

Memo

To: Sue Lerdal / Legislative Fiscal Bureau

From: Ann Marie Brick / Special Assistant Attorney General 

cc: Eric Tabor / Chief of Staff
Gordy Allen / Deputy Attorney General

Date: March 6, 2002

Re: DHS Reimbursements to the Attorney General's Office

Sue:

Eric Tabor has asked me to respond to your email of March 1, 2002 which asked for a "delineated list of the FY 2001 and FY 2002 charges to and reimbursements from the DHS to the Attorney General."

In response to your request, we have provided you with the figures for reimbursement for FY '01 and FY '02. The total number of attorneys reimbursed by DHS in FY '01 was 24.5. This includes half of the reimbursement for the division director's salary (mine) but there is no reimbursement for the deputy's (Gordy's) time which he spends in litigation on behalf of DHS. Please note that FY '02 reflects a reduction of .61 FTE which resulted from a \$55,000 cut to reimbursement made by DHS in the Fall of '02. The '02 figures do not reflect the 2.6% reduction which DHS just imposed, on March 1, 2002.

In addition to the reimbursement numbers, I thought it would be helpful to supply you with a description of the areas in which our legal services are most concentrated. As you can see, over half of the attorneys' time is spent in the child support recovery area. This area recovers child support dollars which are returned to the economic assistance fund to help support custodial parents who need the state's financial assistance. Another significant area is juvenile law which defends the orders of the juvenile court when they are appealed to the Iowa Supreme Court. This is in addition to on-going legal advice which is given in response to questions generated from the field. The rest of the areas, Medicaid and contracting, speak for themselves. However, if you have any additional information that you would like me to provide or questions you would like me to answer on behalf of the legislators, please don't hesitate to contact me.

REIMBURSEMENT FROM IDHS TO AG FY02

General Administration

Personnel

1	AAG I	\$	52,101
7.39	AAG III		698,644 *
.5	SAAG		55,556
1	LS II		44,464
1	LS III		49,263

Travel 2,100

Miscellaneous 11,400

\$ 913,528

Protective Services for Families, Adults & Children

Personnel

1	AAG III	\$	94,950
.5	LS II		21,437

\$ 116,387

Child Support Recovery

Personnel

2	Paralegal	\$	84,172
6	AAG I		393,541
7	AAG II		539,626
1	AAG III		99,639

Travel 6,183

Miscellaneous 14,400

\$1,137,561

Grand Total

\$2,167,476

* Reflects \$55,000 reduction but does not reflect 2.6% (\$7,000) cut 3/1/02.

REIMBURSEMENT FROM IDHS TO AG FY01

General Administration

Personnel

1	AAG I	\$ 47,481
8	AAG III	694,488
.5	SAAG	44,611
1	LS II	42,388
1	LS III	45,383

Travel 6,290

Miscellaneous 17,684

\$ 898,325

Protective Services for Families, Adults & Children

Personnel

1	AAG III	\$ 94,950
.5	LS II	19,856

\$ 114,806

Child Support Recovery

Personnel

1	Paralegal	\$ 37,800
7	AAG I	348,085
7	AAG II	499,422
1.33	AAG III	111,845

Travel 9,866

Miscellaneous 9,078

\$1,016,096

Grand Total

\$2,029,227

CHILD SUPPORT RECOVERY

Total:

14 attorneys

2 paralegals

Currently has 14 attorneys and 2 paralegals. 12 attorneys housed in CSRU field offices throughout the state spend 87% of their time in litigation to recover child support; 13% of their time giving legal advice to DHS

2 attorneys and 1 paralegal housed at the Hoover Building spend approximately 85% on legal research and legal advice to the field attorneys and CSRU, with approximately 15% of their time on major litigation issues.

JUVENILE LAW

Total:

5 attorneys

These attorneys represent DHS in the interests of children under the age of 18: who have been abused, who have been adjudicated children in need of assistance, who have been adjudicated delinquents and whose parental rights have been terminated. This work consists of the following activities:

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|---------------|--|
| 2.6 attorneys | 100% of time spent writing briefs filed in the Iowa Supreme Court on appeals filed contesting the order of a juvenile court in proceedings which involve juvenile delinquency, termination of parental rights (TPR) and children in need of assistance (CINA). |
| 1.4 attorneys | Representing DHS in administrative hearings and appeals, i.e. child abuse hearings, foster care hearings, adoptive home study hearings. |
| .5 attorneys | Juvenile litigation in counties when County Attorney has a conflict and cannot represent the state. |
| .5 attorneys | Advice to DHS on legal issues related to the above. |

DHS MEDICAL SERVICES

This area involves legal issues surrounding the implementation of Medicaid; the HAWK-I program; HIPAA [Health Insurance Portability and Accountability Act];

Medicaid fraud recovery and recoupment of Medicaid overpayments.

Total:
3.85 attorneys* 50% advice to DHS
 10% litigation
 20% administrative hearings
 20% judicial reviews/appeals

*1.0	<i>Dan Hart</i>
.35	<i>Ann Marie Brick (Div. Director)</i>
.5	<i>Janet Hoffman</i>
1.0	<i>Debra Neumeyer</i>
.5	<i>Marne Woods</i>
.5	<i>Barbara Galloway</i>

CONTRACTING, INSTITUTIONS, ECONOMIC ASSISTANCE

This area includes questions concerning the competitive bidding process, development of RFPs [requests for proposals], issues involving the state institutions such as the mental health institutes, the juvenile homes, Woodward state hospital. This also involves the area of economic assistance programs such as food stamps, PROMISE JOBS, refugee services etc.

Total:
2.6 attorneys* 75% legal advice to DHS on the issues
 generated by the above programs
 10% litigation
 15% administrative hearings &
 judicial reviews/appeals

*.75	<i>Marne Woods</i>
.5	<i>Barbara Galloway</i>
.35	<i>Ann Marie Brick</i>
1.0	<i>Mary Vavroch</i>