

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4768-01
Bill No.: HB 1985
Subject: Mental Health; Mental Health Dept.; Psychologists
Type: Original
Date: March 25, 2010

Bill Summary: Amends various provisions regarding admission of a person for comprehensive psychiatric services.

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|---|---|---|---|
| FUND AFFECTED | FY 2011 | FY 2012 | FY 2013 |
| General Revenue | (Unknown greater than \$100,000) | (Unknown greater than \$100,000) | (Unknown greater than \$100,000) |
| | | | |
| Total Estimated Net Effect on General Revenue Fund | (Unknown greater than \$100,000) | (Unknown greater than \$100,000) | (Unknown greater than \$100,000) |

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS | | | |
|---|------------|------------|------------|
| FUND AFFECTED | FY 2011 | FY 2012 | FY 2013 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>Other</u> State Funds | \$0 | \$0 | \$0 |

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2011 | FY 2012 | FY 2013 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE) | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2011 | FY 2012 | FY 2013 |
| | | | |
| | | | |
| Total Estimated Net Effect on FTE | 0 | 0 | 0 |

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

| ESTIMATED NET EFFECT ON LOCAL FUNDS | | | |
|--|----------------|----------------|----------------|
| FUND AFFECTED | FY 2011 | FY 2012 | FY 2013 |
| Local Government | \$0 | \$0 | \$0 |

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** assume the proposal will have no fiscal impact on their organization.

Officials from the **Department of Mental Health (DMH)** state that in addition to the impact on DMH operations, section 632.305.4 would appear to create a significant fiscal impact. It removes the ability for RNs, psychologists, psychiatric residents, psychiatric nurses, licensed professional counselors or social workers from committing a person via an imminent harm application. This proposal would limit such commitments to licensed physicians. During the past fiscal year, 4,006 such commitments were processed. Assuming a cost of \$197.52 per hour cost for a licensed physician (based on current contract rates), this proposal could potentially cost \$791,265. Many commitments would continue to be processed with existing DMH staff. However, the net impact is projected to be unknown, but greater than \$100,000 annually.

| <u>FISCAL IMPACT - State Government</u> | FY 2011 (10 Mo.) | FY 2012 | FY 2013 |
|---|--|--|--|
| GENERAL REVENUE FUND | | | |
| <u>Costs - DMH</u> | | | |
| Increase in commitment costs | <u>(Unknown greater than \$100,000)</u> | <u>(Unknown greater than \$100,000)</u> | <u>(Unknown greater than \$100,000)</u> |
| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | <u>(Unknown greater than \$100,000)</u> | <u>(Unknown greater than \$100,000)</u> | <u>(Unknown greater than \$100,000)</u> |

| <u>FISCAL IMPACT - Local Government</u> | FY 2011 (10 Mo.) | FY 2012 | FY 2013 |
|---|---------------------|------------|------------|
| | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

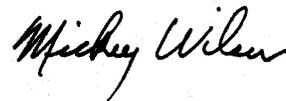
FISCAL DESCRIPTION

This proposal changes the laws regarding the admission of a person for comprehensive psychiatric services. The probate judge seated in the county where a mental health facility is located is allowed to authorize a mental health professional to serve as the mental health coordinator for the facility. If a voluntary patient at a mental health facility requests to be released, the facility can detain the patient only if a mental health coordinator or a licensed physician signs an affidavit to detain the respondent for evaluation and treatment. If a voluntary patient who is a minor requests to be released, the facility can detain the minor only if a mental health coordinator or a licensed physician completes an affidavit for detention for evaluation and treatment to begin the involuntary detention of the minor. These affidavits must comply with the requirements for involuntary detention under Section 632.305, RSMo. An application for detention for evaluation and treatment must specify the factual information on which the belief is based and must contain the names and addresses of all persons known to the applicant who have knowledge of the facts through personal observation. The application may be filed in the court having probate jurisdiction in any county where the respondent may be found or in the county of the facility where the respondent has been taken for evaluation and treatment.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Department of Mental Health



Mickey Wilson, CPA
Director
March 25, 2010