

# MEMORANDUM

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**TO:** Joint Budget Committee Members

**FROM:** Megan Davisson, JBC Staff

**SUBJECT:** September 21, 2015

**DATE:** Letter from CDPHE regarding the "Necessary Document Assistance Grant Program"

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*Letter/Request:* The Department of Public Health and Environment submitted a letter (attached) to the Joint Budget Committee on September 8, 2015 seeking clarification on the intended purpose of funding provided in the FY 2015-16 Long Bill for the "Necessary Document Assistance Grant Program." The Department requests the Joint Budget Committee approve:

- Using the funds to contract with an external organization to assist people in need with obtaining necessary documents; and
- Using a portion of the funds to administer the contract.

The Department also seeks clarification on the following two items:

- Whether the funds are one-time or ongoing; and
- If the funding is ongoing, the Department requests the funds be moved to a different program within the Department that has a grant program with the infrastructure to contract with external organizations.

***Recommendation:* Staff recommends the Department not expend the funds prior to the passage of clarifying legislation during the 2016 Session which outlines the purpose and scope of the Necessary Document Assistance Grant Program.**

*Background:* House Floor Amendment 27 (Amendment J.116 attached) for S.B. 15-234 (Long Bill) provided \$300,000 General Fund to the Department of Public Health and Environment for a Necessary Document Assistance Grant Program to waive the fees required for necessary documents. There was no additional direction on how the funds were to be used and the funding was approved through the conference committee report for S.B. 15-234.

As described during the floor debate, the funding was intended to pay for the costs of obtaining necessary documents (e.g. driver's licenses, birth certificates, and social security cards) for individuals who are in situations where these documents are inaccessible or destroyed. The Department has learned through communications with stakeholders that the purpose of the funding was to support non-state staff that assist individuals in obtaining these necessary documents. The organization that currently does this type of work is called the Colorado Collaborative ID Project. The Project's website describes the Program as a "special project designed to assist low-income, disabled, homeless and elderly citizens seeking documentation of their identity and citizenship in order to obtain health care, public benefits, housing, transportation, and employment and secure other essential human rights." The activities of the Project include representation of individual clients needing assistance in complex cases;

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coordination of advocacy efforts including legislative, administrative and litigation approaches; technical assistance and community education involving identification issues; and management of a supplemental document fund for individuals and nonprofits to pay needed document fees.

It appears the Colorado Collaborative ID Program is the only organization which performs this type of work. The Health Statistics and Vital Records Division does not have the infrastructure to administer a grant program and lacks the authority to waive fees for the Department of Revenue which issues driver's licenses. Additionally, it is unclear how the General Fund will be used to pay fees to the federal government for Social Security cards. These issues, combined with uncertainty if this is one-time or ongoing funding, has prevented the Department from expending these funds.

If the intent is to waive the costs of applying for driver's licenses, birth certificates, and other documents, there are no guidelines in place to determine which individuals should qualify. Additionally, the Department of Revenue does not have the spending authority to utilize a portion of the funding for documents they issue.

### **Options:**

#### *Options 1a-1i*

There are numerous options, summarized in the following table, which the Committee could consider. If the Committee selects one of the options below, staff recommends a letter be sent over to the Department indicating the Committee's decision.

Option	1a	1b	1c	1d	1e	1f	1g	1h	1i
Waive fees in CDPHE only	No	No	No	No	Yes	Yes	Yes	Yes	Yes
Contract out funds	Yes	Yes	Yes	Yes	No	No	No	No	No
Fund Department Administrative costs	Yes	Yes	No	No	Yes	Yes	No	No	Yes
Onetime or Ongoing	Ongoing	One-time	Ongoing	One-time	One-time	Ongoing	One-time	Ongoing	One-time

#### *Option 2*

The Committee could direct the Department not expend the funds prior to the passage of clarifying legislation in the 2016 Session which outlines the purpose and scope of the Necessary Document Assistance Grant Program. **Staff recommends the Committee adopt this option** because there does not currently exist criteria for waiving these fees and the General Assembly would be asking the Department to establish a program without any clearly defined operational guidelines.

#### *Option 3*

The Committee could not take action at this time which would leave the Department without direction for how to expend these funds.



**COLORADO**  
Department of Public  
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

September 8, 2015

The Honorable Kent Lambert  
Chair, Joint Budget Committee  
Colorado General Assembly  
200 E. 14th Avenue, Third Floor  
Legislative Services Building  
Denver, CO 80203

Dear Senator Lambert:

The Colorado Department of Public Health and Environment (CDPHE) Health Statistics and Vital Records program was provided with \$300,000 General Fund in the FY 2015-16 Long Bill for a 'necessary document assistance grant program'.

As this was passed as a House Amendment, and not as a bill, the Department is clarifying how the funding will be spent. It was the Department's initial understanding that funding was to be used to waive fees for victims of disasters and others in need of birth and death certificates. After meeting with stakeholders, we understand the intent was broader and includes assistance with other forms of documentation including driver's licenses, social security cards, and other documents required to receive government services, apply for a job, etc. This document assistance is beyond the capacity of the Health Statistics and Vital Records program at CDPHE.

The most efficient and effective way to provide these services is to hire a contractor with experience, expertise and the infrastructure to coordinate with and provide funding to other non-profit organizations throughout the state to assist people in obtaining documentation. All parties believe this is the best manner in which to ensure that the \$300,000 is used to help citizens in need of obtaining necessary documents as intended.

CDPHE's Health Statistics and Vital Records program does not oversee grant programs and does not have the fiscal infrastructure in place to implement a grants program; therefore, if this program is to continue, the Department would like to move the \$300,000 line item to the CDPHE Office of Health Equity for FY 2016-17 to better align this work with the mission of this Office.

In order to administer these funds in FY2015-16, and in future years should this funding be ongoing, the Department will need to use some of the \$300,000 to cover administrative costs. Administrative costs include personnel time required to write and monitor the contract and ensure that funds are spent appropriately.



The Department is requesting affirmation from the JBC to:

- Contract with an external organization to assist people in need with obtaining necessary documents;
- Use some of the funding to administer the contract;
- Clarify if this is one-time versus ongoing funding; and,
- If the funding is to continue in FY 2016-17 move the funding to another program within the Department with the infrastructure to contract with external organizations and oversee a grant program.

Sincerely,



Larry Wolk, MD, MSPH  
Executive Director and Chief Medical Officer  
Colorado Department of Public Health and Environment



HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Kraft-Tharp

1 Amend reengrossed bill, page 356, after line 7 insert:

2		ITEM &	GENERAL
3		SUBTOTAL	FUND
4		\$	\$

5 "Necessary  
6 Document Assistance 300,000 300,000".

7 Adjust affected totals accordingly.

**PURPOSE:** Adds \$300,000 General Fund to the Department of **Public Health and Environment** for Health Statistics and Vital Records for a necessary document assistance grant program.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Public Health and Environment	\$300,000	\$0	\$0	\$0	\$300,000	0.0

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