

**Schedule 13**

**Funding Request for the FY 2018-19 Budget Cycle**

**Department of Human Services**

**Request Title**

**R-19 Spending Authority for the Crimes Against At-Risk Persons**

Dept. Approval By: Melissa Wavelit

Supplemental FY 2017-18  
 Change Request FY 2018-19  
 Budget Amendment FY 2018-19

OSPB Approval By: \_\_\_\_\_

Summary Information	Fund	FY 2017-18		FY 2018-19	FY 2019-20	
		Initial Appropriation	Supplemental Request	Base Request	Change Request	Continuation
	<b>Total</b>	\$378,370	\$0	\$378,370	\$20,000	\$20,000
	FTE	0.0	0.0	0.0	0.0	0.0
<b>Total of All Line Items Impacted by Change Request</b>	GF	\$350,000	\$0	\$350,000	\$0	\$0
	CF	\$28,370	\$0	\$28,370	\$20,000	\$20,000
	RF	\$0	\$0	\$0	\$0	\$0
	FF	\$0	\$0	\$0	\$0	\$0

Line Item Information	Fund	FY 2017-18		FY 2018-19	FY 2019-20	
		Initial Appropriation	Supplemental Request	Base Request	Change Request	Continuation
	<b>Total</b>	\$378,370	\$0	\$378,370	\$20,000	\$20,000
	FTE	0.0	0.0	0.0	0.0	0.0
10. Adult Assistance Programs, (D)	GF	\$350,000	\$0	\$350,000	\$0	\$0
Community Services for the Elderly --	CF	\$28,370	\$0	\$28,370	\$20,000	\$20,000
Respite Services	RF	\$0	\$0	\$0	\$0	\$0
	FF	\$0	\$0	\$0	\$0	\$0

CF Letternote Text Revision Required?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	If Yes, see schedule 4 fund source detail.
RF Letternote Text Revision Required?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	
FF Letternote Text Revision Required?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	
Requires Legislation?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	
Type of Request?	Department of Human Services Prioritized Request				
Interagency Approval or Related Schedule 13s:	None				

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***Cost and FTE***

- The Department requests an increase of \$20,000 cash fund spending authority from the Crimes against At-Risk Persons Surcharge fund to increase respite services in FY 2018-19 and beyond.
- This is an increase of 70.5% over the FY 2017-18 appropriation.

***Current Program***

- HB 12-1226 established the Crimes against At-Risk Persons Surcharge Fund (fund), which collects funds through charges on persons who are convicted of crimes against at-risk adults and juveniles.
- Revenues from the fund are ultimately awarded to respite programs that provide respite care for adult caregivers, including caregivers of older adults and individuals with dementia; grandparents raising grandchildren; and older adult parents providing care for adult children with disabilities.
- Respite provides temporary relief to a caregiver from the physical and emotional impacts of caring for children or adults of any age with special needs who are unable or need assistance to care for themselves. It can be provided for a few hours, overnight, or on an extended basis by a friend, family member, volunteer, paid service provider, or in a community-based care setting.

***Problem or Opportunity***

- Since FY 2014-15, the Department has seen a substantial increase in fund revenue from surcharges collected. As a result, the fund balance has increased from \$3,089 in FY 2013-14 to a projected amount of about \$20,894 by the end of FY 2017-18. The Department projects that revenues and the fund balance will continue to increase due to district attorneys becoming more familiar with the fund, an increase of assessments of the surcharge, and an increase of individuals with the imposed surcharge finding employment and making payments.
- No reserve for this fund is required as the legislation did not include reserve requirements.

***Consequences of Problem***

- Without additional spending authority in FY 2018-19, the Department would not be able to utilize all of the funds available in the fund to benefit vulnerable individuals and their caregivers in the state. Specifically, the Department could potentially jeopardize the opportunity to provide up to 1,880 additional hours of respite services per year to Colorado families.

***Proposed Solution***

- The Department requests an increase of \$20,000 total funds/cash funds spending authority from the Crimes against At-Risk Persons Surcharge fund in FY 2018-19 and beyond.
- The funding made available from the requested increase in spending authority would be used to provide additional respite for adult caregivers, including caregivers of older adults and individuals with dementia; grandparents raising grandchildren; and older adult parents providing care for adult children with disabilities.

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**COLORADO**  
Department of Human Services

John W. Hickenlooper  
Governor

Reggie Bicha  
Executive Director

FY 2018-19 Funding Request | November 1, 2017

**Department Priority:** R-19  
**Request Detail:** Spending Authority for the Crimes against At-Risk Persons Cash Fund

Summary of Incremental Funding Change for FY 2018-19	Total Funds	FTE	Cash Funds
Spending Authority for the Crimes against At-Risk Persons Cash Fund	\$20,000	0.0	\$20,000
Summary of Incremental Funding Change for FY 2019-20	Total Funds	FTE	Cash Fund
Spending Authority for the Crimes against At-Risk Persons Cash Fund	\$20,000	0.0	\$20,000

**Problem or Opportunity:**

The Department requests an increase of \$20,000 cash fund spending authority from the Crimes against At-Risk Persons Surcharge fund to increase respite services in FY 2018-19 and beyond.

**HB 12-1226: Creation of the Crimes against At-Risk Persons Surcharge Fund**

HB 12-1226 established the Crimes against At-Risk Persons Surcharge fund (fund), which collects revenue through surcharges on persons who are convicted of crimes against at-risk adults and at-risk juveniles. The surcharges vary and range from \$75 for a class 3 misdemeanor to \$1,500 for a class 2 felony and may be waived in court. Once collected, the surcharge is transferred to the fund, and appropriated to the Department. The Department then contracts with a Fiscal Agent (Easter Seals) to award the funding to different respite programs. Each program receiving funding from the fund shall provide respite services, maintain a signed agreement and protocol with the Fiscal Agent, conduct a fingerprint-based criminal history record check of staff and providers, and satisfy the accountability and performance standards established by the Department.

**Respite Services**

Respite provides temporary relief to a caregiver from the physical and emotional impacts of caring for children or adults of any age with special needs who are unable or need assistance to care for themselves. It can be provided for a few hours, overnight, or on an extended basis by a friend, family member, volunteer, paid service provider, or in a community-based care setting.

The Department provides funding for respite care for adult caregivers, including caregivers of older adults and individuals with dementia; grandparents raising grandchildren; and older adult parents providing care for adult children with disabilities. Respite can include services such as adult day programming; temporary paid caregiver support; oversight and monitoring; companionship services; and children’s day camps, after school programs, and Saturday programs. This temporary relief allows caregivers and parents to engage in their community, go out to dinner, go to the grocery store, connect with other family members, and complete other tasks that they might otherwise not be able to do while caregiving for their child or family member.

**Inadequate Cash Fund Spending Authority**

1. Cash fund balance is growing. Since FY 2013-14, the fund balance in the Crimes against At-Risk Persons Surcharge fund has steadily grown from \$3,089 at the end of FY 2013-14 to a projected amount of about \$21,664 by the end of FY 2016-17 because of a substantial increase in fund revenue. This can be attributed to district attorneys becoming more familiar with the fund, an increase of assessments of the surcharge, and an increase of individuals with the imposed surcharge finding employment and making payments. Revenue in FY 2013-14 was \$3,950 compared to \$26,248 in FY 2016-17. Based on trends from previous fiscal years, the Department anticipates that a conservative growth rate of at least 15% is expected in FY 2017-18 and beyond. Table 1 illustrates the revenue deposited into the fund since FY 2013-14 and projected revenue in FY 2016-17 through FY 2019-20 as well as the percentage revenue growth year over year.

<b>Table 1: Revenue for the Crimes against At-Risk Persons Surcharge Fund</b>		
<b>Fiscal Year</b>	<b>Revenue</b>	<b>% Increase from Prior Year</b>
FY 2013-14	\$ 3,950	NA
FY 2014-15	\$ 15,153	283.61%
FY 2015-16	\$ 17,663	16.57%
FY 2016-17	\$ 26,248	48.60%
FY 2017-18 (Projected)	\$ 30,185	15.00%
FY 2018-19 (Projected)	\$ 34,713	15.00%
FY 2019-20 (Projected)	\$ 39,920	15.00%

Data Source: Revenue from CORE and projections from State Unit on Aging.

An increase in revenue creates a higher fund balance at the end of each fiscal year. Based on trends from the past three fiscal years, coupled with educational outreach to the District Courts of the requirement of the surcharge being imposed, the Department anticipates that the revenues and the resulting cash fund balance for the fund will continue to increase each fiscal year unless the spending authority for the fund is increased.

Current spending authority is set at \$28,370 and has not been increased since FY 2014-15.

2. Capacity for additional funding for services will be unnecessarily limited.

Historically, the Department has provided its respite vendor, Easter Seals, with a funding award at the beginning of each fiscal year based on the fund balance at the time. As surcharges are collected throughout the year and deposited as revenue into the fund, the Department has amended its original award letter to Easter Seals to provide additional funding for respite care services expeditiously. In FY 2018-19 and beyond, the Department projects that the fund balance and additional revenues collected during the year will exceed the current cash fund spending authority level of \$28,370. As a result, funds that could be provided for needed services will unnecessarily remain in the cash fund balance, as the enabling legislation does not require the Department to maintain reserves for this fund. Further, Easter Seals has indicated that there is sufficient demand in the State to use any monies that are provided through this fund for respite services as soon as those monies are available. See Table 3 for more details on projected expenditures and cash fund balances.

***Proposed Solution:***

The Department requests an increase of \$20,000 total funds/cash funds spending authority from the Crimes against At-Risk Persons Surcharge fund in FY 2018-19 and beyond. While the exact amount of additional spending authority needed in future years cannot be predicted, the Department is requesting \$20,000 in additional spending authority to ensure it has a sufficient spending authority to use these funds for respite services in years to come. The funding made available from the requested increase in spending authority would be used to provide additional respite services for adult caregivers, including caregivers of older adults and individuals with dementia; grandparents raising grandchildren; and older adult parents providing care for adult children with disabilities.

***Anticipated Outcomes:***

With an increase in spending authority, the Department anticipates to increase the funding award to its respite vendor. As a result, additional respite services will be available to families and caregivers relying on much needed temporary relief from providing care. Based on the Final Grant Report data reported by the Colorado Respite Care, Respite Grant Program in FY 2014-15 through FY 2015-16, an hour of respite ranges in cost from \$10.63 to \$14.50 per hour. Therefore, \$20,000 of increased spending authority would allow the Department to potentially provide 1,378-1,880 additional hours of respite to families in that year. Depending on the respite program and population type served, on average, one family uses around 30 hours of respite services.

Additionally, the Respite Care Task Force published a report in 2016 that provided a variety of data and analysis of existing respite services available in Colorado and concluded, “Based on the limited data that exist and the experience of Colorado respite care experts, it appears that the need for affordable, geographically accessible, culturally competent respite care--especially for high needs recipients--exceeds the existing supply.” With increased spending authority, the Department has the ability to utilize more of its cash fund balance and award additional funding to its respite vendor, who can then coordinate respite services to more individuals.

**Assumptions and Calculations:**

The Department anticipates the need for additional spending authority in FY 2018-19 in order to decrease the Crimes against At-Risk Persons Surcharge cash fund balance. The total amount of cash funds expended by the Department each year goes directly to the respite services vendor, Easter Seals. Table 2 illustrates the fund beginning balance, revenue, expenditures, and year-end balance since FY 2013-14. FY 2017-18 through FY 2019-20 figures reflect projected revenues, expenditures, and cash fund balances. The Department requests \$20,000 of additional cash fund spending authority to allow for some flexibility as the revenues are projected a year in advance. As demonstrated in Table 2, the amount projected to be available in the fund in FY 2018-19 is greater than the current spending authority amount of \$28,370.

**Table 2: Cash Fund Revenues, Expenditures, and Balances for the Crimes against At-Risk Persons Surcharge Fund**

	(A) Cash Fund Beginning Balance	(B) Revenue	(C) Total Amount Available (A+B)	(D) Expenditures/ (Easter Seals Funding Award)	(C-D) Cash Fund Year End Balance
FY 2013-14	\$2,139	\$3,950	\$6,089	\$3,000	\$3,089
FY 2014-15	\$3,089	\$15,153	\$18,242	\$6,090	\$12,152
FY 2015-16	\$12,152	\$17,663	\$29,815	\$12,000	\$17,815
FY 2016-17	\$17,815	\$26,248	\$44,063	\$19,000	\$25,063
FY 2017-18 (Projected)	\$25,063	\$30,185 <sup>1</sup>	\$55,248	\$28,370 <sup>2</sup>	\$26,878
FY 2018-19 (Projected)	\$26,878	\$34,713 <sup>1</sup>	\$61,591	\$48,370	\$13,221
FY 2019-20 (Projected)	\$13,221	\$39,920 <sup>1</sup>	\$53,141	\$48,370	\$4,771

Data Source: CORE

<sup>1</sup>Assumes a 15% increase in surcharges from the prior fiscal year. See Table 1.

<sup>2</sup>Spending authority appropriated in SB 17-254.

Table 3 illustrates the Long Bill appropriation and requested funding for FY 2018-19 and beyond.

**Table 3: Long Bill Line Item Requested Funding for FY 2018-19 and Beyond**

Line Item: (10) Adult Assistance Programs; (D) Community Services for the Elderly, Respite Services	Total Funds	General Fund	Cash Funds	Notes
FY 2017-18 Appropriation (SB 17-254)	\$378,370	\$350,000	\$28,370	
Requested Funding (or Spending Authority)	\$20,000	\$0	\$20,000	
<b>FY 2018-19 Total Requested Appropriation</b>	<b>\$398,370</b>	<b>\$350,000</b>	<b>\$48,370</b>	
FY 2019-20 Annualization of Prior Year Funding	\$0	\$0	\$0	
<b>FY 2019-2020 Total Requested Appropriation</b>	<b>\$398,370</b>	<b>\$350,000</b>	<b>\$48,370</b>	
<b>FY 2020-2021 Total Requested Appropriation</b>	<b>\$398,370</b>	<b>\$350,000</b>	<b>\$48,370</b>	