

Legislative Analysis



CORRECTIONAL OFFICER WELLNESS AGENCY AND CORRECTIONAL OFFICER WELLNESS AGENCY BOARD

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4467 (proposed substitute H-2)
Sponsor: Rep. Sarah L. Lightner

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4468 as introduced
Sponsor: Rep. Sarah Anthony

Committee: Appropriations
Complete to 3-19-21

SUMMARY:

House Bill 4467 would amend the Corrections Code of 1953 to create the Correctional Officer Wellness Agency as an autonomous entity within the Department of Corrections and to create the Correctional Officer Wellness Agency Board. The board would be charged with governing the agency and would consist of the following five members:

- One individual selected and appointed by the director of the department.
- One individual selected and appointed by the governor from recommendations provided by the Michigan Corrections Organization.
- One individual selected and appointed by the governor who is a mental health expert.
- One individual selected and appointed by the governor to represent the Corrections Training Council.
- One individual selected and appointed by the governor who is a correctional officer or another employee of the department who works directly with prisoners in a correctional facility.

Members would serve two-year terms and could be removed from the board by the governor for incompetence, dereliction of duty, malfeasance, misfeasance, nonfeasance, or any other good cause. Members would be required to serve without compensation, but would be reimbursed for actual and necessary expenses that are incurred in the performance of their duties.

The Correctional Officer Wellness Agency Board would select a director of the agency who would report to the board. The agency would be vested with the authority to provide wellness services for state correctional officers, and the board would be responsible for all of the following:

- Making employment decisions, subject to the state constitution and in consultation with the director of the Correctional Officer Wellness Agency.
- Providing oversight of the agency.
- Setting metrics and goals for allocations of state correctional officer wellness funding.

- Providing the department with access to experts on correctional officer wellness models used in other industries and states.
- Creating correctional officer wellness programs and pilots.
- Reviewing and assessing current department policies related to correctional officer wellness to suggest improvements or new initiatives.
- Holding quarterly meetings for progress reports and for assessing the impact of the agency.
- Creating annual reports that include new procedures and recommendations for addressing correctional officer wellness.

Proposed MCL 791.208b

House Bill 4468 would amend the Corrections Code of 1953 to define *state correctional officer* and *wellness services*. In the bill, a state correctional officer is defined as an individual employed by the department in a correctional facility as a correctional officer. Wellness services are defined as services that address issues related to the health and well-being of state correctional officers, including, but not limited to, employee engagement and retention, and officer depression and rates of suicide.

Proposed MCL 791.208c

The bills are tie-barred to each other, which means neither bill could take effect unless both bills were enacted.

FISCAL IMPACT:

House Bill 4467 would have an indeterminate fiscal impact on the state and no fiscal impact on local units of government. The bill would create an agency as an autonomous entity within the Department of Corrections and would create a five-member board. Establishing the agency and the board within, but autonomous from, the department would subject the department to staffing and logistical costs. The bill does not specify parameters under which the agency or board would operate. Costs could include, but would not be limited to, office space, utilities, supplies, materials, equipment, information technology services, contracts, and consulting services. Though members of the board would not receive compensation, they would be reimbursed for expenses incurred in the performance of their duties. Costs would depend on board activities and actions required by members to fully participate (e.g., travel, lodging, meals, etc.). Also, under the bill, the board would select a director of the agency, who would report to the board. The bill does not address whether the director would earn a salary or how the salary/benefits would be paid. The bill does not provide for a specific source of revenue for any potential costs.

In the current FY 2020-21 Department of Corrections budget, \$1.2 million is appropriated and 6.0 full-time staff positions are authorized specifically for employee wellness programming. Services are provided to all department employees, eligible family members, and retirees. The Employee Wellness Unit of the department incorporates confidential professional services such as the Traumatic Incident Stress Management team, the Peer Support Program, 24/7 crisis

response, counseling, consultation, referral services, wellness training and support, educational opportunities, and chaplain services to help all employees of the department achieve a healthy work-life balance. The executive budget recommendation for FY 2021-22 includes an additional \$809,400, bringing the total funding level for employee wellness programming to \$2.0 million. The additional funding would be used to further enhance programs for employee wellness, including individual work-site initiatives along with potential centralized approaches toward wellness from a departmentwide perspective.

House Bill 4468 is a companion bill to House Bill 4467 and defines terms included in that bill. The bill would have no fiscal impact on the state or on local units of government.

Fiscal Analyst: Robin R. Risko

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