

By: Senator(s) Smith

To: Public Health and  
Welfare

SENATE BILL NO. 2653

1 AN ACT TO CREATE A TASK FORCE ON ESTABLISHING A MISSISSIPPI  
2 DEPARTMENT OF CHILDREN AND FAMILY PROGRAMS TO STUDY THE  
3 IMPLEMENTATION OF A FREESTANDING AGENCY TO ADMINISTER CERTAIN  
4 SPECIFIC CHILDREN SERVICE PROGRAMS AND THE IMPLEMENTATION OF A  
5 COORDINATED SERVICES FUNDING SYSTEM FOR INDIVIDUAL CHILDREN IN  
6 NEED OF SUCH SERVICES, AND TO STUDY OTHER CHILD SERVICE-RELATED  
7 ISSUES; AND FOR RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 SECTION 1. (1) There is hereby created a Task Force on  
10 Establishing a Mississippi Department of Children and Family  
11 Programs which shall study the implementation of a freestanding  
12 agency of Mississippi government that would focus on and  
13 administer the following programs relating to children: (a) the  
14 functions of the Division of Youth Services of the Department of  
15 Human Services; (b) the functions of the Child Support Unit of the  
16 Department of Human Services; (c) the functions of all child  
17 service programs presently administered by the Department of Human  
18 Services, including the foster care or foster home placement  
19 program, child adoption and child placement, and investigation of  
20 child abuse and neglect; (d) the administration of the school  
21 attendance officers enforcing the Mississippi Compulsory School  
22 Attendance Law presently administered by the district attorney  
23 offices; (e) the alternative school programs presently  
24 administered by the various school districts; (f) the Center for  
25 Prevention of School Violence program presently under the State  
26 Department of Education; (g) the Support Our Students (SOS)  
27 community-based program presently under the State Department of  
28 Education and any other youth mentoring program operating under  
29 public grant funds; (h) a Private Enterprise Mentorship Program

30 for children in the custody of the Department of Human Services;  
31 (i) any program for children with severe emotional disturbances  
32 which are not provided by the Mississippi Department of Mental  
33 Health; (j) child care facility licensure programs presently  
34 administered by the Mississippi Department of Health; and (k) a  
35 Coordinated Services Plan for Children which uses a "decategorized  
36 funding system" to budget and pay for all services required for an  
37 individual child in need of the programs specified in (a) through  
38 (i), creating a state and local Interagency Team to determine and  
39 commit to an individual budget for each child, to ensure that the  
40 funds for approved services follow the child. The task force may  
41 study and make recommendations on any other program relating to  
42 child welfare or children's services, including but not limited to  
43 the youth court system in Mississippi, the child abuse and neglect  
44 laws of Mississippi, and the impact of state and federal welfare  
45 reform initiatives on child welfare services in Mississippi.

46 (2) The task force shall make a report of its findings and  
47 recommendations to the Legislature, the Lieutenant Governor and  
48 the Governor on October 1, 1999, for implementation in the 2000  
49 Regular Session.

50 (3) The task force shall be composed of the following: (a)  
51 the Executive Director of the Department of Human Services; (b)  
52 the State Superintendent of Education; (c) the Executive Director  
53 of the Mississippi Department of Mental Health; (d) the Executive  
54 Director of the Division of Medicaid of the Office of the  
55 Governor; the executive director of one (1) regional mental  
56 health/retardation center in the state to be designated by the  
57 State Board of Mental Health; (e) the Attorney General; (f) the  
58 Director of the Council of Youth Court Judges; (g) the Chairman of  
59 the Senate Committee on Juvenile Justice; (h) the Chairman of the  
60 House Committee on Juvenile Justice; (i) the Chairman of the  
61 Senate Committee on Education; (j) the Chairman of the House  
62 Committee on Education; (k) the Chairman of the Senate Committee  
63 on Public Health and Welfare; and (l) the Chairman of the House  
64 Committee on Public Health and Welfare. In the event any member  
65 is unable to attend any meeting of the task force, such member  
66 shall not be authorized to designate another person to attend or  
67 vote at such meeting. Within fifteen (15) days after passage of

68 this section, on a day to be designated jointly by the Governor,  
69 the Lieutenant Governor and the Speaker of the House of  
70 Representatives, the task force shall meet and organize by  
71 selecting from its membership a chairman and a vice-chairman. The  
72 vice-chairman shall also serve as secretary and shall be  
73 responsible for keeping all records of the task force. A majority  
74 of the members of the task force shall constitute a quorum. All  
75 members shall be notified in writing of all meetings, such notices  
76 to be mailed at least five (5) days prior to the date on which a  
77 meeting is to be held.

78 (4) Any member of the task force who is also a state  
79 employee shall not be eligible to receive per diem compensation  
80 for attending meetings of the task force, but may be reimbursed in  
81 accordance with Section 25-3-41, Mississippi Code of 1972, for  
82 mileage and actual expense incurred in the performance of their  
83 duties, if authorized by vote, at a meeting of the task force,  
84 which action shall be recorded in the official minutes of said  
85 meeting. Legislative members of the task force shall be paid from  
86 the contingent expense funds of their respective houses in the  
87 same amounts as provided for committee meetings when the  
88 Legislature is not in session.

89 (5) The task force is authorized to accept money from any  
90 source, public or private, to be expended in implementing its  
91 duties under this resolution.

92 (6) The State Fiscal Officer is hereby authorized and  
93 directed to withhold any State General Funds allocated to any  
94 state agency whose agency head is directed to attend meetings of  
95 the Task Force on Creating a Department of Children and Family  
96 Programs for any month in which such agency head fails to attend a  
97 regularly called meeting of the task force, without good cause.

98 (7) The task force is empowered to hire staff as well as to  
99 utilize staff already employed by the agencies affected by this  
100 section and any other assistance made available to it.

101 (8) Funding for the task force may be provided from any

102 funds that may be appropriated by the Legislature for that  
103 purpose.

104 (9) Upon presentation of its report, the task force shall be  
105 dissolved.

106 SECTION 2. This act shall take effect and be in force from  
107 and after its passage.