

DHHS Directive Number II-10

Title: Delegation of Authority to the Director,
Division of Budget and Analysis
Effective Date: November 3, 2008
Revision History: January 26, 2004; January 01, 2002
Authority: G.S. 143B-10

Purpose

The purpose of this Directive is to delegate, clarify, and specifically confirm certain authorities of the Secretary of the North Carolina Department of Health and Human Services (NC DHHS) to the Director of the Division of Budget and Analysis. The Director of the Division of Budget and Analysis shall report to the Secretary through the Deputy Secretary.

The purpose of the Division of Budget and Analysis is to provide support, oversight and appropriate controls in the execution of the budget of the DHHS through the provision of guidance and assistance to department and division management. The Division of Budget and Analysis shall provide assistance to the Secretary or the Secretary's designee in coordinating the development, modification and management of the department's budget.

Delegation of Authority

As provided in G.S. 143B-10(a), the Secretary of the DHHS delegates the following budgetary duties and management functions and responsibilities to the Director of the Division of Budget and Analysis, subject to state and departmental policy:

1. The functions of management, related to the Division of Budget and Analysis, as defined in G.S. 143B-10, which include: planning, organizing, staffing, directing, coordinating, evaluating, reporting and budgeting.
2. The authority and the responsibility to provide support, oversight, and exercise appropriate controls in the execution of the budget of the department and the departmental divisions, and shall review and approve all budgeting, allocations and re-allocations, and the receipt or expenditure of funds, in accordance with guidelines established by the Secretary or the Secretary's designee, state law, policy, and regulations. The Director shall promptly communicate any concerns, problems or difficulties the Office of Budget and Analysis may determine in its review to the appropriate departmental division director in an effort to seek

possible solution. Should a solution not be established, the Director shall notify the Secretary or the Secretary's designee, and the Assistant Secretary of Health Policy with respect to issues concerning the department's health agencies, or the Assistant Secretary of Long Term Care and Family Services with respect to the department's family services agencies.

3. Review and approve all BD 606 requests to revise departmental division budgets in accordance with guidelines established by the Secretary or the Secretary's designee, state law, policy and regulations. The Director shall promptly communicate any concerns, problems or difficulties the Office of Budget and Analysis may determine in its review to the appropriate departmental division director in an effort to seek possible solution. Should a solution not be established, the Director shall notify the Secretary or the Secretary's designee and the Assistant Secretary of Health Policy with respect to issues concerning the department's health agencies, or the Assistant Secretary of Long Term Care and Family Services with respect to the department's family services agencies.
4. Review and approve all budget transfers of salary reserve and other appropriations between budget codes within the department in accordance with guidelines established by the Secretary or the Secretary's designee, state law, policy, and regulations, and after approved, forward to the Office of State Budget and Management for approval. The Director shall promptly communicate any concerns, problems or difficulties the Office of Budget and Analysis may determine in its review to the appropriate departmental division director in an effort to seek possible solution. Should a solution not be established, the Director shall notify the Secretary or the Secretary's designee, and the Assistant Secretary of Health Policy with respect to issues concerning the department's health agencies, or the Assistant Secretary of Long Term Care and Family Services with respect to the department's family services agencies.
5. Review and approve the creation or re-allocation of positions within the department in accordance with guidelines established by the Secretary or the Secretary's designee, state law, policy and regulations. The Director shall promptly communicate any concerns, problems, or difficulties the Office of Budget and Analysis may determine in its review to the appropriate departmental division director in an effort to seek possible solution. Should a solution not be established, the Director shall notify the Secretary or the Secretary's designee and the Assistant Secretary of Health Policy with respect to issues concerning the department's health agencies or the Assistant Secretary of Long Term Care and Family Services with respect to the department's family services agencies.
6. Review contract recommendations and requests for waiver of recovery of indirect costs allocated to federal grants submitted by departmental divisions or institutions and determine if such requests or recommendations should be forwarded to the Office of State Budget and Management for approval. The Director shall promptly communicate any concerns, problems, or difficulties the Office of Budget and Analysis may determine in its review to the appropriate departmental division director in an effort to seek possible solution. Should a solution not be established, the Director shall notify the Secretary or the Secretary's designee, and the Assistant Secretary of Health Policy with respect to issues concerning the department's health agencies or the Assistant Secretary of Long Term Care and Family Services with respect to the department's family services agencies.

7. Review and approve all requests by departmental divisions and institutions for allotments and allotment revisions in accordance with guidelines established by the Secretary or the Secretary's designee, state law, policy and regulations. Such review shall occur after the DHHS Office of the Controller has developed cash flow projections and identified the impact of alternative allotment levels on programs and operations. The Director shall promptly communicate any concerns, problems or difficulties the Office of Budget and Analysis may determine in its review to the appropriate departmental division director in an effort to seek possible solution. Should a solution not be established, the Director shall notify the Secretary or the Secretary's designee and the Assistant Secretary of Health Policy with respect to issues concerning the department's health agencies, or the Assistant Secretary of Long Term Care and Family Services with respect to the department's family services agencies.
8. Review the appropriateness of budget codes in order to permit greater departmental and division flexibility in the use of funds and to streamline the execution of the department's budget.
9. Provide assistance and direction to departmental and division management regarding interpretation of the Executive Budget Act and the State Budget Manual.
10. Review and analyze the utilization of federal revenues within the department and provide direction and guidance to departmental division management on the maximization of the utilization of federal funds.
11. Review and approve the methodologies used in the preparation of divisional budget projections or forecasts and provide technical assistance to improve the accuracy of all budget projections. The Director shall promptly communicate any concerns, problems, or difficulties the Office of Budget and Analysis may determine in its review to the appropriate departmental division director in an effort to seek possible solution. Should a solution not be established, the Director shall notify the Secretary or the Secretary's designee and the Assistant Secretary of Health Policy with respect to issues concerning the department's health agencies, or the Assistant Secretary of Long Term Care and Family Services with respect to the department's family services agencies.
12. Assist the Secretary or Secretary's designee in representing the department with the Office of State Budget and Management and the General Assembly's Fiscal Research Department regarding department budget issues.
13. Prepare the annual report to the Office of State Budget and Management on Employee Duty Station Approval.
14. Review and approve the permanent assignment of central motor pool vehicles within the department. The Director shall promptly communicate any concerns, problems or difficulties the Office of Budget and Analysis may determine in its review to the appropriate departmental division director in an effort to seek possible solution. Should a solution not be established, the Director shall notify the Secretary or the Secretary's designee and the Assistant Secretary of

Health Policy with respect to issues concerning the department's health agencies or the Assistant Secretary of Long Term Care and Family Services with respect to the department's family services agencies.

15. Coordinate and submit through the Office of the General Counsel to the State Bureau of Investigation all reports of state property misuse within the department.
16. The Director of Budget and Analysis shall provide direction and guidance to departmental divisions in the preparation of continuation, expansion and supplemental budget requests. The Director shall provide assistance to the Secretary or the Secretary's designee in the development of the department's budget priorities.
17. Manage the department's quarterly reporting system and shall assist departmental divisions in the development of program objectives and measures and coordinating the submission and scheduling of division reports.
18. To assist the Secretary, Deputy Secretary, and department management, the Director of Budget and Analysis shall review and prepare analyses of program or policy changes which impact the department's budget, including department wide impact analysis of federal and state legislative changes having policy or budget impact.
19. Coordinate the development of all legislatively mandated reports to be presented to the General Assembly by the department and departmental divisions. The Director shall assist the departmental divisions in the preparation of the reports, review the reports and insure that such reports meet the statutorily or legislatively mandated deadlines for delivery to the General Assembly.
20. Coordinate and assist departmental divisions with responses to on-going legislative requests for budget, statistical and appropriate program information. The Director shall promptly inform and update the Secretary or the Secretary's designee concerning all such requests and responses.
21. Review and assure accuracy and appropriateness of responses for all control letters for signature by the Secretary or Governor with respect to any impact on the department's budget.
22. Review and approve all applications and proposals for federal and other non-state funds in coordination with the Office of Governmental and Community Relations. The Director shall promptly communicate any concerns, problems or difficulties the Office of Budget and Analysis may determine in its review to the appropriate departmental division director in an effort to seek possible solution. Should a solution not be established, the Director shall notify the Secretary, the Deputy Secretary and the Senior Advisor or the appropriate Assistant Secretary.
23. Review all proposed APA rules for the purpose of determining fiscal impact and compliance with state and federal legislation and regulations.

24. Review and approve the addition or modification of any form required to be completed by any division or agency other than the division originating the form or modification. The Director shall promptly communicate any concerns, problems or difficulties the Office of Budget and Analysis may determine in its review to the appropriate departmental division director in an effort to seek possible solution. Should a solution not be established, the Director shall notify the Secretary or the Secretary's designee and the Assistant Secretary of Health Policy with respect to issues concerning the department's health agencies or the Assistant Secretary of Long Term Care and Family Services with respect to the department's family services agencies.
25. The Director shall be responsible for ensuring that the division is familiar with and adheres to the department's Policy and Procedures Manual.

This delegation of authority shall not deprive the Secretary from performing, in lieu of the Director of the Division of Budget and Analysis, any of the acts set forth above. This delegation of authority may be amended or withdrawn by the Secretary at any time and without notice. This delegation of authority shall not apply to any actions which by law, state policy or Governor's Executive Order, may only be executed by the Secretary.

APPROVED

Dempsey Benton, Secretary
Department of Health and Human Services