

Thomas O. Forslund, Director

Governor Matthew H. Mead

MEMORANDUM

Date: October 15, 2015

To: Joint Labor, Health and Social Services Interim Committee
Joint Appropriations Interim Committee

From: Thomas O. Forslund, Director *TOF*
Wyoming Department of Health

Subject: Legislative Report: Exercise of 100 Series Budget Transfer Authority and Title 25 Update

Ref: F-2015-574

In the Wyoming 2014 Budget Session, House Enrolled Act 41, Section 308 - Personal Services Transfers granted the Wyoming Department of Health 100-series budget transfer authority. In the Wyoming 2015 Budget Session, the Legislature added part (c) regarding the shortfall in the Title 25 program. The specific language is as follows:

Section 308- Personal Services Transfers

(a) Notwithstanding any other provision of this act, nonfederal fund appropriations for 100 series personal services contained in this act shall not be transferred to any other series or expended for any purpose other than personal services. Further, notwithstanding W.S.9-2-1005(b)(ii) or any other provision of this act, nonfederal fund appropriations for 900 series contractual services contained in this act shall not be transferred to the 100 series personal services. This subsection shall not apply to funding for intern positions. The department of health is exempt from this subsection.

(b) The department of health shall report quarterly to the joint appropriations interim committee and the joint labor, health and social services interim committee regarding the department's exercise of authority under subsection (a) of this section and shall include in the report the specific uses and dollar amounts for each exception.

(c) The department of health shall use the authority in this section, as well as requests to the governor to exercise authority provided in 2014 Wyoming Session Laws, Chapter 26, Section 306 to address any department budget shortfalls related to Title 25 placements. The department shall report quarterly to the joint appropriations interim committee on the amount of the actual shortfall and an estimate of anticipated shortfalls, if any, prior to June 30, 2016 as well as the use of the budget transfer authorities to address existing and future shortfalls.

401 Hathaway Building • Cheyenne WY 82002

E-Mail: wdh@wyo.gov • WEB Page: www.health.wyo.gov

Toll Free 1-866-571-0944 • Main Number (307) 777-7656 • FAX (307) 777-7439

No budget authority transfers were made during the July 2015 through September 2015 quarter.

The amount of the Title 25 shortfall through September 30, 2015 is \$5,232,893. The projected shortfall for the 2015-2016 biennium is \$11,030,561.

TOF/EM/ff

c: Governor Matthew H. Mead
Legislative Service Office (electronic copy)
State Department Depository (electronic copy)

Wyoming Department of Health

**Report to the Joint Appropriations Interim Committee and
Joint Labor, Health and Social Services Committee**

**Use of 100 Series Non-Federal Transfer
Authority and Title 25 Update as
Authorized by
House Enrolled Act 56, Section 308 from
the 2015 Budget Session**

**Prepared by
Eric McVicker, Chief Financial Officer
Fiscal Unit**

**Thomas O. Forslund, Director
Wyoming Department of Health (048)
Website: [http:// www.health.wyo.gov](http://www.health.wyo.gov)
E-mail: eric.mcvicker@wyo.gov**

Cheyenne, Wyoming 82002

October 15, 2015

Table of Contents

Section	Page
1. Executive Summary	3
2. Specific Requirements of Statute	3
3. Response to Specific Requirements of Statute	4

Section 1. Executive Summary

During the 2014 Budget Session, the Legislature granted the Department of Health 100-series budget transfer authority, which allows the Department of Health additional flexibility for transferring non-federal funds between budgetary uses (services). Federal funding had previously been allowed to be transferred between budgetary uses.

The Wyoming Department of Health did not exercise this transfer authority for the July 1, 2015 through September 30, 2015 quarter.

During the 2015 Budget Session, the Legislature requested the Department of Health to report on the current shortfall in the Title 25 involuntary hospitalization budget as well as the projected shortfall for the biennium.

The amount of the Title 25 shortfall through September 2015 is \$5,232,893. The projected shortfall for the 2015-2016 biennium is \$11,030,561.

Section 2. Specific Requirements of Statute

The General Government Appropriation bill passed by the Sixty-Second Legislature in the Wyoming 2014 Budget Session as House Enrolled Act 41, states in Section 308:

(a) Notwithstanding any other provision of this act, nonfederal fund appropriations for 100 series personal services contained in this act shall not be transferred to any other series or expended for any purpose other than personal services. Further, notwithstanding W.S. 9-2-1005(b)(ii) or any other provision of this act, nonfederal fund appropriations for 900 series contractual services contained in this act shall not be transferred to the 100 series personal services. This subsection shall not apply to funding for intern positions. The department of health is exempt from this subsection.

(b) The department of health shall report quarterly to the joint appropriations interim committee and the joint labor, health and social services interim committee regarding the department's exercise of authority under subsection (a) of this section and shall include in the report the specific uses and dollar amounts for each exception.

(c) The department of health shall use the authority in this section, as well as requests to the governor to exercise authority provided in 2014 Wyoming Session Laws, Chapter 26, Section 306 to address any department budget shortfalls related to Title 25 placements. The department shall report quarterly to the joint appropriations interim committee on the amount of the actual shortfall and an estimate of anticipated shortfalls, if any, prior to June 30, 2016 as well as the use of the budget transfer authorities to address existing and future shortfalls.

Section 3. Response to Specific Requirements of Statute

Use of 100-series personnel services transfer authority for non-federal funds

The Department of Health did not exercise this authority during the July 2015 through September 2015 quarter for non-federal funds.

Title 25 shortfalls

The amount of the Title 25 shortfall through September 2015 is \$5,232,893.

Based on average monthly expenditures, the projected shortfall for the 2015-2016 biennium is \$11,030,561. This projection can be seen in Figure 1, below, and actual expenditures in Table 1 on the next page.

Figure 1: Cumulative Title 25 expenditures and projected shortfall

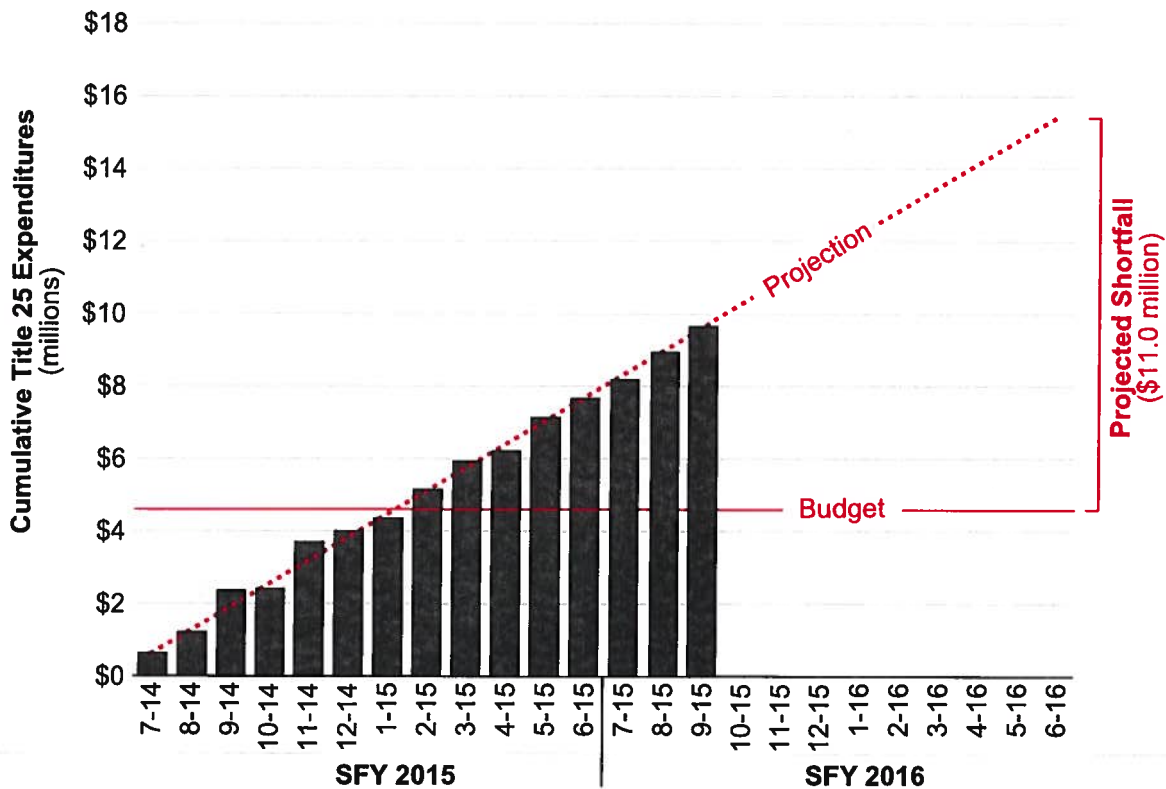


Table 1: Monthly and cumulative Title 25 costs.

Month	Title 25 Costs	Cumulative
July-14	\$652,454	\$652,454
August-14	\$576,108	\$1,228,562
September-14	\$1,151,193	\$2,379,755
October-14	\$38,624	\$2,418,379
November-14	\$1,302,405	\$3,720,784
December-14	\$297,458	\$4,018,242
January-15	\$348,880	\$4,367,122
February-15	\$789,906	\$5,157,028
March-15	\$790,117	\$5,947,145
April-15	\$282,365	\$6,229,510
May-15	\$928,813	\$7,158,323
June-15	\$513,311	\$7,671,634
July-15	\$516,025	\$8,187,659
August-15	\$756,275	\$8,943,934
September-15	\$718,846	\$9,662,780