

S.F. No. 0094

Payment for educational services.

Sponsored By: Senator(s) Meier, Craft, Dockstader, Landen, Pappas and Peterson and Representative(s) Byrd, Hunt, Northrup, Petroff, Piiparinen and Steinmetz

AN ACT relating to payments for educational services; requiring the department of education to pay for the education costs of children placed in psychiatric residential treatment facilities as specified; requiring certification from the department of education as specified; requiring notification by psychiatric residential treatment facilities and school districts; providing requirements for maintaining educational records; allowing districts that continue providing educational services to a student to retain the student in their ADM; requiring individualized learning plans; providing definitions; granting rulemaking authority; specifying payment; providing an appropriation; and providing for an effective date.

2/10/2016 Bill Number Assigned
2/11/2016 S Received for Introduction
2/12/2016 S Introduced and Referred to S04 - Education 30-0-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Barnard, Bebout, Boner, Burns, Case, Christensen, Coe, Cooper, Craft, Dockstader, Driskill, Emerich, Esquibel, F., Geis, Hastert, Hicks, Johnson, Kinskey, Landen, Meier, Nicholas, P., Pappas, Perkins, Peterson, Ross, Rothfuss, Scott, Von Flatern, Wasserburger

Ayes 30 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/17/2016 S04 - Education:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Coe, Dockstader, Landen, Pappas, Rothfuss

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/17/2016 S Placed on General File
2/17/2016 S COW:Rerefer to S02 - Appropriations
2/18/2016 S02 - Appropriations:Recommend Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Burns, Hastert, Perkins, Ross, Wasserburger

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/18/2016 S Placed on General File

SF0094SS001/ADOPTED

Page 1-line 3	Delete "private"	insert "psychiatric residential".
Page 1-line 4	Delete "and group homes".	
Page 1-line 6	Delete "private"	insert "psychiatric residential".
Page 1-line 12	After ";"	insert "specifying payment; providing an appropriation;".

Page 2-line 5	Delete "private" insert "psychiatric" .
Page 2-line 9	After "funds" insert "as appropriated by the legislature"
Page 2-line 11	Delete "private" insert "psychiatric residential"; delete "and group homes".
Page 2-line 12	After "charged" delete "when" insert "and"; after "of" delete "education" insert "health".
Page 2-line 13	After "necessary" insert "for purposes of benefit eligibility under W.S. 42-4-103(a)(xvi). This section shall not apply to children eligible for services under W.S. 21-13-315".
Page 2-line 14	After "the facility" delete "or".
Page 2-line 15	Delete "home".
Page 2-line 17	Delete "or home"; after "." insert "No psychiatric residential treatment facility shall receive funds for educational services under this section unless certified by the department of health for purposes of providing medical services and approved by the department of education under the requirements of this section.".
Page 2-line 20	Delete "group home or private" insert "psychiatric residential"; after "the facility" delete "or".
Page 2-line 21	Delete "home".
Page 3-line 2	Delete "or home".
Page 3-line 13	Delete "private" insert "psychiatric residential".
Page 3-line 16	Delete "private" insert "psychiatric residential".
Page 3-line 19	Delete "may" insert "shall".
Page 4-line 5	After "the" insert "psychiatric residential".
Page 4-line 6	After "services" insert "pursuant to this section".
Page 4-line 8	Delete "private" insert "psychiatric residential".
Page 4-line 9	Delete "or group homes".
Page 4-line 11	Delete "or home".
Page 4-line 12	Delete "or home".
Page 4-line 15	Delete "expenses" insert "costs as defined by department rule and regulation pursuant to W.S. 21-13-315(b)".
Page 4-line 17	Delete "education" insert "health".
Page 4-line 18	After "necessary" insert "for purposes of receiving benefits under W.S. 42-4-103(a)(xvi)".
Page 4-line 20	Delete "private" insert "psychiatric residential".
Page 4-line 21	Delete "or group home".
Page 5-lines 1 through 5	Delete entirely.
Page 5-line 7	Delete "(h)" insert "(g)" and delete balance of line.
Page 5-line 8	Delete.
Page 5-line 9	Delete through "and"; delete "private" insert "psychiatric residential".

Page 5-line 13 Delete "private" insert "psychiatric residential".
 Page 5-line 18 Delete "(j)" insert "(h)"; delete "private" insert "psychiatric residential".
 Page 6-line 7 Delete "district".
 Page 6-line 14 Delete "education" insert "learning".
 Page 6-line 16 After "student's" insert "permanent education"; delete "within the" insert ", ".
 Page 6-line 17 Delete through "system".
 Page 6-line 21 Delete "district" insert "state".
 Page 7-line 5 Delete "district" insert "educational".
 Page 7-line 7 Delete "(k)" insert "(j)".
 Page 7-line 10 Delete "private" insert "psychiatric residential".
 Page 7-line 11 Delete "group homes, ".
 Page 7-line 12 Delete "and homes" insert ". ".
 Page 7-line 13 Delete.
 Page 7-line 14 Delete through ". ".
 Page 7-line 17 Delete "private" insert "psychiatric residential".
 Page 7-line 18 After ". " delete balance of line.
 Page 7-lines 19 through 22 Delete.
 Page 8-line 1 Delete "(m)" insert "(k)".
 Page 8-line 4 After "the" insert "psychiatric residential treatment"; delete "or home".
 Page 9-line 2 Strike "handicap" insert "disability".
 Page 9-line 5 Delete "private" insert "psychiatric".
 Page 9-after line 7 Insert:

"Section 3.

(a) From the appropriation of school foundation program account funds by 2016 Senate File 0001, Section 2, Section 205, Court Ordered Placements, the department of education may expend up to two million dollars (\$2,000,000.00) for the payment of allowable educational costs pursuant to W.S. 21-13-336. If the department of education determines at any point in the 2017-2018 fiscal biennium that this amount will be insufficient to pay all such allowable education costs, the department shall from that point forward reduce payments to all qualifying psychiatric residential treatment facilities for the allowable educational costs. The reductions shall be made pro rata based upon the amount of payments to each qualifying facility from the point of determining a shortfall exists.

(b) In preparing its 2019-2020 standard budget request, the department of education shall create a new unit to properly account for appropriations and expenditures related to the payment of allowable educational costs for students placed in psychiatric residential treatment centers pursuant to W.S. 21-13-336.

Section 4. There is appropriated ten thousand dollars (\$10,000.00) from the school foundation program account to the department of education. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2018. This appropriation shall only be expended for the purpose of payment of mileage and per diem pursuant to W.S. 9-3-102 and W.S. 9-3-103 associated with the travel necessary to certify psychiatric residential treatment facilities as required under W.S. 21-13-336 as created by this act. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this

appropriation shall revert as provided by law on June 30, 2018. This appropriation shall not be included in the department of education's 2019-2020 standard biennial budget request."

Page 9-line 9 Delete "**Section 3.**" insert "**Section 5.**". COE,
CHAIRMAN

2/18/2016 S COW:Passed
2/19/2016 S 2nd Reading:Passed
2/22/2016 S 3rd Reading:Passed 30-0-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Barnard, Bebout, Boner, Burns, Case, Christensen, Coe, Cooper, Craft, Dockstader, Driskill, Emerich, Esquibel, F., Geis, Hastert, Hicks, Johnson, Kinskey, Landen, Meier, Nicholas, P., Pappas, Perkins, Peterson, Ross, Rothfuss, Scott, Von Flatern, Wasserburger

Ayes 30 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/23/2016 H Received for Introduction
2/23/2016 H Introduced and Referred to H04 - Education
2/26/2016 H04 - Education:Recommend Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Freeman, Hunt, Jaggi, Kinner, Northrup, Paxton, Piiparinen, Sommers, Throne

Ayes 9 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/26/2016 H Placed on General File
2/29/2016 H COW:Rerefer to H02 - Appropriations
2/29/2016 H02 - Appropriations:Recommend Do Pass 7-0-0-0-0

ROLL CALL

Ayes: Representative(s) Burkhardt, Connolly, Greear, Harshman, Moniz, Nicholas, B., Stubson

Ayes 7 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/29/2016 H Placed on General File
2/29/2016 H COW:Passed
3/1/2016 H 2nd Reading:Passed
3/2/2016 H 3rd Reading:Passed 59-0-1-0-0

ROLL CALL

Ayes: Representative(s) Allen, Baker, Baldwin, Barlow, Berger, Blackburn, Blake, Brown, Burkhardt, Byrd, Campbell, Cannady, Clem, Connolly, Dayton, Edmonds, Edwards, Eklund, Esquibel, K., Freeman, Gay, Greear, Halverson, Harshman, Harvey, Hunt, Jaggi, Jennings, Kasperik, Kinner, Kirkbride, Kroeker, Krone, Larsen, Laursen, Lindholm, Lockhart, Loucks, Madden, McKim, Miller, Moniz, Nicholas, B., Northrup, Paxton, Pelkey, Petroff, Piiparinen, Pownall, Reeder, Schwartz, Sommers, Steinmetz, Stubson, Throne, Walters, Wilson, Winters, Zwonitzer, Dn.

Excused: Representative Zwonitzer, Dv.

Ayes 59 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

3/2/2016 Assigned Number SEA No. 0034
3/2/2016 S President Signed SEA No. 0034
3/2/2016 H Speaker Signed SEA No. 0034
3/4/2016 Governor Signed SEA No. 0034

3/7/2016 Assigned Chapter Number

Chapter No. 89 Session Laws of Wyoming 2016