

The purpose of this program area is to provide a centralized payment center, to perform program administration in cooperation with KDOC and to provide evaluation functions for this program. This program provides for drug abuse treatment as an alternative sentence for those convicted of drug possession. The following information shows the expenditure history, current estimate, and budget year justification according to data compiled from the agency’s payment database (TPPS).

The SB 123 Program provides substance abuse treatment services to 2,190 offenders during FY 2010 using evidence based practices to make a cooperative determination of the most appropriate treatment for each offender. The percentage of probation condition violators admitted to prison under SB 123 drug treatment programs in FY 2010 decreased by 2.7% and the admission number of this group decreased by 1 violator when compared with FY 2009.

Comparison of Annual SB 123 Activity by Service Rendered Dates

| Year | Amt Paid | Amt Paid for Treatment Only | Total Amt Diff between Yrs | Cost % diff | Avg Cost Per Offender/w Assessment | Avg Cost Per Offender-Treatment Only | # Offenders including assessment | # Offenders in Treatment Only | # Offenders Change for both Assessment & Treatment | % Offender Diff | # Invoices Paid |
|---------|--------------|-----------------------------|----------------------------|-------------|------------------------------------|--------------------------------------|----------------------------------|-------------------------------|--|-----------------|-----------------|
| FY 2008 | \$ 8,640,578 | \$ 8,401,903 | | | \$ 3,839 | \$ 3,651 | 2,646 | 2,301 | | | 13,693 |
| FY 2009 | \$ 7,677,082 | \$ 7,464,307 | \$ (963,496) | -11% | \$ 3,795 | \$ 3,608 | 2,402 | 2,069 | (244) | -9% | 11,929 |
| FY 2010 | \$ 7,435,624 | \$ 7,239,254 | \$ (241,458) | -3% | \$ 3,993 | \$ 3,804 | 2,190 | 1,903 | (212) | -9% | 11,064 |

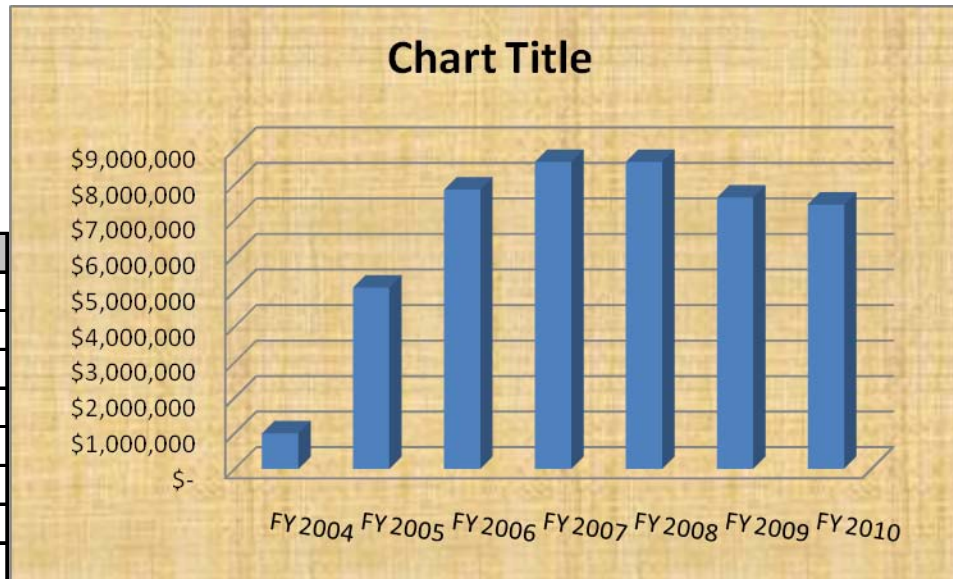
The table above shows a decline in both expenditure and number of offenders. The decline in FY 2009 in number of offenders was -9%, while the decrease in the amount was -11%. The decrease in FY 2010 shows a decrease from previous year of -3%, with decrease in expenditures of -3%. (Please note the % differences from the Chart on the previous page are due to rounding.)

Comparison of the number of invoices paid to the amount expended for the last five years.

| Tracking | Actual FY 2006 | Actual FY 2007 | Actual FY 2008 | Actual FY 2009 | Actual FY 2010 |
|--------------------------|----------------|----------------|----------------|----------------|----------------|
| # Invoices Paid | 12,402 | 13,385 | 13,693 | 11,929 | 11,064 |
| % difference in invoices | 56% | 8% | 2% | -13% | -7% |
| Amount Paid per year | \$7.8 mil | \$8.6 mil | \$8.6 mil | \$7.6 mil | \$7.4 mil |
| % difference in amount | 53% | 10% | 0% | -12% | -3% |

Comparison of SB 123 Expenditures for FY 2004 through FY 2010

| | ServRend |
|----------------|----------------------|
| FY 2004 | \$ 998,468 |
| FY 2005 | \$ 5,106,505 |
| FY 2006 | \$ 7,861,395 |
| FY 2007 | \$ 8,642,250 |
| FY 2008 | \$ 8,640,763 |
| FY 2009 | \$ 7,640,485 |
| FY 2010 | \$ 7,441,184 |
| Totals | \$ 46,331,050 |



Direct Cost and Benefit of SB 123

The following table displays the direct cost and benefit of SB 123 by fiscal year. Since the implementation of SB 123, this policy has saved the State an estimated total of \$8 million.

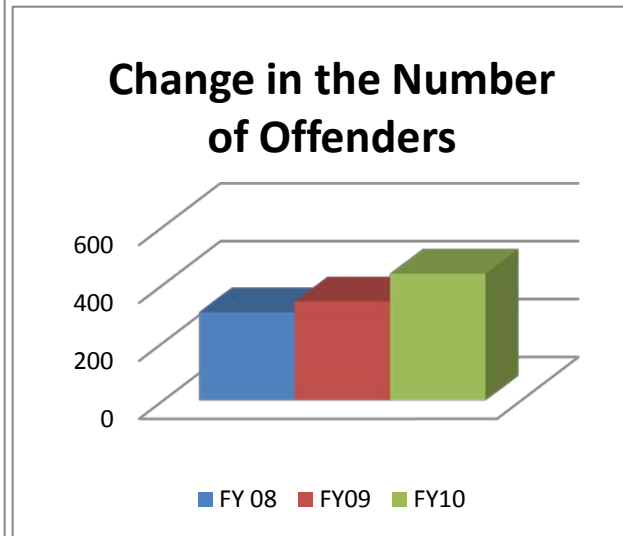
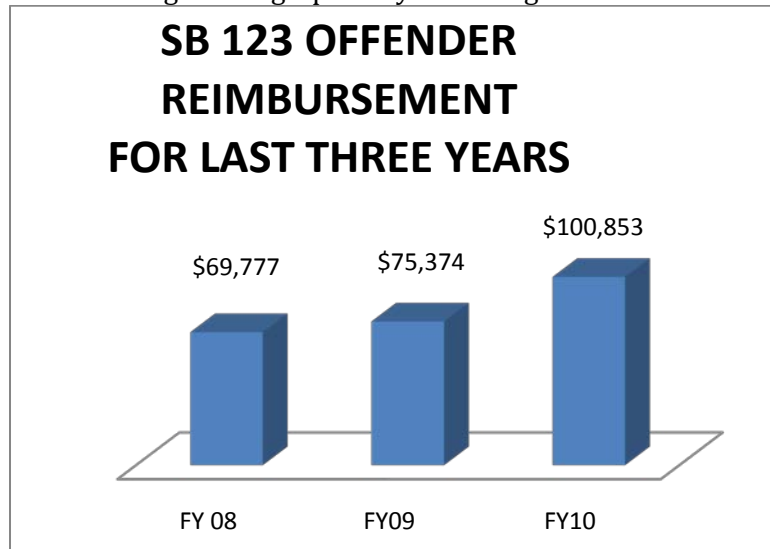
| Fiscal Year | SB 123 Expenditure | Money Collected | Actual SB123 Cost | Prison Cost Avoidance | Estimated Money Saved |
|--------------------|---------------------------|------------------------|--------------------------|------------------------------|------------------------------|
| 2004 | \$ 998,467.75 | \$ 15,948.04 | \$ 982,519.71 | \$ 2,525,000.00 | \$ (1,542,480.29) |
| 2005 | \$ 5,106,505.20 | \$ 150,224.27 | \$ 4,956,280.93 | \$ 6,150,000.00 | \$ (1,193,719.07) |
| 2006 | \$ 7,861,395.40 | \$ 213,588.86 | \$ 7,647,806.54 | \$ 8,325,000.00 | \$ (677,193.46) |
| 2007 | \$ 8,642,249.50 | \$ 202,853.89 | \$ 8,439,395.61 | \$ 8,875,000.00 | \$ (435,604.39) |
| 2008 | \$ 8,640,578.25 | \$ 229,649.20 | \$ 8,410,929.05 | \$ 9,875,000.00 | \$ (1,464,070.95) |
| 2009 | \$ 7,677,082.00 | \$ 382,769.17 | \$ 7,294,312.83 | \$ 8,450,000.00 | \$ (1,155,687.17) |
| 2010 | \$ 7,450,262.75 | \$ 405,707.81 | \$ 7,044,554.94 | \$ 8,650,000.00 | \$ (1,605,445.06) |
| Total | \$46,376,540.85 | \$1,600,741.24 | \$44,775,799.61 | \$ 52,850,000.00 | \$ (8,074,200.39) |

Offender Reimbursement:

Comparison of the last three years of offender reimbursement collection

| FY | # Offenders Paying | Reimbursement Amount | # offender diff | % offender chg | Amt Diff | % diff in amt |
|-------|--------------------|----------------------|-----------------|----------------|--------------|---------------|
| FY 08 | 304 | \$ 69,777.00 | | | | |
| FY09 | 341 | \$ 75,374.00 | 37 | 12% | \$ 5,597.00 | 8% |
| FY10 | 454 | \$ 100,852.55 | 113 | 33% | \$ 25,478.55 | 34% |
| | 1099 | \$ 246,003.55 | | | | |

The following shows graphically the changes:



OFFENDER REIMBURSEMENT

| FY 2010- CC | Amt | # Offenders paying |
|----------------|---------------|--------------------------|
| 04D | \$ 125.00 | 2 |
| 05D | \$ 7,859.67 | 32 |
| 08D | \$ 5,729.51 | 30 |
| 11D | \$ 4,235.00 | 18 |
| 12D | \$ 270.00 | 2 |
| 22D | \$ 5,346.29 | 25 |
| 24D | \$ 1,170.00 | 5 |
| 25D | \$ 2,155.00 | 9 |
| 28D | \$ 11,604.00 | 46 |
| 31D | \$ 1,700.00 | 7 |
| AT | \$ 4,410.00 | 10 |
| CB | \$ 1,438.00 | 14 |
| CEK | \$ 5,555.00 | 28 |
| CL | \$ 2,307.95 | 14 |
| HVMP | \$ 1,250.00 | 14 |
| JO | \$ 3,688.00 | 25 |
| LV | \$ 1,800.00 | 10 |
| MG | \$ 1,025.13 | 4 |
| NWK | \$ 3,680.00 | 13 |
| RL | \$ 1,200.00 | 4 |
| RN | \$ 6,285.00 | 23 |
| SCK | \$ 1,015.00 | 5 |
| SFT | \$ 8,483.00 | 33 |
| SG | \$ 17,594.00 | 77 |
| SN | \$ 927.00 | 4 |
| | \$ 100,852.55 | 454 |

During the 2010 Session, presentations to the Committee on Corrections and Juvenile Justice occurred and the discussion on how to increase collections of offender reimbursements culminated in several recommendations.

Plan for increased collection:

CONCLUSIONS AND RECOMMENDATIONS: An updated report of this Subcommittee is sufficient to provide comparative information to the parties interested in the progress of collection of SB 123 fees from offenders. The Subcommittee would like the Sentencing Commission to consider further action that would increase reimbursements, including, but not limited to:

- Continue to educate partners regarding reimbursement orders and collections;
- Request correction of journal entries of sentencing where the reimbursement is ordered, but was not journalized;
- Increase orders and collections overall, but especially in those districts where there is little or no reimbursement activity taking place; and
- Try to find a way to put SB 123 reimbursement a little higher in priority, perhaps with a percentage split, such as including treatment reimbursement as part of the docket fee disbursement.

Finally, the Subcommittee would like another update on the progress of the collection of offender reimbursement in January 2011.

The conclusions and recommendations were a continuation of activity that began during the 2009 legislative session. A concerted effort was made through a committee of community correction directors along with the House Committee on Corrections and Juvenile Justice to develop practices that would increase the collection of offender reimbursement. Some of the barriers are the financial circumstances of the offender and the low priority of this collection with the in relation to other court fees. It was determined that this collection should be addressed and that if a \$300 fee was charged each offender provided treatment, that would significantly increase collections. The estimated amount entered into the budget system was very conservative of \$105,000 and \$110,000 respectively. The objective would be to collect an increase of 25% per year. This funding source will be used to augment SGF for the payment of services.

Insurance Receipts –As recorded in the Payment Database

| Source TPPS Database | FY 2004 | FY 2005 | FY 2006 | FY 2007 | FY 2008 | FY 2009 | FY 2010 | Total |
|-----------------------|-----------|------------|------------|-------------|------------|------------|-------------|--------------|
| Total \$ Amount | \$ 13,828 | \$ 122,946 | \$ 159,144 | \$ 145,511 | \$ 163,086 | \$ 313,502 | \$ 291,431 | \$ 1,209,448 |
| Change in Amt | | \$ 109,118 | \$ 36,198 | \$ (13,633) | \$ 17,575 | \$ 150,416 | \$ (22,071) | |
| % Change in Amount | | 789% | 29% | -9% | 12% | 92% | -7% | |
| # of Unique Offenders | 3 | 42 | 80 | 67 | 70 | 96 | 98 | |
| # Offender Change | | 39 | 38 | -13 | 3 | 26 | 2 | |
| % Change in Offenders | | 1300% | 90% | -16% | 4% | 37% | 2% | |
| Avg Amt Per Offender | \$ 4,609 | \$ 2,927 | \$ 1,989 | \$ 2,172 | \$ 2,330 | \$ 3,266 | \$ 2,974 | |
| Avg Amt Per Month | \$ 1,152 | \$ 10,246 | \$ 13,262 | \$ 12,126 | \$ 13,591 | \$ 26,125 | \$ 24,286 | |

Kansas Sentencing Commission entered into a contract with Kansas Health Solutions to conduct quality assurance reviews

Outcome:

Assessments

- *98% of the records reviewed show that assessment information supported the diagnosis through citation of criteria and supported the level of care.*

Treatment plan

- *95% of the records reviewed shows that the treatment plans reflect issues/problems identified and that the plan was updated at appropriate intervals.*

Program content

- *93% of clients received the appropriate amount of clinical services for the level of care.*
- *87% of the providers documented coordination of care with offender's ISO.*
- *100% of files reviewed show that the documentation justifies ongoing treatment at the specified level of care.*
- *94% of the files show that mental health issues were addressed during the course of treatment. (52%) of offenders were identified with mental health issues.*
- *77% of the files show documentation of Team Meetings.*
- *84% of the files had formulated a discharge plan.*
- *98% of the files addressed relapse prevention.*
- *98% of files reviewed addressed the need for follow-up services.*

The following chart lists the responses from the Wichita Update Conference regarding the degree it met expectations. The results from the Topeka conference was similar, although fewer respondents. Question numbers are listed on the left side of the chart.

