

SECOND REGULAR SESSION

HOUSE BILL NO. 2348

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES OXFORD (Sponsor), YAEGER, LOW (39), SCHIEFFER, LAMPE, ZIMMERMAN, SCAVUZZO, FRAME, CASEY, WILDBERGER, CHAPPELLE-NADAL, NORR, TODD, HOLSMAN, HARRIS (110), DARROUGH, NASHEED, CURLS, STORCH, FALLERT, DAUS, VILLA, BURNETT, WRIGHT-JONES, PAGE, McCLANAHAN, MOORE, BLAND, LeVOTA, HUBBARD, McGHEE, BROWN (50), MEADOWS, AULL, ROORDA, JOHNSON, TALBOY, RUCKER, BRUNS, KUESSNER, YOUNG, GEORGE, LIESE, THRELKELD AND WALTON (Co-sponsors).

Read 1st time March 5, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4137L.011

AN ACT

To repeal sections 660.020 and 660.021, RSMo, and to enact in lieu thereof eleven new sections relating to caseload standards for certain state agencies.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 660.020 and 660.021, RSMo, are repealed and eleven new sections enacted in lieu thereof, to be known as sections 192.331, 192.332, 192.333, 192.334, 630.101, 630.102, 630.103, 630.104, 660.020, 660.021, and 660.022, to read as follows:

- 192.331. For the purposes of sections 192.331 to 192.334, the following terms mean:**
- (1) "Caseload standards", the minimum and maximum number of cases that an employee can reasonably be expected to perform in a normal work month based on the number of cases handled by the employee or the number of different job functions performed by the employee;**
 - (2) "Department", the department of health and senior services;**
 - (3) "Director", the director of the department of health and senior services;**
 - (4) "Professional caseload standards", caseload standards that are established by the director, after consideration of caseload standards established by national setting authorities or caseload standards used in other states which have similar job titles.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

192.332. 1. The director shall develop caseload standards based on the actual duties of employees in each program area of the department, after considering recommendations of the caseload standards advisory committee, established in section 192.333, and consistent with existing professional caseload standards.

2. In establishing standards under sections 192.331 to 192.333, the director shall:

(1) Ensure the standards are based on the actual duties of the employee;

(2) Ensure the standards are consistent with existing professional caseload standards; and

(3) Consider standards developed by other states for workers in similar positions of employment.

3. Such standards shall be used by the director as the basis of the department's personnel budget request to the governor.

4. If an employee has failed to satisfactorily complete assignments that are in excess of specified caseload standards, good faith efforts to complete such assignments shall be among the factors considered in the employee's performance evaluation. Any failure to complete assignments that are in excess of specified caseload standards shall not be a factor in determining an employee's eligibility for pay increases.

5. Subject to appropriations, the department shall use the standards established under sections 192.331 to 192.333 to assign caseloads to individual employees.

192.333. 1. The director shall convene, at least annually, a caseload standards committee which shall consist of seven nonsupervisory employees of the department and three division directors of the department or their designees. A representative of the employees' certified majority organization shall also serve on the committee in an advisory capacity, but may not vote on any measure before the committee. The caseload standards advisory committee shall include as nearly as possible employees from each program area of the department.

2. The caseload standards advisory committee shall review professional and other caseload standards and recommendations the committee considers appropriate and recommend to the department minimum and maximum caseloads for each category of workers employed by the department.

192.334. 1. The director shall submit an annual written report to the general assembly that provides data and statistical information regarding the caseloads of employees of the department. The report shall include the following:

(1) The established caseload standards for employees in each program area of the department as required in section 192.332;

(2) The actual caseloads for employees in each program area of the department;

7 (3) A description of the methodology used to compute caseloads for employees in
8 each program area of the department;

9 (4) Indicate whether the statewide average caseloads of department employees
10 exceed the caseload standards established by the department as required in section
11 192.332.

12 2. The director shall make the report available to the public by posting the report
13 on the department's Internet web site.

630.101. For the purposes of sections 630.101 to 630.104, the following terms mean:

2 (1) "Caseload standards", the minimum and maximum number of cases that an
3 employee can reasonably be expected to perform in a normal work month based on the
4 number of cases handled by the employee or the number of different job functions
5 performed by the employee;

6 (2) "Department", the department of mental health;

7 (3) "Director", the director of the department of mental health;

8 (4) "Professional caseload standards", caseload standards that are established by
9 the director, after consideration of caseload standards established by national setting
10 authorities or caseload standards used in other states which have similar job titles.

630.102. 1. The director shall develop caseload standards based on the actual
2 duties of employees in each program area of the department, after considering
3 recommendations of the caseload standards advisory committee, established under section
4 630.103, and consistent with existing professional caseload standards.

5 2. In establishing standards under sections 630.101 to 630.103, the director shall:

6 (1) Ensure the standards are based on the actual duties of the employee;

7 (2) Ensure the standards are consistent with existing professional caseload
8 standards; and

9 (3) Consider standards developed by other states for workers in similar positions
10 of employment.

11 3. Such standards shall be used by the director as the basis of the department's
12 personnel budget request to the governor.

13 4. If an employee has failed to satisfactorily complete assignments that are in excess
14 of specified caseload standards, good faith efforts to complete such assignments shall be
15 among the factors considered in the employee's performance evaluation. Any failure to
16 complete assignments that are in excess of specified caseload standards shall not be a factor
17 in determining an employee's eligibility for pay increases.

18 5. Subject to appropriations, the department shall use the standards established
19 under sections 630.101 to 630.103 to assign caseloads to individual employees.

630.103. 1. The director shall convene, at least annually, a caseload standards committee which shall consist of seven nonsupervisory employees of the department and three division directors of the department or their designees. A representative of the employees' certified majority organization shall also serve on the committee in an advisory capacity, but may not vote on any measure before the committee. The caseload standards advisory committee shall include as nearly as possible employees from each program area of the department.

2. The caseload standards advisory committee shall review professional and other caseload standards and recommendations the committee considers appropriate and recommend to the department minimum and maximum caseloads for each category of workers employed by the department.

630.104. 1. The director shall submit an annual written report to the general assembly that provides data and statistical information regarding the caseloads of employees of the department. The report shall include the following:

(1) The established caseload standards for employees in each program area of the department as required in section 630.102;

(2) The actual caseloads for employees in each program area of the department;

(3) A description of the methodology used to compute caseloads for employees in each program area of the department;

(4) Indicate whether the statewide average caseloads of department employees exceed the caseload standards established by the department as required in section 630.102.

2. The director shall make the report available to the public by posting the report on the department's Internet web site.

660.020. 1. The director shall develop caseload standards based on the actual duties of employees in each program area of the department, after considering recommendations of the caseload standards advisory committee, established pursuant to section 660.021, and consistent with existing professional caseload standards.

2. In establishing standards pursuant to sections 660.019 to 660.021, the director shall:

(1) Ensure the standards are based on the actual duties of the caseworker;

(2) Ensure the standards are consistent with existing professional caseload standards; and

(3) Consider standards developed by other states for workers in similar positions of employment.

3. Such standards shall be used by the director as the basis of the department's personnel budget request to the governor.

12 4. If an employee has failed to satisfactorily complete assignments that are in excess of
13 specified caseload standards, good faith efforts to complete such assignments shall be among the
14 factors considered in the employee's performance evaluation. **Any failure to complete**
15 **assignments that are in excess of specified caseload standards shall not be a factor in**
16 **determining an employee's eligibility for pay increases.**

17 5. Subject to appropriations, the department shall use the standards established pursuant
18 to sections 660.019 to 660.021 to assign caseloads to individual employees.

 660.021. 1. The director shall convene, at least [biannually] **annually**, a caseload
2 standards committee which shall consist of seven nonsupervisory employees of the department
3 and three division directors of the department or their designees. A representative of the
4 employees' certified majority organization shall also serve on the committee in an advisory
5 capacity, but may not vote on any measure before the committee. The caseload standards
6 advisory committee shall include as nearly as possible employees from each program area of the
7 department.

8 2. The caseload standards advisory committee shall review professional and other
9 caseload standards and recommendations the committee considers appropriate and recommend
10 to the department minimum and maximum caseloads for each category of workers employed by
11 the department.

660.022. 1. The director shall submit an annual written report to the general
2 **assembly that provides data and statistical information regarding the caseloads of**
3 **employees of the department. The report shall include the following:**

4 **(1) The established caseload standards for employees in each program area of the**
5 **department as required in section 660.020;**

6 **(2) The actual caseloads for employees in each program area of the department;**

7 **(3) A description of the methodology used to compute caseloads for caseworkers**
8 **in each program area of the department;**

9 **(4) Indicate whether the statewide average caseloads of department caseworkers**
10 **exceed the caseload standards established by the department as required in section**
11 **660.020.**

12 **2. The director shall make the report available to the public by posting the report**
13 **on the department's Internet web site.**

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