

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1371-04  
Bill No.: HCS for SCS for SB 256  
Subject: Crimes and Punishment; Children and Minors  
Type: Original  
Date: May 3, 2013

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

**FISCAL SUMMARY**

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

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

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 8 pages.

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

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

- 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).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Health and Senior Services (DHSS)** state the proposed legislation creates a new program requirement for the DHSS. Additional staff will be necessary to carry-out the new program responsibilities. Currently the department does immunization validating work with schools and child care facilities. Based on this, it is assumed three FTEs (two Health Program Representative IIIs, \$38,040 annually; and one Office Support Assistant-KeyBoard, \$22,428 annually) will be required to perform program activities within each of the two regions of the state.

Health Program Representative IIIs - There are approximately 60 public institutions of higher education. To meet all the needs of the proposed legislation, the program requires two Health Program Representative IIIs to accomplish the following: promulgate rules and regulations; collect baseline information of the students who reside in on-campus housing, and the number of students requiring meningococcal vaccine; to provide education and training for college and university staff on reporting requirements. Staff will also need to visit each public institution of higher education to review all self-reported data and validate the information.

Office Support Assistant-KeyBoard - To meet all the needs of the proposed legislation, the program requires one Office Support Assistant-KeyBoard to accomplish the following: schedule staff visits to each of the public institutions of higher education, make travel arrangements, prepare for the staff visits, data entry of the findings from each visit, file reports, and make copies.

Information Technology (IT) will be needed to develop an on-line system to capture data from each public institution of higher education in Missouri. The data system shall collect the immunization status of all students who reside in the institution's on-campus housing. It shall also have the capability to generate reports detailing the number of students who have received the meningococcal vaccine and the number of students who have signed exemptions on file.

The Office of Administration - Information Technology Services estimates the following is needed to develop and maintain the on-line system:

- IT Consultants - to provide application development services for the application design, development and implementation. (1,040 hours x \$85.00 per hour, which is consistent with existing statewide IT Consulting contract);
- Information Technology Specialist II - Application Development Project Manager to provide IT project management, development support and on-going administration of the application. (1/4 of an FTE in the first year (\$13,863) and 1/8 of an FTE ongoing (\$6,931)); and,
- Information Technologist - Application Developer to provide on-going development and maintenance of the application. (1/2 of an FTE in the first year (\$22,554) and 1/4 of an FTE ongoing (\$11,277)).

ASSUMPTION (continued)

Total costs for the General Revenue Fund for FY 14 are estimated to be \$309,225; FY 15 costs are estimated to be \$209,695; and FY 16 costs are estimated to be \$211,519.

**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.

Officials from the **University of Central Missouri (UCM)** estimates a fiscal impact from this proposal will result from an increase in costs to track compliance for the meningococcal vaccination or fronting the cost of the vaccinations. Currently, UCM requires vaccinations for all incoming students living in the dorms, with an option to sign a waiver instead. If UCM needed to verify medical/religious exemption documents or advance the cost of the required vaccination for students unable to provide exemption documents, costs could range up to \$10,000 per year. If UCM were able to verify exemption at little cost and recoup or pass on all immunization costs, increased costs would be little or none.

**Oversight** assumes costs incurred by institutions of higher education will generally be recouped from students and any costs not recovered will be minimal and absorbable within current funding levels.

Officials from the **Department of Social Services (DSS)** state section 160.2100, Erin’s Law, has no impact on the DSS. The director of the department, or his or her designee, is already a member of the task force. No new duties are assigned to the members of the task force. The one new requirement in the proposal, the production of an annual report beginning January 1, 2014, is the responsibility of the Department of Elementary and Secondary Education.

Section 174.335 requires all students residing in on-campus housing at public institutions of higher education provide proof of having received the meningococcal vaccine or provide a signed statement of medical or religious exemption. The institution’s administration must maintain these records and provide them to the Department of Health and Senior Services, who is charged with enforcement of this section.

The MO HealthNet Division (MHD) believes the number of young adults in college who are enrolled in Medicaid and did not receive the meningococcal vaccine at an earlier age is small and will not cause a significant fiscal impact to the program.

ASSUMPTION (continued)

Section 210.950 modifies provisions relating to the Safe Place for Newborns Act of 2002. While there is a possibility of an increased number of infants entering the Children's Division's (CD) custody, because the age requirement is increased 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 and the CD can absorb any cost with existing resources.

Section 595.220 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 establishing conditions and definitions for emergency and non emergency forensic examinations.

There is no fiscal impact to the CD in the drafting of rules by the Department of Public Safety; however, it 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. Therefore, the CD assumes there will be no fiscal impact.

Section 1 allows school districts and charter schools to provide high school students enrolled in health education at least 30 minutes of age and grade appropriate classroom instruction relative to the Safe Place for Newborns Act. The curriculum should include an explanation of the act; what relinquishment means; the process to be followed by a parent; and the general locations where an infant may be left in the care of certain people. This section is permissible (may), not mandatory (shall). The cost, if any, for the Division of Youth Services to pass this information on to its students would be minimal.

Officials from the **Department of Elementary and Secondary Education (DES)** state costs will likely be incurred to prepare the required report; however, costs are not expected to be significant and therefore, should be absorbable within current funding levels.

Officials from the **Office of Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes this is a small amount and does not expect that additional funding would be required to meet these costs. However, it is also recognized that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain within its core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

ASSUMPTION (continued)

Officials from the **Joint Committee on Administrative Rules (JCAR)** state the legislation is not anticipated to cause a fiscal impact to JCAR beyond its current appropriation.

Officials from the **Office of State Courts Administrator**, the **Department of Mental Health**, the **Department of Revenue**, the **Department of Public Safety - Missouri State Highway Patrol**, the **Columbia/Boone County Department of Public Health and Human Services**, the **Parkway School District**, **Metropolitan Community College**, **Northwest Missouri State University** and the **University of Missouri** each assumed the proposal would not fiscally impact their respective agencies.

Officials from the **Department of Higher Education** did not respond to **Oversight's** request for a statement of fiscal impact.

No additional local public health agencies, schools or colleges and universities responded to **Oversight's** request for a statement of fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
<b>GENERAL REVENUE FUND</b>			
<u>Costs - DHSS - § 174.335</u>			
FTE, data system development and brochure design and printing	<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
<b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>	<b><u>(More than \$100,000)</u></b>	<b><u>(Unknown)</u></b>	<b><u>(Unknown)</u></b>
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
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

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.

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  
Department of Revenue  
Department of Social Services  
Department of Public Safety -  
    Missouri State Highway Patrol  
Joint Committee on Administrative Rules  
Office of Secretary of State  
Columbia/Boone County Department of Public Health and Human Services  
Parkway School District  
Metropolitan Community College  
Northwest Missouri State University  
University of Central Missouri  
University of Missouri

**Not Responding:**

Department of Higher Education



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