

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1371-02
Bill No.: Perfected SCS for SB 256
Subject: Children and Minors
Type: Original
Date: April 16, 2013

Bill Summary: This proposal modifies provisions relating to the Safe Place for Newborns Act.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
General Revenue	(More than \$100,000)	(Unknown)	(Unknown)
Total Estimated Net Effect on General Revenue Fund	(More than \$100,000)	(Unknown)	(Unknown)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
General Revenue	Up to 3	Up to 3	Up to 3
Total Estimated Net Effect on FTE	Up to 3	Up to 3	Up to 3

- 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 2014	FY 2015	FY 2016
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

In response to the original version of this proposal, officials from the **Department of Social Services (DSS) - Children's Division (CD)** stated while there is a possibility of an increased number of infants entering CD's custody under these provisions, because it increases the age requirement from 5 days to 45 days, the number of children who would not otherwise come into care through other means, such as a child abuse or neglect report, is not expected to be significant.

This version of the proposal removes the affirmative defense provision which was valid up to one year and allows either parent 30 days to reestablish parental rights and provides protection in that it prohibits officials and agency personnel from coercing the parent to reveal identifying information.

The proposal adds section 210.950.11, which provides an affirmative defense to prosecution of sections 568.030 (abandonment of a child, 1st degree), 568.032 (abandonment of a child, 2nd degree), 568.045 (endangering the welfare of the child, 1st degree) and 568.050 (endangering the welfare of a child, 2nd degree) that a parent who is a defendant voluntarily relinquished a child no more than one year old.

This legislation would require minor revisions to the Child Welfare Policy and revisions to the "Safe Place for Newborns" brochure. However, the fiscal impact would be less than \$100,000 and absorbed by the Division.

In response to the original version of this proposal, officials from the **DSS - Division of Legal Services (DLS)** stated the proposal does not dramatically alter the current law and, therefore, would have no fiscal impact on the DLS.

In response to the previous version of this proposal, officials from the **Office of State Courts Administrator**, the **Department of Health and Senior Services** and the **Department of Public Safety - Missouri State Highway Patrol** each assumed the proposal would not fiscally impact their respective agencies.

In response to the previous version of this proposal, officials from the **Barton County Memorial Hospital** assumed the proposal would not fiscally impact their agency.

No other hospitals responded to **Oversight's** request for a statement of fiscal impact.

ASSUMPTION (continued)

Amendment 2 - Forensic Examinations:

In response to similar legislation from the current session, officials from the **Department of Social Services - Children's Division (CD)** assumed Section 595.220.7 of this proposal requires that the Department of Public Safety establish rules regarding the reimbursement of costs of forensic examinations for children under 14 years of age, including the required conditions and definitions for emergency and non emergency forensic examinations as well as the required qualifications for medical providers performing nonemergency forensic examinations.

There is no fiscal impact to the CD in the drafting of rules by the Department of Public Safety; however, is unknown whether Public Safety would write in rule additional conditions for reimbursement or qualifications for medical providers performing nonemergency forensic examinations that could affect eligibility for reimbursement in some circumstances. It is assumed that these conditions would be reasonable and ensure better quality of forensic examinations.

In response to similar legislation from the current session, officials from the **Department of Public Safety - Missouri State Highway Patrol** assumed the proposal would not fiscally impact their agency.

Amendment 3 - Classroom Instruction:

Officials from the **Department of Elementary and Secondary Education (DESE)** assume the impact on local school districts is unknown.

Oversight assumes this part of the proposal is permissive would not have an impact unless a school district chooses to implement this program. Oversight further assumes school districts could assume the additional instruction within their current budgets.

Amendment 4 - Prevention of Substance Abuse and Emotional Abuse:

In response to similar legislation, officials from the **Department of Mental Health**, the **Department of Revenue** and **St. Louis County** each assumed the proposal would not fiscally impact their respective agencies.

ASSUMPTION (continued)

Amendment 5 - Informational Brochure for Meningococcal Disease:

Officials from the **Department of Health and Senior Services (DHSS)** informed **Oversight** that, due to time constraints, it was not possible to completely develop the potential costs associated with the provisions of this amendment. However, it will be necessary to develop a data base to track the compliance of institutions of higher education and students and develop a brochure to be made available to school districts. It is estimated that 3 FTE will be required. The DHSS assumes costs to the General Revenue Fund of approximately \$309,000 for FY 14 and costs slightly above \$209,000 will be needed for each FY 15 and FY 16.

Also due to time constraints, other agencies did not respond regarding this amendment.

Oversight assumes DHSS will incur costs over \$100,000 in FY 2014 in IT programming and personnel costs to “oversee, supervise, and secure the enforcement” of the meningococcal vaccination programs on each public university or college. Oversight will reflect an unknown cost in future years for DHSS to implement this amendment. Oversight will reflect an FTE increase “Up to” the 3 FTE stated by DHSS.

Amendment 6 - Sexual Abuse Task Force:

Officials from the **Department of Elementary and Secondary Education (DESE)** state costs for the DESE to adopt and implement the task force’s policy are unknown and are contingent upon the actions of the task force. The impact on local school districts is unknown as well.

Oversight assumes the DESE and school districts will not incur significant costs due to the task force’s policies. However, if significant costs are incurred, the DESE may request additional funding through the appropriations process.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
GENERAL REVENUE FUND			
<u>Costs - DHSS</u>			
FTE, data system development and brochure design and printing to implement SA5	<u>(More than \$100,000)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
FTE Change - DHSS	Up to 3 FTE	Up to 3 FTE	Up to 3 FTE
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(More than \$100,000)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
Estimated Net FTE Change on the General Revenue Fund	Up to 3 FTE	Up to 3 FTE	Up to 3 FTE

<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<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

Senate Amendment #5:

Requires the Department of Health and Senior Services to develop an information brochure relating to meningococcal disease and to make the brochure available to school districts.

Section 174.335 provides that every institution of higher education will require all students residing in on-campus housing to verify receipt of the meningococcal vaccine unless a signed statement of medical or religious exemption is on file with the institution's administration. The Department of Health and Senior Services shall oversee, supervise and secure the enforcement of this section.

HWC:LR:OD

FISCAL DESCRIPTION (continued)

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 Elementary and Secondary Education
Department of Mental Health
Department of Health and Senior Services -
 Children's Division
 Division of Legal Services
Department of Revenue
Department of Social Services
Department of Public Safety -
 Missouri State Highway Patrol
Barton County Memorial Hospital



Ross Strope
Acting Director
April 16, 2013