

SENATE BILL No. 530

September 6, 2017, Introduced by Senator MACGREGOR and referred to the Committee on Oversight.

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
9 probate code of 1939, 1939 PA 288, MCL 712A.2, or within the
10 jurisdiction of the court of general jurisdiction under section 606
11 of the revised judicature act of 1961, 1961 PA 236, MCL 600.606, if

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

13 (C) "GROSS EXPENDITURE" MEANS THE TOTAL ADJUSTED EXPENDITURES
14 INCLUDED IN A COUNTY'S MONTHLY EXPENDITURE REPORT AND SUBMITTED TO
15 THE DEPARTMENT.

16 (D) "IN-HOME CARE" MEANS EXPENDITURE OF CHILD CARE FUND MONEY
17 FOR SERVICES AND ITEMS LISTED IN THIS SECTION TO BE AN ALTERNATIVE
18 TO OUT-OF-HOME CARE OR TO PROVIDE AN EARLY RETURN HOME FOR A CHILD
19 PLACED OUT OF HIS OR HER HOME.

20 (E) "JUVENILE DETENTION FACILITY" MEANS A COUNTY-OPERATED OR
21 COURT-OPERATED JUVENILE FACILITY LICENSED OR APPROVED AS A CHILD
22 CARING INSTITUTION THAT HOUSES AND PROVIDES GROUP CARE, SHELTER
23 CARE, OR DETENTION ADMINISTERED AND STAFFED BY COUNTY OR COURT
24 EMPLOYEES.

25 (F) ~~(e)~~ "Juvenile justice service" means a service, exclusive
26 of judicial functions, provided by a county for juveniles who are
27 within or likely to come within the court's jurisdiction under

1 section 2 of chapter XIIA of the probate code of 1939, 1939 PA 288,
2 MCL 712A.2, or within the jurisdiction of the court of general
3 criminal jurisdiction under section 606 of the revised judicature
4 act of 1961, 1961 PA 236, MCL 600.606, if that court commits the
5 juvenile to a county or court juvenile facility under section 27a
6 of chapter IV of the code of criminal procedure, 1927 PA 175, MCL
7 764.27a. A service includes intake, detention, detention
8 alternatives, probation, foster care, diagnostic evaluation and
9 treatment, shelter care, or any other service approved by the
10 office or county juvenile agency, as applicable, including
11 preventive, diversionary, or protective care services. A juvenile
12 justice service approved by the office or county juvenile agency
13 must meet all applicable state and local government licensing
14 standards.

15 **(G) "OUT-OF-HOME CARE" MEANS PLACEMENT OUTSIDE OF THE**
16 **RESIDENCE OF THE CHILD'S PARENT, LEGAL GUARDIAN, OR, EXCEPT AS**
17 **PROVIDED IN THIS SUBDIVISION, RELATIVE WHERE THE CHILD IS FOUND,**
18 **FROM WHICH THE CHILD WAS REMOVED BY THE AUTHORITY OF THE COURT, OR**
19 **IN WHICH THE CHILD WILL BE PLACED ON A PERMANENT BASIS.**

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

24 (3) The department shall promulgate rules under the
25 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
26 24.328, to monitor juvenile justice services money and to prescribe
27 child care fund accounting, reporting, and authorization controls

1 and procedures and child care fund expenditure classifications. For
2 counties required to have a child care fund, the department shall
3 fund services that conform to the child care rules promulgated
4 under this act.

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

8 (A) **PAYMENT FOR EXPENDITURES FOR CHILDREN PLACED WITH THE**
9 **DEPARTMENT FOR CARE, SUPERVISION, OR PLACEMENT, INCLUDING CHILDREN**
10 **WHO ARE WITHIN THE COURT'S JURISDICTION UNDER SECTION 2(A) AND (B)**
11 **OF CHAPTER XIIA OF THE PROBATE CODE OF 1939, 1939 PA 288, MCL**
12 **712A.2, MAY BE PAID BY THE DEPARTMENT OR A COUNTY, DEPENDING ON**
13 **WHICH ENTITY EXPENDED THE MONEY.**

14 (B) **PAYMENT FOR EXPENDITURES FOR CHILDREN WHO ARE NOT PLACED**
15 **WITH THE DEPARTMENT FOR CARE, SUPERVISION, OR PLACEMENT, INCLUDING**
16 **CHILDREN WHO ARE WITHIN THE COURT'S JURISDICTION UNDER SECTION 2(A)**
17 **AND (B) OF CHAPTER XIIA OF THE PROBATE CODE OF 1939, 1939 PA 288,**
18 **MCL 712A.2, SHALL BE PAID BY A COUNTY AND BE REIMBURSED BY THE**
19 **DEPARTMENT WITH NOTICE TO THE COUNTY WHEN REIMBURSEMENT IS MADE.**
20 **THE DEPARTMENT SHALL MAKE REIMBURSEMENT PAYMENTS FOR ALL UNDISPUTED**
21 **CHARGES. EXPENDITURES DESCRIBED IN THIS SUBDIVISION INCLUDE, BUT**
22 **ARE NOT LIMITED TO, THE FOLLOWING:**

23 (i) **DIRECT EXPENDITURES FOR OUT-OF-HOME CARE, INCLUDING, BUT**
24 **NOT LIMITED TO, ALL OF THE FOLLOWING:**

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

1 (I) MANAGEMENT STAFF OF A FACILITY.

2 (II) DIRECT SERVICE STAFF OF A FACILITY.

3 (III) MENTAL HEALTH STAFF OF A FACILITY.

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

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

7 (VI) KITCHEN STAFF OF A FACILITY.

8 (VII) SECURITY STAFF OF A FACILITY.

9 (VIII) CIRCUIT COURT EMPLOYEES WHO SUPPORT THE CHILD CARE FUND
10 COUNTY- OR COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR GROUP
11 CARE FACILITY.

12 (B) FRINGE BENEFITS, INCLUDING PAYROLL TAXES, MEDICAL, VISION
13 AND DENTAL INSURANCE, GROUP LIFE INSURANCE, DISABILITY INSURANCE,
14 ACCIDENT INSURANCE, HEALTH SAVINGS ACCOUNTS, RETIREMENT
15 CONTRIBUTIONS, WORKER'S COMPENSATION, AND ACCRUED SEVERANCE
16 BENEFITS OF COUNTY- OR COURT-OPERATED DETENTION CENTER, SHELTER
17 CARE, OR GROUP CARE FACILITY SPECIFIC EMPLOYEES AND CIRCUIT COURT
18 ADMINISTRATION WHO ADMINISTRATE AND SUPPORT THE CHILD CARE FUND
19 COUNTY- OR COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR GROUP
20 CARE FACILITY.

21 (C) CLOTHING FOR CHILDREN.

22 (D) FOOD FOR CHILDREN.

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

27 (F) HYGIENE SUPPLIES FOR CHILDREN, INCLUDING, BUT NOT LIMITED

1 TO, SHAMPOO, SOAP, OR TOOTHPASTE.

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

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

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

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

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

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

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

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

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

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

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

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

9 (S) RECREATIONAL SUPPLIES, PROGRAMS, AND TELEVISION IN A
10 COUNTY- OR COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR GROUP
11 CARE FACILITY.

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

15 (U) MILEAGE REIMBURSEMENT RATE COSTS FOR TRANSPORTING CHILDREN
16 OF A COUNTY- OR COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR
17 GROUP CARE FACILITY. MILEAGE REIMBURSEMENT RATES USED MUST ADHERE
18 TO THE COUNTY OR TRIBE PUBLISHED RATES. MILEAGE REIMBURSEMENT RATES
19 COVER ALL COSTS OF OPERATING A VEHICLE, INCLUDING MAINTENANCE,
20 REPAIRS, TAXES, GAS, INSURANCE, AND REGISTRATION FEES.

21 (V) DRUG TESTING FOR CHILDREN.

22 (W) BIRTH CERTIFICATES FOR CHILDREN.

23 (X) INCENTIVES FOR YOUTH.

24 (Y) INTERPRETER FEES FOR NONJUDICIAL PROCESSES.

25 (Z) PRINTING, BINDING, AND POSTAGE FOR MATERIALS RELATING TO
26 THE EDUCATION OR CORRESPONDENCE RELATING TO CHILDREN IN THE COUNTY-
27 OR COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR GROUP CARE

1 FACILITY.

2 (AA) MEMBERSHIP DUES OR FEES FOR PROFESSIONAL CREDENTIAL
3 MAINTENANCE OF STAFF WHO PROVIDE OR SUPPORT A SERVICE TO CHILDREN
4 UNDER THE CHILD CARE FUND, OR PROFESSIONAL STAFF FOR WHOM
5 PROFESSIONAL LICENSURE IS REQUIRED IN THEIR RESPECTIVE JOB
6 DESCRIPTION.

7 (BB) CONTRACTED PERSONNEL, PROGRAMMING, OR SERVICES, OR ANY
8 COMBINATION OF THESE.

9 (CC) NONSCHEDULED PAYMENTS.

10 (DD) TECHNOLOGY AND SOFTWARE OPERATING EXPENSES FOR A COUNTY-
11 OR COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR GROUP CARE
12 FACILITY AND NECESSARY TECHNOLOGY AND SOFTWARE OPERATING EXPENSES
13 ASSOCIATED WITH ALL ASPECTS OF TRACKING CASES AND CARING FOR YOUTH.

14 (ii) ADMINISTRATIVE OR INDIRECT EXPENDITURES FOR OUT-OF-HOME
15 CARE. AN ADMINISTRATIVE OR INDIRECT COST PAYMENT EQUAL TO 10% OF A
16 COUNTY'S TOTAL MONTHLY GROSS EXPENDITURES WILL AUTOMATICALLY BE
17 DISTRIBUTED TO THE COUNTY ON A MONTHLY BASIS. A COUNTY IS NOT
18 REQUIRED TO SUBMIT DOCUMENTATION TO THE DEPARTMENT FOR ANY OF THE
19 EXPENDITURES THAT ARE COVERED UNDER THE 10% PAYMENT.

20 (iii) DIRECT EXPENDITURES FOR IN-HOME CARE, INCLUDING, BUT NOT
21 LIMITED TO, THE FOLLOWING:

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

24 (B) FRINGE BENEFITS, INCLUDING PAYROLL TAXES, MEDICAL AND
25 DENTAL INSURANCE, GROUP LIFE INSURANCE, DISABILITY INSURANCE,
26 ACCIDENT INSURANCE, HEALTH SAVINGS ACCOUNTS, RETIREMENT
27 CONTRIBUTIONS, AND ACCRUED SEVERANCE BENEFITS OF CIRCUIT COURT

1 EMPLOYEES WHO SUPPORT THE CHILD CARE FUND IN-HOME CARE PROGRAM. FOR
2 A COUNTY THAT RECEIVES THE JUVENILE COURT OFFICER GRANT AND THE
3 APPOINTED JUVENILE COURT OFFICER WORKS WITHIN AN APPROVED PROGRAM,
4 THE PROPORTIONAL FRINGE BENEFITS FOR THE JUVENILE COURT OFFICER MAY
5 BE REIMBURSABLE.

6 (C) MILEAGE REIMBURSEMENT RATE COSTS ASSOCIATED WITH THE CHILD
7 CARE FUND IN-HOME CARE PROGRAM. MILEAGE REIMBURSEMENT RATES USED
8 MUST ADHERE TO THE COUNTY OR TRIBE PUBLISHED RATES. MILEAGE
9 REIMBURSEMENT RATES COVER ALL COSTS OF OPERATING A VEHICLE,
10 INCLUDING MAINTENANCE, REPAIRS, TAXES, GAS, INSURANCE, AND
11 REGISTRATION FEES.

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

14 (I) PROGRAM-SPECIFIC SUPPLIES, INCLUDING RISK OR NEEDS
15 ASSESSMENTS, RECOGNITION PLAQUES, AND EDUCATIONAL OR PROGRAM
16 LICENSES.

17 (II) OFFICE SUPPLIES RELATED TO PROGRAM ACTIVITIES AND PRO-
18 SOCIAL ACTIVITIES.

19 (III) FOOD RELATED TO PROGRAM ACTIVITIES AND PRO-SOCIAL
20 ACTIVITIES.

21 (IV) DRUG TEST KITS.

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

23 (E) OTHER COSTS, INCLUDING, BUT NOT LIMITED TO, ALL OF THE
24 FOLLOWING:

25 (I) CELLULAR TELEPHONES, LANDLINE TELEPHONES, AND OTHER SAFETY
26 TRACKING TECHNOLOGY FOR CHILD CARE FUND-FUNDED STAFF.

27 (II) TRAINING FOR CHILD CARE FUND-FUNDED STAFF AND IN-SERVICE

1 EDUCATION RELATED TO THE IN-HOME CARE COMPONENT, EXCLUDING TUITION
2 GRANTS OR SCHOLARSHIPS FOR COLLEGE CREDIT.

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

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

10 (V) MEMBERSHIP DUES OR FEES - PROFESSIONAL CREDENTIAL
11 MAINTENANCE OF STAFF WHO PROVIDE OR SUPPORT A SERVICE TO CHILDREN
12 UNDER THE CHILD CARE FUND OR PROFESSIONAL STAFF FOR WHOM
13 PROFESSIONAL LICENSURE IS REQUIRED IN THEIR RESPECTIVE JOB
14 DESCRIPTIONS.

15 (VI) BUSINESS CARDS.

16 (VII) TECHNOLOGY AND SOFTWARE OPERATING EXPENSES FOR A COUNTY-
17 OR COURT-OPERATED DETENTION CENTER, SHELTER CARE, OR GROUP CARE
18 FACILITY AND NECESSARY TECHNOLOGY AND SOFTWARE OPERATING EXPENSES
19 ASSOCIATED WITH ALL ASPECTS OF TRACKING CASES AND CARING FOR YOUTH.

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

22 (G) CONFERENCE TRAVEL COSTS FOR OTHER NON-CHILD-CARE-FUND-
23 RELATED TRAINING, INCLUDING EVIDENCE-BASED AND PROMISING PRACTICES
24 TRAINING.

25 (H) CONTRACTED PERSONNEL, PROGRAMMING, OR SERVICES, OR ANY
26 COMBINATION OF THESE.

27 (I) UNIT COST CONTRACTS, INCLUDING, BUT NOT LIMITED TO, ALL OF

1 THE FOLLOWING:

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

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

4 (III) CONTRACTED - GROUP SESSION DOLLAR PER SESSION (PER
5 "SESSION" BASIS). GROUP ROSTER DOCUMENTATION REQUIRED.

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

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

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

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

12 (II) PRIVATE AGENCY SERVICES CONTRACTS.

13 (III) EDUCATIONAL SERVICES CONTRACTS.

14 (IV) COURT APPOINTED SPECIAL ADVOCATE (CASA) AND WRAPAROUND
15 CONTRACTS.

16 (V) OTHER CONTRACTS IDENTIFIABLE TO THE PROGRAM.

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

18 NONSCHEDULED PAYMENT IS A PAYMENT TO AN INDIVIDUAL OR ORGANIZATION
19 FOR ITEMS SPECIFIED AND DEFINED IN THE CHILD CARE FUND HANDBOOK

20 THAT ARE NOT INCLUDED IN THE STATE-ESTABLISHED PER DIEM RATE. A

21 NONSCHEDULED PAYMENT MAY INCLUDE, BUT IS NOT LIMITED TO, THE

22 FOLLOWING LIST:

23 (I) EMERGENCY COSTS, INCLUDING, BUT NOT LIMITED TO, IMMEDIATE
24 FOOD, CLOTHING, MEDICAL, OR DENTAL NEEDS THAT ARE NOT COVERED BY
25 ANOTHER SOURCE.

26 (II) GYMNASIUM OR OTHER PRO-SOCIAL ACTIVITY REQUIRING A
27 MEMBERSHIP PER CHILD RELATED TO PROGRAM ACTIVITIES.

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

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

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

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

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

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

12 (IX) FAMILY ASSESSMENT OR EVALUATIONS.

13 (X) NONCONTRACTED COUNSELOR FEES.

14 (XI) NONCONTRACTED DRUG TESTING - LABS.

15 (XII) CAMPS OR FIELD TRIPS.

16 (XIII) BIRTH CERTIFICATES FOR CHILDREN.

17 (iv) ADMINISTRATIVE OR INDIRECT EXPENDITURES FOR IN-HOME CARE
18 PROGRAMS ADMINISTERED BY THE CIRCUIT COURT, COUNTY GOVERNMENT, OR
19 LOCAL COUNTY DEPARTMENT OR TRIBE.

20 (C) ~~(a) For a county that is not a county juvenile agency, the~~
21 **THE COUNTY** amount distributed shall equal 50% of the annual
22 expenditures from the child care fund of the county established
23 under section 117c, except that expenditures under section 117c(3)
24 and expenditures that exceed the amount of a budget approved under
25 section 117c shall not be included. A distribution under this
26 subdivision shall not be made to a county that does not comply with
27 the requirements of this act. ~~The~~**SUBJECT TO A COUNTY'S APPROVAL,**

1 **THE** department may reduce the amount distributed to a county by the
2 amount owed to the state for care received in a state operated
3 facility or for care received under 1935 PA 220, MCL 400.201 to
4 400.214, or under the youth rehabilitation services act, 1974 PA
5 150, MCL 803.301 to 803.309. ~~The distribution may be reduced by the~~
6 ~~amount of uncontested liability.~~

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

11 (E) **UPON WRITTEN REQUEST OF THE JUVENILE COURT OR COUNTY, THE**
12 **JUVENILE COURT OR COUNTY IS EXEMPT FROM SUBMITTING REVENUE TO THE**
13 **DEPARTMENT FROM FUNDS GENERATED WITHIN THE FACILITY.**

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

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

16 **(H)** ~~(e)~~ Notwithstanding the provisions in subdivision ~~(a)~~,
17 **(C)**, until September 30, 2018, the department shall pay 100% of the
18 costs of any rate increase to the providers of residential foster
19 care services under contract with the department, as provided in
20 the annual appropriation for the department budget.

21 **(I)** ~~(f)~~ Notwithstanding the provisions in subdivision ~~(a)~~ **(C)**
22 and subject to appropriations, in a county with a population of not
23 less than 575,000 or more than 650,000, for the purpose of this
24 subdivision only for cases transferred by the department to a child
25 placing agency, the department shall pay 100% of the administrative
26 rate to providers responsible for foster care case management
27 services to families of children who are court-ordered into foster

1 care due to child abuse or child neglect and placed in the care and
2 supervision of the department, regardless of placement setting
3 until the prospective payment system described in subdivision ~~(g)~~
4 **(J)** is implemented. This subdivision does not apply after May 1,
5 ~~2018-2019~~.

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

22 **(K)** ~~(h)~~—Subdivisions ~~(f)~~ **(I)** and ~~(g)~~ **(J)** only impact child
23 abuse and child neglect services and not juvenile justice program
24 funding. This subdivision does not apply after May 1, 2018.

25 **(5) THE PURPOSES FOR WHICH MONEY UNDER THIS SECTION SHALL BE**
26 **DISTRIBUTED AS PROVIDED UNDER SUBSECTION (4) MAY DUPLICATE THE**
27 **PURPOSES UNDER OTHER PUBLIC ASSISTANCE PROGRAMS TO THE EXTENT**

1 NECESSARY TO ACHIEVE THE GOALS AND OUTCOMES FOR IN-HOME CARE OR
2 OUT-OF-HOME CARE. THE DEPARTMENT SHALL NOT DISALLOW COSTS THAT
3 DUPLICATE OTHER PUBLIC ASSISTANCE PROGRAMS.

4 (6) A BILL SUBMITTED NOT MORE THAN 1 YEAR AFTER THE DATE OF
5 SERVICE, ORIGINAL STATUS DETERMINATION, OR RECEIPT SHALL BE PAID
6 AND REIMBURSED. A BILL SUBMITTED MORE THAN 1 YEAR AFTER THE DATE OF
7 SERVICE, ORIGINAL STATUS DETERMINATION, OR RECEIPT IS NOT REQUIRED
8 TO BE PAID OR REIMBURSED.

9 (7) ~~(5)~~—The department is liable for the costs of all juvenile
10 justice services in a county that is a county juvenile agency other
11 than county juvenile agency services.

12 (8) ~~(6)~~—The department shall establish guidelines for the
13 development of county juvenile justice service plans in counties
14 that are not county juvenile agencies.

15 (9) ~~(7)~~—A county that is not a county juvenile agency and
16 receives state funds for in-home or out-of-home care of children
17 shall submit reports to the department at least quarterly or as the
18 department otherwise requires. The reports shall be submitted on
19 forms provided by the executive director and shall include the
20 number of children receiving foster care services and the number of
21 days of care provided.

22 (10) ~~(8)~~—The department shall maintain a reporting system
23 providing that reimbursement under subsection ~~(4)(a)~~ **(4)(C)** shall
24 be made only on submission of billings based on care given to a
25 specific, individual child.

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

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