SENATE BILL NO. 2355

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

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

SECTION 1. (1) There is hereby created a Task Force on Programs which shall study the implementation of a freestanding agency of Mississippi government that would focus on and administer the following programs relating to children: (a) the functions of the Division of Youth Services of the Department of Human Services; (b) the functions of the Child Support Unit of the Department of Human Services; (c) the functions of all child service programs presently administered by the Department of Human Services, including the foster care or foster home placement program, child adoption and child placement, and investigation of child abuse and neglect; (d) the administration of the school attendance officers enforcing the Mississippi Compulsory School Attendance Law presently administered by the district attorney offices; (e) the alternative school programs presently administered by the various school districts; (f) the Center for Prevention of School Violence program presently under the State Department of Education; (g) the Support Our Students (SOS) community-based program presently under the State Department of Education and any other youth mentoring program operating under public grant funds; (h) a Private Enterprise Mentorship Program
for children in the custody of the Department of Human Services; (i) any program for children with severe emotional disturbances which are not provided by the Mississippi Department of Mental Health; (j) child care facility licensure programs presently administered by the Mississippi Department of Health; and (k) a Coordinated Services Plan for Children which uses a "decategorized funding system" to budget and pay for all services required for an individual child in need of the programs specified in (a) through (i), creating a state and local Interagency Team to determine and commit to an individual budget for each child, to ensure that the funds for approved services follow the child. The task force may study and make recommendations on any other program relating to child welfare or children's services, including but not limited to the youth court system in Mississippi, the child abuse and neglect laws of Mississippi, and the impact of state and federal welfare reform initiatives on child welfare services in Mississippi.

(2) The task force shall make a report of its findings and recommendations to the Legislature, the Lieutenant Governor and the Governor on October 1, 2001, for implementation in the 2002 Regular Session.

(3) The task force shall be composed of the following: (a) the Executive Director of the Department of Human Services; (b) the State Superintendent of Education; (c) the Executive Director of the Mississippi Department of Mental Health; (d) the Executive Director of the Division of Medicaid of the Office of the Governor; (e) the executive director of one (1) regional mental health/retardation center in the state to be designated by the State Board of Mental Health; (f) the Attorney General; (g) the Director of the Council of Youth Court Judges; (h) the Chairman of the Senate Committee on Juvenile Justice; (i) the Chairman of the House Committee on Juvenile Justice; (j) the Chairman of the Senate Committee on Education; (k) the Chairman of the House Committee on Education; (l) the Chairman of the Senate Committee
on Public Health and Welfare; and (m) the Chairman of the House Committee on Public Health and Welfare. In the event any member is unable to attend any meeting of the task force, such member shall not be authorized to designate another person to attend or vote at such meeting. Within fifteen (15) days after passage of this section, on a day to be designated jointly by the Governor, the Lieutenant Governor and the Speaker of the House of Representatives, the task force shall meet and organize by selecting from its membership a chairman and a vice chairman. The vice chairman shall also serve as secretary and shall be responsible for keeping all records of the task force. A majority of the members of the task force shall constitute a quorum. All members shall be notified in writing of all meetings, such notices to be mailed at least five (5) days prior to the date on which a meeting is to be held.

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

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

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

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

(8) Funding for the task force may be provided from any funds that may be appropriated by the Legislature for that purpose.

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

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