

**Schedule 13**  
**Change Request for FY 2009-10 Budget Request Cycle**

Decision Item FY 2009-10  Base Reduction Item FY 2009-10  Supplemental FY 2008-09  Budget Amendment FY 2009-10

Request Title: Technical- Correct Tobacco Settlement Monies

Department: Human Services

Priority Number: S-16, BA-16

Dept. Approval by: *Will K... [Signature]*

OSPB Approval: *[Signature]*

Date: 12-16-08

Date: 12-17-08

	Fund	1	2	3	4	5	6	November 1 Request FY 2009-10	8	9	10
		Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/ Base Reduction FY 2009-10				
<b>Total of All Line Items</b>	<b>Total</b>	2,831,636	5,558,927	434,089	5,993,016	5,558,927	0	5,558,927	434,089	5,993,016	434,089
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	0	0	0	0	0	0	0	0	0	0
	CF	14,216	4,515,238	1,477,778	5,993,016	4,515,238	0	4,515,238	1,477,778	5,993,016	1,477,778
	CFE/RF	2,817,420	1,043,689	(1,043,689)	0	1,043,689	0	1,043,689	(1,043,689)	0	(1,043,689)
	FF	0	0	0	0	0	0	0	0	0	0
	MCF	0	0	0	0	0	0	0	0	0	0
	MGF	0	0	0	0	0	0	0	0	0	0
	NGF	0	0	0	0	0	0	0	0	0	0
<b>(8) Mental Health &amp; Alcohol &amp; Drug Abuse Services (B) Mental Health Community Programs (1) Mental Health Services for the Medically Indigent-Family Advocacy Demonstration Sites</b>	<b>Total</b>	21,972	159,277	36,877	196,154	159,277	0	159,277	36,877	196,154	36,877
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	0	0	0	0	0	0	0	0	0	0
	CF	0	159,277	36,877	196,154	159,277	0	159,277	36,877	196,154	36,877
	CFE/RF	21,972	0	0	0	0	0	0	0	0	0
	FF	0	0	0	0	0	0	0	0	0	0
	MCF	0	0	0	0	0	0	0	0	0	0
	MGF	0	0	0	0	0	0	0	0	0	0
	NGF	0	0	0	0	0	0	0	0	0	0
<b>(8) Mental Health &amp; Alcohol &amp; Drug Abuse Services (B) Mental Health Community Programs (1) Mental Health Services for the Medically Indigent-Mental Health Services for Juvenile and Adult Offenders</b>	<b>Total</b>	2,103,239	4,066,149	321,517	4,387,666	4,066,149	0	4,066,149	321,517	4,387,666	321,517
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	0	0	0	0	0	0	0	0	0	0
	CF	14,216	4,066,149	321,517	4,387,666	4,066,149	0	4,066,149	321,517	4,387,666	321,517
	CFE/RF	2,089,023	0	0	0	0	0	0	0	0	0
	FF	0	0	0	0	0	0	0	0	0	0
	MCF	0	0	0	0	0	0	0	0	0	0
	MGF	0	0	0	0	0	0	0	0	0	0
	NGF	0	0	0	0	0	0	0	0	0	0

**Schedule 13**  
**Change Request for FY 2009-10 Budget Request Cycle**

Decision Item FY 2009-10  Base Reduction Item FY 2009-10  Supplemental FY 2008-09  Budget Amendment FY 2009-10

**Request Title:** Technical- Correct Tobacco Settlement Monies  
**Department:** Human Services **Dept. Approval by:**  
**Priority Number:** S-16, BA-16 **OSPB Approval:** **Date:**

	Fund	1	2	3	4	5	6	7	8	9	10
		Prior-Year Actual FY 2007-08	Appropriation FY 2008-09	Supplemental Request FY 2008-09	Total Revised Request FY 2008-09	Base Request FY 2009-10	Decision/ Base Reduction FY 2009-10	November 1 Request FY 2009-10	Budget Amendment FY 2009-10	Total Revised Request FY 2009-10	Change from Base (Column 5) FY 2010-11
<b>(8) Mental Health &amp; Alcohol &amp; Drug Abuse Services (B) Mental Health Community Programs (1) Mental Health Services for the Medically Indigent-Veteran Mental Health</b>	<b>Total</b>	178,519	289,812	(4,283)	285,529	289,812	0	289,812	(4,283)	285,529	(4,283)
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	0	0	0	0	0	0	0	0	0	0
	CF	0	289,812	(4,283)	285,529	289,812	0	289,812	(4,283)	285,529	(4,283)
	CFE/RF	178,519	0	0	0	0	0	0	0	0	0
	FF	0	0	0	0	0	0	0	0	0	0
	MCF	0	0	0	0	0	0	0	0	0	0
	MGF	0	0	0	0	0	0	0	0	0	0
	NGF	0	0	0	0	0	0	0	0	0	0
<b>(8) Mental Health &amp; Alcohol &amp; Drug Abuse Services (D)Alcohol and Drug Abuse Division (2) Community Programs (c) Other Programs-Community Treatment and Prevention</b>	<b>Total</b>	527,906	1,043,689	79,978	1,123,667	1,043,689	0	1,043,689	79,978	1,123,667	79,978
	FTE	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	GF	0	0	0	0	0	0	0	0	0	0
	CF	0	0	1,123,667	1,123,667	0	0	0	1,123,667	1,123,667	1,123,667
	CFE/RF	527,906	1,043,689	(1,043,689)	0	1,043,689	0	1,043,689	(1,043,689)	0	(1,043,689)
	FF	0	0	0	0	0	0	0	0	0	0
	MCF	0	0	0	0	0	0	0	0	0	0
	MGF	0	0	0	0	0	0	0	0	0	0
	NGF	0	0	0	0	0	0	0	0	0	0

**Non-Line Item Request:** None  
**Letternote Revised Text:** Family Advocacy Demonstration Sites- Revise Letternote d: Of these amounts, \$156,923 shall be from the Short-term Grants for Innovative Health Programs Grant Fund and \$39,231 shall be from local funds. Mental Health Services for Juvenile and Adult Offenders-add new Letternote e: This amount shall be from the Offender Mental Health Services fund. Veteran Mental Health- add new Letternote f: This amount shall be from the Mental Health Services Pilot Program Fund.

**Cash or Federal Fund Name and COFRS Fund Number:** Family Advocacy Demonstration Sites & Veteran Mental Health 100, Mental Health Services for Juvenile and Adult Offenders 20R, Community Treatment and Prevention 20K

**Reappropriated Funds Source, by Department and Line Item Name:** None

**Approval by OIT?** Yes:  No:  N/A:

**Schedule 13s from Affected Departments:** None

**CHANGE REQUEST for FY 2009-10 BUDGET REQUEST CYCLE**

Department:	Colorado Department of Human Services
Priority Number:	S-16, BA-16
Change Request Title:	Technical- Correct Tobacco Settlement Monies

**SELECT ONE (click on box):**

- Decision Item FY 2009-10
- Base Reduction Item FY 2009-10
- Supplemental Request FY 2008-09
- Budget Request Amendment FY 2009-10

**SELECT ONE (click on box):**

Supplemental or Budget Request Amendment Criterion:

- Not a Supplemental or Budget Request Amendment
- An emergency
- A technical error which has a substantial effect on the operation of the program
- New data resulting in substantial changes in funding needs
- Unforeseen contingency such as a significant workload change

Short Summary of Request:

This technical request totaling \$434,089, includes \$1,477,778 Cash Funds and (\$1,043,689) Reappropriated Funds, corrects the tobacco litigation settlement appropriation and revises the letternotes in the Long Bill for FY 2008-09 and FY 2009-10.

Background and Appropriation History:

The State of Colorado receives two types of tobacco settlement payments (perpetual base payments and strategic contribution payments) under the terms of the Master Settlement Agreement.

Tobacco settlement supported programs are identified as either Tier 1 or Tier 2 programs pursuant to Section 24-75-1104.5, C.R.S., (2008). The funding allocation for Tier 1 programs equals the base payment received in the prior fiscal year plus \$15.4 million of the strategic contribution payment received in the current fiscal year. The balance of the Tier 1 funding allocation that is not utilized is distributed to Tier 2 programs based on established percentages. The Department's Tier 2 programs include Mental Health Services for Juvenile and Adult Offenders and Alcohol and Drug Abuse Programs.

The Alcohol and Drug Abuse Division receives three percent of the settlement monies which is transferred to the Short-term Innovative Health Program Grant Fund for the Juvenile Justice Family Advocacy Program and the Veteran’s Mental Health Services Pilot Program.

General Description of Request:

The request corrects the appropriation of the tobacco settlement monies pursuant to special bill legislation concerning the allocation of tobacco litigation settlement monies for the following Mental Health and Alcohol and Drug Abuse Services line items:  
 (8)(B)(1) Family Advocacy Demonstration Sites- HB 07-1057  
 (8)(B)(1) Mental Health Services for Juvenile and Adult Offenders- SB 07-097/HB 07-1359  
 (8)(B)(1) Veteran Mental Health- SB 07-146  
 (8)(D)(2)(c) Community Treatment and Prevention- SB 07-097/HB07-1359

The request also revises the Long Bill letternotes to improve transparency in reporting the source of funding.

Consequences if Not Funded:

Not applicable

Calculations for Request:

<b>Summary of Request FY 2008-09</b>	<b>Total Funds</b>	<b>General Fund</b>	<b>Cash Funds</b>	<b>Reappropriated Funds</b>	<b>Federal Funds</b>	<b>FTE</b>
Total Request	\$434,089	\$0	\$1,477,778	(\$1,043,689)	\$0	0.0
(8)(B)(1) Family Advocacy Demonstration Sites	\$36,877	\$0	\$36,877	\$0	\$0	0.0
(8)(B)(1) Mental Health Services for Juvenile and Adult Offenders	\$321,517	\$0	\$321,517	\$0	\$0	0.0
(8)(B)(1) Veteran Mental Health	(\$4,283)	\$0	(\$4,283)	\$0	\$0	0.0
(8)(D)(2) (c) Community Treatment and Prevention	\$79,978	\$0	\$1,123,667	(\$1,043,689)	\$0	0.0

Summary of Request FY 2009-10	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Total Request	\$434,089	\$0	\$1,477,778	(\$1,043,689)	\$0	0.0
(8)(B)(1) Family Advocacy Demonstration Sites	\$36,877	\$0	\$36,877	\$0	\$0	0.0
(8)(B)(1) Mental Health Services for Juvenile and Adult Offenders	\$321,517	\$0	\$321,517	\$0	\$0	0.0
(8)(B)(1) Veteran Mental Health	(\$4,283)	\$0	(\$4,283)	\$0	\$0	0.0
(8)(D)(2) (c) Community Treatment and Prevention	\$79,978	\$0	\$1,123,667	(\$1,043,689)	\$0	0.0

Tobacco Litigation Settlement Monies and Revisions to the Long Bill

(8)(A) Administration

Personal Services Line Item

Revise Letternote a : Of these amounts, \$97,812 shall be from patient revenues earned by the Mental Health Institutes, \$102,322 shall be from the Offender Mental Health Services Fund, \$59,505 shall be from the Family Mental Health Services Grant Program Cash Fund, \$14,471 shall be from the Mental Health Services Pilot Program Fund and \$26,998 shall be from the Short-term Grants for Innovative Health Programs Grant Fund.

Operating Expenses Line Item

Cash Funds Letternote should be "d" (delete current "a" annotation)

Add new Letternote d: Of these amounts, \$4,681 shall be from the Offender Mental Health Services Fund and \$1,096 shall be from the Short-term Grants for Innovative Health Programs Grant Fund.

(8)(B) Mental Health Community Programs

Revised  
FY 2008-  
09 Long  
Bill

FY 2008-  
09 Long  
Bill

FY 2008-09 Adjustment

(8)(B)(1) Family Advocacy Demonstration Sites	\$196,154	\$159,277	\$36,877
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Revise Letternote d: Of these amounts, \$156,923 shall be from the Short-term Grants for Innovative Health Programs Grant Fund and \$39,231 shall be from local funds.

(8)(B)(1) Mental Health Services for Juvenile and Adult Offenders	\$4,387,666	\$4,066,149	\$321,517
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Add new Letternote e: This amount shall be from the Offender Mental Health Services Fund. (delete current "d" annotation)

(8)(B)(1) Veteran Mental Health	\$285,529	\$289,812	(\$4,283)
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Add new Letternote f: This amount shall be from the Mental Health Services Pilot Program Fund. (delete current "d" annotation)

(8)(D)(2)(c) Community Programs-Other Programs			
Community Treatment and Prevention	\$1,123,667	\$1,043,689	\$79,978
Total			\$434,089

Community Treatment and Prevention Line Item should be Cash Funds (including Letternote "d" annotation) not Reappropriated Funds

Change line item title to "Community Prevention and Treatment " to be consistent with the funding source (Community Prevention and Treatment Fund) annotated in Letternote d

Cash Funds Projections: Not applicable

Assumptions for Calculations: The request corrects the line item appropriation to reflect the tobacco settlement program funding and reconciles to the FY 2008-09 Appropriations Report Appendix G (Pages 589-592).  
 The Short-term Innovative Health Program Grant Fund allocation totals \$221,717 (\$185,017 for the Department and \$36,700 for the Department of Public Safety) for the Juvenile Justice Family Advocacy Program (HB 07-1057) in FY 2008-09. The Departmental share includes \$28,094 for personal services and operating expenses and \$156,923 for program funding.

The Tier 2 funding for Mental Health Services for Juvenile and Adult Offenders totals \$4,494,669 (\$107,003 for personal services and operating expenses and \$4,387,666 program funding) in FY 2008-09.

The Short-term Innovative Health Program Grant Fund allocation for the Veteran’s Mental Health Services Pilot Program (SB 07-146) totals \$300,00 (\$14,471 for personal services and \$285,529 for program funding in FY 2008-09.

The Tier 2 program funding for the Alcohol and Drug Abuse Programs totals \$1,123,667 in FY 2008-09.

Impact on Other Government Agencies: Not applicable

Cost Benefit Analysis: Not applicable

Implementation Schedule: Not applicable

<b>Task</b>	<b>Month/Year</b>
Start-up Date	Upon signature of the governor

Statutory and Federal Authority: Section 24-75-1104.5, C.R.S., (2008) Use of Settlement Moneys- Program

(1.5) (a) For the 2007-08 fiscal year and for each fiscal year thereafter, the following programs, services, and funds shall receive the following specified amounts from the portion of any strategic contribution fund moneys received by the state in the current fiscal year that remains after the programs, services, and funds receiving strategic contribution fund moneys pursuant to subsection (1) of this section have been fully funded, and the portion of all other settlement moneys received by the state in the preceding fiscal year that remains after the programs, services, and funds receiving such other settlement moneys pursuant to subsection (1) of this section have been fully funded

and all overexpenditures and supplemental appropriations allowed for the 2006-07, 2007-08, and 2008-09 fiscal years pursuant to section [24-22-115](#) (4) have been made:

(VIII) The division of alcohol and drug abuse in the department of human services shall receive three percent of the settlement moneys, which shall be transferred by the state treasurer to the alcohol and drug abuse community prevention and treatment fund, which is hereby created in the state treasury. Interest and income earned on the deposit and investment of moneys in the fund shall be credited to the fund and shall remain in the fund until the end of the fiscal year in which credited, when it shall be transferred to the short-term innovative health program grant fund created in section [25-36-101](#) (2), C.R.S., in accordance with paragraph (b) of this subsection (1.5). The principal of the fund shall be subject to annual appropriation by the general assembly to provide or purchase community prevention and treatment services in accordance with section [25-1-206](#), C.R.S.; except that, at the end of the 2007-08 fiscal year and at the end of each fiscal year thereafter, all unexpended and unencumbered principal of the fund shall be transferred to the short-term innovative health program grant fund created in section [25-36-101](#) (2), C.R.S., in accordance with paragraph (b) of this subsection (1.5).

(IX) The short-term innovative health program grant fund created in section [25-36-101](#) (2), C.R.S., shall receive six percent of the settlement moneys, which the state treasurer shall transfer thereto, plus additional moneys as specified in section [24-22-115](#) (1) (b) and paragraph (b) of this subsection (1.5).

Performance Measures:

Not applicable