduce the amount distributed to a county by the
9 amount owed to the state for care received in a state operated
10 facility or for care received under 1935 PA 220, MCL 400.201 to
11 400.214, or under the youth rehabilitation services act, 1974 PA
12 150, MCL 803.301 to 803.309. ~~The distribution may be reduced by the~~
13 ~~amount of uncontested liability.~~

14 (D) ~~(b)~~ For a county that is a county juvenile agency, ~~the~~ **A**
15 county's block grant amount as determined under section 117g in
16 equal distributions on October 1, January 1, April 1, and July 1 of
17 each state fiscal year.

18 (E) ~~(e)~~ Notwithstanding the provisions in subdivision (a),
19 subject to appropriations, until September 30, 2018, the department
20 shall pay 100% of the costs of the \$9.20 increase to the
21 administrative rate for providers of foster care services provided
22 in the annual appropriation for the department budget. For the
23 purposes of this subdivision only, "foster care" means 24-hour
24 substitute care for children placed away from their parents or
25 guardians, as a result of a court order under section 2(b) of
26 chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.2,
27 in placements supervised by the department or a private child

1 placing agency under contract with the department for foster care
2 services. Foster care services include supervision of placements in
3 foster family homes, foster family group homes, and preadoptive
4 placements.

5 (F) ~~(d)~~—Notwithstanding the provisions of subdivision ~~(a)~~,
6 (C), until September 30, 2018, the department shall pay 100% of the
7 administrative rate for providers of treatment foster care services
8 and foster care services provided in the annual appropriation for
9 the department budget. For the purposes of this subdivision only,
10 "foster care" means 24-hour substitute care for children placed
11 away from their parents or guardians, as a result of a court order
12 under section 2(b) of chapter XIIIA of the probate code of 1939,
13 1939 PA 288, MCL 712A.2, in placements supervised by the department
14 or a private child placing agency under contract with the
15 department for foster care services. Foster care services include
16 supervision of placements in foster family homes, foster family
17 group homes, treatment foster care, preadoptive placements, and
18 supervision of children reunified with the parent with whom the
19 child lived at the time of removal.

20 (G) ~~(e)~~—Notwithstanding the provisions in subdivision ~~(a)~~,
21 (C), until September 30, 2018, the department shall pay 100% of the
22 costs of any rate increase to the providers of residential foster
23 care services under contract with the department, as provided in
24 the annual appropriation for the department budget.

25 (H) ~~(f)~~—Notwithstanding the provisions in subdivision ~~(a)~~—(C)
26 and subject to appropriations, in a county with a population of not
27 less than 575,000 or more than 650,000, for the purpose of this

1 subdivision only for cases transferred by the department to a child
2 placing agency, the department shall pay 100% of the administrative
3 rate to providers responsible for foster care case management
4 services to families of children who are court-ordered into foster
5 care due to child abuse or child neglect and placed in the care and
6 supervision of the department, regardless of placement setting
7 until the prospective payment system described in subdivision ~~(g)~~
8 **(I)** is implemented. This subdivision does not apply after May 1,
9 ~~2018-2019~~.

10 **(I)** ~~(g)~~ Notwithstanding the provisions in subdivision ~~(a)~~ **(C)**
11 and subject to appropriations, the department shall implement a
12 prospective payment system as part of a state-administered
13 performance-based child welfare system in a county with a
14 population of not less than 575,000 or more than 650,000, for
15 foster care case management in accordance with section 503 of
16 article X of 2014 PA 252. The county is only required to contribute
17 to foster care services payments in an amount that does not exceed
18 the average of the annual net contribution made by the county for
19 cases received under section 2(b) of chapter XIIIA of the probate
20 code of 1939, 1939 PA 288, MCL 712A.2, in the 5 previous fiscal
21 years before October 1, 2015. The prospective payment system as
22 part of the state-administered performance-based child welfare
23 system shall be implemented as described in this subdivision but
24 shall not include in-home care service funding. This subdivision
25 does not apply after May 1, ~~2018-2019~~.

26 **(J)** ~~(h)~~ Subdivisions ~~(f)~~ **(H)** and ~~(g)~~ **(I)** only impact child
27 abuse and child neglect services and not juvenile justice program

1 funding. This subdivision does not apply after May 1, ~~2018~~-2019.

2 (5) THE PURPOSES FOR WHICH FUNDING UNDER THIS SECTION SHALL BE
3 DISTRIBUTED AS PROVIDED UNDER SUBSECTION (4) MAY BE ALLOWED UNLESS
4 OTHERWISE ACCESSIBLE AND AVAILABLE BY OTHER PUBLIC ASSISTANCE
5 PROGRAMS NECESSARY TO ACHIEVE THE GOALS AND OUTCOMES FOR IN-HOME
6 CARE OR OUT-OF-HOME CARE. REIMBURSEMENT SHALL NOT BE MADE FOR COSTS
7 ASSOCIATED WITH AN OTHERWISE ELIGIBLE CHILD OR FAMILY, OR BOTH, IF
8 THE REASON FOR THE UNAVAILABILITY OF PUBLIC ASSISTANCE IS DUE TO
9 INTENTIONAL PROGRAM VIOLATIONS AND DISQUALIFICATION OF ANY PUBLIC
10 ASSISTANCE.

11 (6) ALL SERVICE PROVIDERS SHALL SUBMIT A REQUEST FOR PAYMENT
12 WITHIN 1 CALENDAR YEAR OF THE DATE OF SERVICE. A REQUEST FOR
13 PAYMENT SUBMITTED AFTER 1 CALENDAR YEAR FROM THE DATE OF SERVICE
14 REQUIRES THE PROVIDER TO SUBMIT AN EXCEPTION REQUEST TO THE COUNTY
15 OR THE DEPARTMENT FOR APPROVAL OR DENIAL.

16 (7) THE COUNTY OR THE DEPARTMENT IS NOT SUBJECT TO AN OFFSET,
17 CHARGEBACK, OR REIMBURSEMENT LIABILITY WHEN A CHILD CARE FUND COST
18 IS APPROVED BY THE COUNTY OR THE DEPARTMENT FOR PAYMENT AFTER 1
19 YEAR FROM THE DATE OF SERVICE.

20 (8) THE COUNTY IS NOT SUBJECT TO AN OFFSET, CHARGEBACK, OR
21 REIMBURSEMENT LIABILITY FOR PRIOR EXPENDITURES RESULTING FROM AN
22 ERROR IN FOSTER CARE FUND SOURCE DETERMINATIONS.

23 (9) ~~(5)~~—The department is liable for the costs of all juvenile
24 justice services in a county that is a county juvenile agency other
25 than county juvenile agency services.

26 (10) ~~(6)~~—The department shall establish guidelines for the
27 development of county juvenile justice service plans in counties

1 that are not county juvenile agencies.

2 (11) ~~(7)~~—A county that is not a county juvenile agency and
3 receives state funds for in-home or out-of-home care of children
4 shall submit reports to the department at least quarterly or as the
5 department otherwise requires. The reports shall be submitted on
6 forms provided by the executive director and shall include the
7 number of children receiving foster care services and the number of
8 days of care provided.

9 (12) ~~(8)~~—The department shall maintain a reporting system
10 providing that reimbursement under subsection ~~(4)(a)~~ **(4)(C)** shall
11 be made only on submission of billings based on care given to a
12 specific, individual child.

13 Enacting section 1. This amendatory act takes effect 90 days
14 after the date it is enacted into law.

15 Enacting section 2. This amendatory act does not take effect
16 unless Senate Bill No. 529 of the 99th Legislature is enacted into
17 law.