



LEGISLATIVE  
BUDGET  
COMMISSION

**Committee Meeting Packet  
for  
April 25, 2001**

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Duplicate materials will not be available.)**

# **LEGISLATIVE BUDGET COMMISSION AGENDA**

April 25, 2001

8:00 – 9:00 A.M.

Room 412, Knott Building

<b>Members:</b>	<b>Senator Victor Crist</b>	<b>Representative Randy John Ball</b>
	<b>Senator Jim Horne</b>	<b>Representative Ronald A. Greenstein</b>
	<b>Senator Daryl Jones</b>	<b>Representative Carlos A. Lacasa</b>
	<b>Senator Jim King</b>	<b>Representative Evelyn J. Lynn</b>
	<b>Senator Tom Rossin</b>	<b>Representative Sandy Murman</b>
	<b>Senator Jack Latvala</b>	<b>Representative Gaston Cantens</b>
	<b>Senator Ronald A. Silver</b>	<b>Representative Rob Wallace</b>

## I. Consideration of the following Budget Amendments

- a. EOG Number B2001-0903  
Department of Corrections
- b. EOG Number B2001-0904  
Department of Corrections
- c. EOG Number B2001-0905  
Department of Corrections

**Department:** Corrections

**EOG Number:** 0903

**Problem Statement:** The number of female inmates coming into the prison system has increased significantly over the last year. In order to meet the increased demand for female beds, the Department plans to open the Lowell Correctional Institution annex in May, 2001. In addition, the Department plans to open two new male dorms in September, 2001, to accommodate the anticipated increase in male inmates. To provide sufficient time for training, the Department needs to hire the new officers necessary to staff the two new dorms during the current fiscal year. Funds were provided in the FY 2000-01 General Appropriations Act to provide for increases in the inmate population. The funds, however, were appropriated in a lump sum and must be transferred into traditional operating categories prior to being released.

**Agency Request:** Approve the transfer of \$2.1 million General Revenue from the lump sum into salaries and benefits in the appropriate budget entities to allow the Department to hire the staff necessary to supervise additional inmates.

**Governor's Recommendation:** Recommend approval of the transfer of funds to enable the Department to provide security staffing for the additional inmate population anticipated by the Criminal Justice Estimating Conference, which is consistent with the purpose of the appropriation.

**Commission Staff Comments:** Recommend approval by the Legislative Budget Commission as recommended by the Governor's Office.

**Senate Subcommittee:** Public Safety

**Senate Analyst:** Ted Manelli

**Phone Number:** (850) 487-5140 or SunCom 277-5140

**E-mail Address:** ted.mannelli@LASPBS.state.fl.us

**House Committee:** Criminal Justice Appropriations

**House Analyst:** Jim Debeaugrine

**Phone Number:** (850) 488-6204 or SunCom 278-6204

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Line Item No.	Budget Entity / Fund / Appropriation Category Title		REQUESTED BY AGENCY	RECOMMENDED BY GOVERNOR	APPROVED BY LEGISLATIVE BUDGET COMMISSION
	LAS/PBS Account Number	CF	Appropriation	Appropriation	Appropriation
<b>CORRECTIONS</b>					
<b><u>PROGRAM: SECURITY &amp; INSTITUTIONAL OPERATIONS</u></b>					
<b><u>ADULT MALE CUSTODY OPERATIONS GENERAL REVENUE</u></b>					
625	<u>SALARIES &amp; BENEFITS</u> 70031100-010000-00-1000		1,473,390	1,473,390	
628A	<u>Lump Sum-CJEC Inmate Population Increase</u> 70031100-095545-00-1000		(2,146,071)	(2,146,071)	
<b><u>ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY OPERATIONS GENERAL REVENUE</u></b>					
640	<u>SALARIES &amp; BENEFITS</u> 70031200-010000-00-1000		656,523	656,523	
<b><u>SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS GENERAL REVENUE</u></b>					
657	<u>SALARIES &amp; BENEFITS</u> 70031400-010000-00-1000		16,158	16,158	

**Department:** Corrections

**EOG Number:** 0904

***Problem Statement:*** The Department has determined that overtime payments will exceed the amount projected and funded for FY 2000-01. In order to ensure public safety, the Department must maintain certain minimum staffing in the prisons at all times. When officers assigned to duty posts are sick, on vacation, in training, on family leave, or otherwise unavailable for work, the Department must provide for a replacement. In some instances, this requires the Department to pay overtime to available officers who have already worked their normal shift.

In determining the need to authorize overtime, the Department differentiates between three general levels of staffing in the prisons. Level three is considered to be optimal. Level two is the level required to maintain minimal, normal operations. Level one is considered to be the absolute minimum level of staffing allowable and basically results in an institution having to “lock down” and severely restrict inmate and staff movement. Level one staffing is more acceptable at night when inmates are asleep and there is little activity taking place. Otherwise, the Department seeks to operate at level two or above. According to the Department, maintaining level two staffing during critical times will require authorization for additional overtime. Previous decisions by Department management to curtail the use of overtime by allowing staffing levels to drop below level two raised concerns among employees that safety might ultimately be compromised.

This problem is expected to be non-recurring due to unique extenuating circumstances this budget year that exacerbated the situation. Specifically, the Department did not immediately implement salary reductions contained in the 2000-01 General Appropriations Act since the Department determined that some layoffs would be necessary. The layoff procedure in rule requires that there be a bumping process and that employees must be offered internal openings prior to layoff. In addition, utilization of overtime in Community Corrections far exceeded projections for roughly the first half of the fiscal year. The rate of overtime utilization in this area has since declined to more normal levels.

***Agency Request:*** Approve transfer of \$3 million General Revenue from the two lump sums provided by the Legislature for increased inmate population to cover the projected deficit in overtime payments for institutional security staff. This will allow the Department to continue current staffing levels at correctional institutions.

**Governor's Recommendation:** Recommend approval of the allocation of funds to enable the Department to continue current staffing levels at correctional institutions for appropriate prison security and public safety.

**Commission Staff Comments:** Recommend approval by Legislative Budget Commission as recommended by the Governor's Office.

**Senate Subcommittee:** Public Safety  
**Senate Analyst:** Ted Mannelli  
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**E-mail Address:** ted.mannelli@LASPBS.state.fl.us

**House Committee:** Criminal Justice Appropriations  
**House Analyst:** Jim DeBeaugrine  
**Phone Number:** (850) 488-6204 or SunCom 278-6204  
**E-mail Address:** jim.debeaugrine@LASPBS.state.fl.us

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<b>CORRECTIONS</b>					
<b><u>PROGRAM: SECURITY &amp; INSTITUTIONAL OPERATIONS</u></b>					
<b><u>ADULT MALE CUSTODY OPERATIONS</u></b>					
<b><u>GENERAL REVENUE</u></b>					
625	<u>SALARIES &amp; BENEFITS</u> 70031100-010000-00-1000		3,047,890	3,047,890	
628A	<u>Lump Sum-CJEC Inmate Population Increase</u> 70031100-095545-00-1000		(436,490)	(436,490)	
628B	<u>Lump Sum-CJEC Critical Public Safety Infrastructure</u> 70031100-095546-00-1000		(2,611,400)	(2,611,400)	

**Department:** Corrections

**EOG Number:** 0905

**Problem Statement:** The Department of Corrections is projecting an overall deficit in Health Services for FY 2000-01 of approximately \$12 million. In addition, funds are not properly aligned among the various appropriation categories within the Health Services budget. The Department must provide comprehensive health care to the 71,000 inmates in its custody or risk legal action and court intervention.

The overall deficit and need to realign funds within the Health Services program is due to several factors.

(1) During the recast of the Department's appropriations, \$12.9 million was transferred from the Salaries & Benefits category to other medical categories. As a result, the Department was appropriated \$93,447,083 General Revenue for 2,016 FTE which equates to \$46,352 per position. This compares to \$51,265 per position last year and a projected \$52,690 per position this year. This results in a salary deficit projected to be \$7.3 million General Revenue.

(2) Since the Request for Proposals to privatize inmate health services in Region IV was issued on September 1, 2000, the Department has experienced a significant reduction in its health care workforce in that region. The Department has found it necessary to increasingly rely on contracted labor to cover the resulting staff shortage. In some cases, contract rates are more than one-third higher than the equivalent salaries paid to Department employees. Unanticipated delays resulting from legal challenges to the contract award have compounded this problem.

(3) In other regions of the state, nursing shortages have necessitated the use of contract nurses who must be paid at a rate higher than the equivalent salaries paid to Department employees. Currently the Department has 963 nursing positions, of which 163 (17%) are vacant. Contributing factors are a nationwide nursing shortage and a salary level \$4 per hour less than the statewide average according to Florida Hospital Association salary survey. As a result of the nursing shortage and the delayed implementation of the privatization initiative in Region IV, contract labor costs are projected to be \$7.5 million, or \$5.7 million more than last year.

(4) The cost of medical care is generally increasing, particularly for AIDS treatments. In FY 1995-96, the Department spent \$7.8 million to treat 1,918 inmates with HIV at a cost of \$4,046 per inmate. This year, the Department projects expenditures of \$17.2 million for 2,727 inmates with HIV for a cost of \$6,670 per inmate.

**Agency Request:** Approve transfers of \$12 million General Revenue identified in other areas of the Department's budget into the Health Services program to cover the overall projected deficit. These include funds identified from (1) delayed implementation of the VINE (victim notification) system; (2) delayed implementation of expanded substance abuse services in the prisons; (3) funds available in the lump sum provided for increased inmate population; (4) decreased utilization of community-based substance abuse treatment services on a temporary basis; and, (5) several other categories where there are projected surplus funds available. Implementation of delayed programs and a return to full utilization of community-based drug treatment slots will proceed starting July 1, 2001.

In addition, approve transfers of \$14.1 million General Revenue within the Health Services program to realign appropriations authority into the proper categories. This will correct errors made during the budget recast.

**Governor's Recommendation:** Recommend approval of the transfer of General Revenue Funds to enable the Department to continue providing an adequate level of health care to Florida inmates.

**Commission Staff Comments:** Recommend approval by the Legislative Budget Commission as recommended by the Governor's Office.

**Senate Subcommittee:** Public Safety

**Senate Analyst:** Ted Mannelli

**Phone Number:** (850) 487-5140 or SunCom 277-5140

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<b>CORRECTIONS</b>					
<b><u>PROGRAM: SECURITY &amp; INSTITUTIONAL OPERATIONS</u></b>					
<b><u>ADULT MALE CUSTODY OPERATIONS GENERAL REVENUE</u></b>					
626	<u>EXPENSES</u> 70031100-040000-00-1000		(612,381)	(612,381)	
628A	<u>Lump Sum-CJEC Inmate Population Increase</u> 70031100-095545-00-1000		(4,819,936)	(4,819,936)	
<b><u>EXECUTIVE DIRECTION AND SUPPORT SERVICES GENERAL REVENUE</u></b>					
689	<u>EXPENSES</u> 70031900-040000-00-1000		(1,400,000)	(1,400,000)	

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<b>CORRECTIONS</b>					
<b><u>PROGRAMS: COMMUNITY CORRECTIONS</u></b>					
<b><u>ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES</u></b>					
<b><u>GENERAL REVENUE</u></b>					
721	<u>EXPENSES</u>				
	70054000-040000-00-1000		(409,758)	(409,758)	
725	<u>G&amp;A CONTRACTED SERVICES</u>				
	70054000-100778-00-1000		(470,180)	(470,180)	
726	<u>G&amp;A CONTRACTED DRUG TREATMENT/ REHABILITATION PROGRAMS</u>				
	70054000-106671-00-1000		(681,232)	(681,232)	
<b><u>COMMUNITY FACILITY OPERATIONS</u></b>					
<b><u>GENERAL REVENUE</u></b>					
735	<u>FOOD PRODUCTS</u>				
	70056000-070000-00-1000		(16,720)	(16,720)	
<b><u>PROGRAM: HEALTH SERVICES</u></b>					
<b><u>INMATE HEALTH SERVICES</u></b>					
<b><u>GENERAL REVENUE</u></b>					
737	<u>SALARIES &amp; BENEFITS</u>				
	70251000-010000-00-1000		7,317,202	7,317,202	
742	<u>INMATE HEALTH SERVICES</u>				
	70251000-104017-00-1000		18,257,442	18,257,442	

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<b>CORRECTIONS</b>					
743	<u>TREATMENT OF INMATES-GENERAL DRUGS</u> 70251000-104530-00-1000		(3,354,620)	(3,354,620)	
744	<u>TREATMENT OF INMATES-PSYCHOTROPIC DRUGS</u> 70251000-104540-00-1000		584,929	584,929	
	<b>TREATMENT OF INMATES w/INFECTIOUS DISEASES</b> <b>GENERAL REVENUE</b>				
750	<u>TREATMENT OF INMATES-INFECTIOUS DISEASE DRUGS</u> 70252000-104550-00-1000		(10,778,675)	(10,778,675)	
	<b>PROGRAM: EDUCATION AND PROGRAMS</b> <b>ADULT SUBSTANCE ABUSE PREVENTION,</b> <b>EVALUATION AND TREATMENT SERVICES</b> <b>GENERAL REVENUE</b>				
753	<u>CONTRACT DRUG ABUSE SERVICES</u> 70450100-100716-00-1000		(1,792,891)	(1,792,891)	
	<b>BASIC EDUCATION SKILLS</b> <b>GENERAL REVENUE</b>				
754	<u>SALARIES &amp; BENEFITS</u> 70450200-010000-00-1000		(870,282)	(870,282)	
756	<u>EXPENSES</u> 70450200-040000-00-1000		(347,533)	(347,533)	
	<b>ADULT OFFENDER TRANSITION,</b> <b>REHABILITATION AND SUPPORT</b> <b>GENERAL REVENUE</b>				
761	<u>SALARIES &amp; BENEFITS</u> 70450300-010000-00-1000		(392,641)	(392,641)	
763	<u>EXPENSES</u> 70450300-040000-00-1000		(212,724)	(212,724)	