

# The LBFC PERFORMANCE REPORT

THE OFFICIAL NEWSLETTER OF THE  
PENNSYLVANIA LEGISLATIVE BUDGET & FINANCE COMMITTEE



## OUR WORK & REAL LIFE...

BY RICK JONES, LBFC COUNSEL

Excerpted from an article originally published in the Summer 2019 edition of the NLPES Newsletter.

After more than 20 years at this type of work, I have come to realize after all the projects that have passed through this office on seemingly countless policy topics—some thought-provoking and others more routine—it is few and far between that studies have moments to be remembered in a personally meaningful way. The LBFC’s 2007 report on the state’s organ donor program was, for me, such a project.

HR 698 of 2006 directed the LBFC to evaluate the state’s Organ and Tissue Donor Awareness Program. Thus, for the better part of a year we reviewed agency efforts, surveyed other states, interviewed officials and stakeholders, used state and federal data to examine donation and transplantation activity, analyzed the fund’s structure, reviewed contracts and reports, and gave fresh eyes to the

relationship between state and federal law regarding the transfer of human organs for valuable consideration, among numerous other things, resulting in a well-researched, detailed report.

Along the way I had one not-so-typical meeting that reminded me that the work the LBFC does is not simply a detached policy exercise but relates to real life and real people. While touring an organ procurement organization, a staff person entered pushing a cart carrying a human kidney. It was somewhat unexpected to see an actual human organ a mere arm’s length away, but I found myself more than a little amazed to see it was pulsing as if alive. It was, of course, pulsing because a machine was moving fluids through it for preservation purposes. In that moment, though, that kidney was remarkably real and its movement—though mechanically produced—underscored, for me, its connection to real life.

Over the years, I have visited rural as well as city offices, met with police, liquor enforcement, executive senior staff, and the judiciary. I have had explained to me the science of biometric smart cards, viewed blighted property, studied the use of fingerprinting, explored the potential for commercial advertising on public property, and considered (beyond what I would have thought possible) various aspects of game, fish, and boats, including the merits of agency mergers and the social aspects of hunting on Sundays. There were interscholastic athletics, vocational rehabilitation, debate over the statutory requirement a physician certify drug and alcohol treatment, collection and dissemination of criminal justice record information, the procurement code, opportunity zones, probation caseloads, and county recording fees. I have addressed issues with constitutional implications and spent much time analyzing the importance of the meaning of words in statutory interpretation and construction. I have watched people convicted of drunk driving cry openly as they listened to survivors share stories of extraordinary pain and loss and I have even trudged across foul-smelling farm fields

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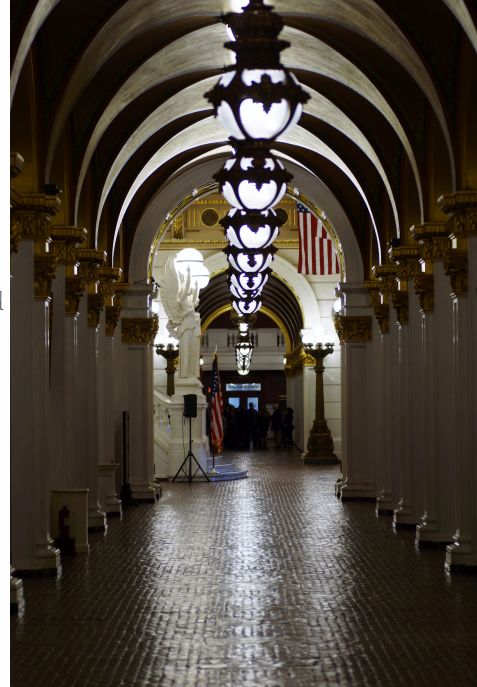
# PROJECT RELEASES...

On February 24, these reports were released at an LBFC meeting held in-person and via Zoom:

**A Study of the Adequacy of Fees Charged for Pennsylvania's Instant Check System** - This report found that at \$5.00, Pennsylvania has the lowest total fee for background checks in all 13 full POC states and that to fully fund PICS with fee and surcharge revenues, the current combined \$5.00 fee would need to be raised to \$16.00.

**An Evaluation of Department of Health Grants Funded Through the Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund** - LBFC recommended that DOH alter future grant agreements to better align with the fund's goals, needs, and resources and require documentation of performance. The report found that, among other things, Pennsylvania had the 12th lowest donor designation rate out of the 39 states reporting in 2019, the overall fiscal condition of the fund is a concern, and the Trust Fund was unable to accurately project revenues.

**A Study in Response to House Resolution 515 (2019): Community Mental Health Services** - This report was difficult because in some areas data simply did not exist—and in areas where data did exist—that data was either self-reported or it lacked the specificity necessary to fully address the study objectives. The LBFC modified the objectives and scope and focused on creating observational summaries of data we collected from various state agencies, including the Department of Human Services (DHS), the Department of Health (DOH), the Department of Corrections (DOC), and the Health Care Cost Containment Council (PHC4). We also surveyed all county MH Administrators.



On May 12, the following reports were released at an LBFC meeting held via Zoom:

**Pennsylvania Game Commission Compliance with Its Strategic Plan** - This report found that PGC appeared to be in compliance with its current strategic plan and mission, but has not achieved its goal of implementing a marketing program and outreach effort that achieves a no-net loss of general hunting license sales

**The Impact of Tavern Gaming on the Pennsylvania State Lottery for CY 2020** - Here LBFC found that tavern gaming has not had a material impact on the State Lottery, but COVID-19 may have had an impact on tavern gaming.

# WELCOME ABOARD...

With the new legislative session in 2021, the LBFC welcomed three new legislators to its membership.



**Rep. Lynda Schlegel Culver** - Republican, serving the 108th District since 2011 that covers Northumberland County (Part) and Snyder County (Part). She also serves on the Appropriations, Professional Licensure, Rules, Transportation and Veterans Affairs & Emergency Preparedness committees. Rep. Schlegel Culver will serve as LBFC Secretary.

**Rep. Torren C. Ecker** - Republican, serving the 193rd District since 2019 that covers Adams County (Part) and Cumberland County (Part). In addition to LBFC, he also serves on the Appropriations, Game & Fisheries, Judiciary, and Labor & Industry committees.



**Rep. Tim Twardzik** - Republican, serving the 123rd District since 2021 that covers part of Schuylkill County. He also serves on the Children & Youth, Commerce, Education, Health, and Urban Affairs committees.

## NOTICE...

We also note well here that Sen. Cris Dush, who has served on the LBFC since 2019, returns this session to continue his work on the committee, now as a newly elected state senator in Senate District 25.



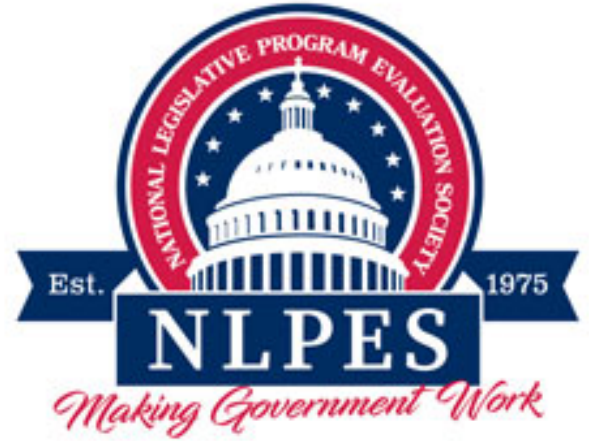


## NEW ANALYST...

On May 1, Matthew Thomas joined the staff of the LBFC in the position of Analyst and is currently working on the HR 1087 study project. He was previously employed as an analyst (Strategy and Analytics, Government and Public Services Competency) with Deloitte Consulting, LLP. He also served as an intern with a U.S. Senator and with the Pennsylvania General Assembly. Mr. Thomas is a graduate of the Pennsylvania State University with a B.A. in International Politics, National Security Option. Most of all, he is a proud supporter of Penn State football.

## EVALUATOR 101 TRAINING...

Several of the LBFC analysts participated in Evaluator 101 training targeted at providing newer evaluators with the foundational elements of sound legislative program evaluation. This training, previously presented in-person at the 2019 National Legislative Program Evaluation Society (NLPES) Professional Development Seminar, was offered via live webinars on April 14 and 15, 2021, to facilitate continuing professional education during the pandemic. The training covered four topics related to Performance Evaluation: Understanding Government Accountability and the Types of Evaluations; Planning for Audits; Gathering and Compiling Evidence; and Clearly Communicating Findings.



LBFC Executive Director Patricia Berger was one of the presenters for the training sessions. Her presentation focused on understanding government accountability and how the role of performance auditing is to hold the agency or program under review accountable to the legislature and the public. This is accomplished by determining whether:

- Management and officials manage government resources and use their authority properly and in compliance with laws and regulations;
- Government programs are achieving their objectives and desired outcomes;
- Government services are provided effectively, efficiently, economically and ethically;
- Services provided by the program continue to be necessary.

The training emphasized the ultimate goal of government auditing: "government auditing provides the objective analysis to make the decisions necessary to help create a better future."



## MOVING ON UP...

Congratulations are due to long-time LBFC analyst Anne Witkonis. As of May 1, the officers of the LBFC approved Anne's promotion to the position of Analyst 3. Well done, Anne!

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treated with human biosolids—all in the name of program performance evaluation. Having a human kidney pulsing on a cart directly in front of me without doubt, however, was unlike any other project-related activity before and since.

In all seriousness, a man's life had ended and real persons—family and friends—were coping with his loss and their changed lives. Finally, it struck me that this man's kidney reached the end of its usefulness on display to help with our study—to make an impression on us. This was neither a program file nor an array of data nor stakeholders' feedback nor an agency legal opinion—it was a real, physical part of a real human life linked to other real persons with real lives. That moment helped me not only visualize the importance of organ donation but also gain a healthier understanding about what the LBFC does and how it connects to real persons and real life.



The mission of the Pennsylvania Legislative Budget & Finance Committee is to provide members of the Pennsylvania General Assembly timely, accurate, and unbiased information, analysis, and performance evaluation to inform their policy decisions.



<http://lbfc.legis.state.pa.us/>



## ONGOING PROJECTS...

**Act 2016-20:** Requires LBFC to conduct a study of certain patient outcomes when using lay caregivers.

**HR 1087 of 2020:** Requires a review of data collection by the Department of Health during the COVID-19 pandemic.

**HR 619 of 2019:** A study of the funding and caseloads related to indigent criminal defense in the Commonwealth.

**Act 2020-120:** Directs LBFC to conduct a study of Pharmaceutical Benefits Managers.

**Act 2020-93:** Requires LBFC to conduct a review of the last five years of court records as follows to ensure that EMSOF monies are being collected and deposited properly; and to provide recommendations on any appropriate action necessary to ensure appropriate collection and deposit of EMSOF monies.

## PROJECTS ADOPTED...

**HR 68 of 2021:** A study of dental services in rural Pennsylvania.

**SR 96 of 2021:** LBFC to conduct a performance audit on the provision of 911 communications service under 35 Pa.C.S. Ch. 53. Awaiting LBFC officers' review.

### LBFC STAFF

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