

By: Representative Clark

To: Public Health and Welfare

HOUSE BILL NO. 1261

1 AN ACT TO CREATE A STUDY COMMITTEE ON CREATING A DIVISION OF  
2 FAMILY AND YOUTH SERVICES TO STUDY THE IMPLEMENTATION OF A STATE  
3 AGENCY TO ADMINISTER CERTAIN SPECIFIC FAMILY AND CHILDREN SERVICE  
4 PROGRAMS AND A COORDINATED SERVICES FUNDING SYSTEM FOR CHILDREN IN  
5 NEED OF SUCH SERVICES; AND FOR RELATED PURPOSES.

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

7 SECTION 1. (1) There is created a study committee on  
8 creating a Division of Family and Youth Services which committee  
9 shall study the establishment of an agency of state government  
10 which would be under the joint control of the Department of Human  
11 services and the State Department of Education. The mission of  
12 the division would be to focus on and administer programs relating  
13 to families and children, including:

14 (a) The functions of the Division of Youth Services of  
15 the Department of Human Services;

16 (b) The functions of the Child Support Unit of the  
17 Department of Human Services;

18 (c) The functions of all child service programs  
19 administered by the Department of Human Services, including the  
20 foster care or foster home placement program, child adoption and  
21 child placement, and investigation of child abuse and neglect;

22 (d) The administration of the school attendance  
23 officers enforcing the Mississippi Compulsory School Attendance  
24 Law administered by the State Department of Education;

25 (e) The alternative school programs administered by the  
26 various school districts;

27 (f) The Center for Prevention of School Violence  
28 program under the State Department of Education;

29           (g) The Support Our Students (SOS) community-based  
30 program under the State Department of Education and any other  
31 youth mentoring program operating under public grant funds;

32           (h) A Private Enterprise Mentorship Program for  
33 children in the custody of the Department of Human Services;

34           (i) Any program for children with severe emotional  
35 disturbances which is not provided by the Mississippi Department  
36 of Mental Health;

37           (j) Child care facility licensure programs administered  
38 by the Mississippi Department of Health; and

39           (k) A Coordinated Services Plan for Children that uses  
40 a decategorized funding system to budget and pay for all services  
41 required for an individual child in need of the programs specified  
42 in (a) through (i) and to ensure that the funds for approved  
43 services follow the child. The study committee may study and make  
44 recommendations on any other program relating to family or youth,  
45 child welfare or children's services, including, but not limited  
46 to, the youth court system in Mississippi, the child abuse and  
47 neglect laws of Mississippi, and the impact of state and federal  
48 welfare reform initiatives on family and child welfare services in  
49 Mississippi.

50           (2) The study committee shall make a report of its findings  
51 and recommendations to the Legislature, the Lieutenant Governor  
52 and the Governor before October 1, 2001, for implementation in the  
53 2002 Regular Session. The report must include a strategic plan  
54 for allocating funds and resources to programs relating to family  
55 and youth services.

56           (3) The study committee shall be composed of the following  
57 members:

58           (a) The Executive Director of the Department of Human  
59 Services;

60           (b) The State Superintendent of Public Education;

- 61           (c) The Executive Director of the Mississippi  
62 Department of Mental Health;
- 63           (d) The Executive Director of the Division of Medicaid  
64 of the Office of the Governor;
- 65           (e) The executive director of one (1) regional mental  
66 health/retardation center in the state, to be designated by the  
67 State Board of Mental Health;
- 68           (f) The Attorney General;
- 69           (g) The Director of the Council of Youth Court Judges;
- 70           (h) The Chairman of the Senate Committee on Juvenile  
71 Justice;
- 72           (i) The Chairman of the House Committee on Juvenile  
73 Justice;
- 74           (j) The Chairman of the Senate Committee on Education;
- 75           (k) The Chairman of the House Committee on Education;
- 76           (l) The Chairman of the Senate Committee on Public  
77 Health and Welfare; and
- 78           (m) The Chairman of the House Committee on Public  
79 Health and Welfare.

80           If any member is unable to attend any meeting of the study  
81 committee, the member may not designate another person to attend  
82 or vote at such meeting. Within fifteen (15) days after passage  
83 of this act, on a day to be designated jointly by the Governor,  
84 the Lieutenant Governor and the Speaker of the House of  
85 Representatives, the study committee shall meet and organize by  
86 selecting from its membership a chairman and a vice chairman. The  
87 vice chairman shall serve as secretary and shall be responsible  
88 for keeping all records of the study committee. A majority of the  
89 members of the study committee shall constitute a quorum. All  
90 members shall be notified in writing of all meetings, and such  
91 notices must be mailed at least five (5) days before the date on  
92 which a meeting is to be held.

93           (4) Any member of the study committee who is also a state  
94 employee may not receive per diem compensation for attending  
95 meetings of the study committee, but may be reimbursed in  
96 accordance with Section 25-3-41 for mileage and actual expense  
97 incurred in the performance of their duties, if authorized by  
98 vote, at a meeting of the study committee, which action shall be  
99 recorded in the official minutes of the meeting. Legislative  
100 members of the study committee shall be paid from the contingent  
101 expense funds of their respective houses in the same amounts as  
102 provided for committee meetings when the Legislature is not in  
103 session.

104           (5) The study committee may accept money from any source,  
105 public or private, to be expended in implementing its duties under  
106 this act.

107           (6) The study committee may utilize staff employed by the  
108 agencies affected by this act and any other assistance made  
109 available to it.

110           (7) Funding for the study committee may be provided from any  
111 funds that may be appropriated by the Legislature for that  
112 purpose.

113           (8) Upon presentation of its report, the study committee  
114 shall be dissolved.

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