

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0372-01
Bill No.: HB 104
Subject: DSS; Amends provisions related to caregiver qualifications and registration.
Type: Original
Date: February 5, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
General Revenue	(\$98,156)	(\$6,411)	(\$6,604)
Total Estimated Net Effect on <u>All</u> State Funds	(\$98,156)	(\$6,411)	(\$6,604)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	(Unknown)	(Unknown)	(Unknown)

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** stated the proposed legislation would not have a fiscal impact on their organization.

Officials from the **Department of Mental Health (DMH)** stated changes in this legislation could increase the volume of contacts to the DMH, but there is no way to determine whether or how much of an increase in volume will occur with the implementation of this legislation.

Oversight assumes that any increase in the volume of contacts to the DMH could be absorbed with current funding levels.

Officials from the **Department of Social Services (DOS) - Division of Aging (DA)** stated Section 198.070 requires the DA to place on its Employee Disqualification List (EDL) the names of any persons for whom there exists probable cause findings of child abuse or neglect pursuant to section 210.110 and 210.145, RSMo. There are currently 715 names on the DOS' employee disqualification list and more than 83,000 names on the Division of Family Services abuse/neglect cause register.

The DA officials stated the DA provides a printed copy of the EDL annually and a printed update quarterly to approximately 1,250 licensed long-term care facilities; 370 in-home services providers, 75 adult day cares, and 30 temporary staffing agencies. These provider agencies are required to screen all potential applicants to see if their names have been placed on the EDL listing.

The DA officials go on to state that since the printed copy of a consolidated disqualification list would be cumbersome as a result of its size, approximately 14 reams of paper, the printed list would no longer be a user friendly format for provider agencies. The fiscal impact of printing and mailing such an annual EDL at over 115 times its current size as well as printing and mailing quarterly updates to approximately 1,725 provider agencies would increase costs by over \$1.4 million each year.

Therefore, the DA, in lieu of mailing hard copies, assumes that the current Internet web site and interactive voice response (IVR) telephone system may be utilized by providers. Both the Internet site and the IVR are secure systems with user authorization and password protection. The DA assumes that data contained within the CAN registry could be downloaded into the EDL data base periodically, expanding the current listing from 715 names to nearly 84,000 names. The increased data storage space would cost approximately \$100. If the current number of telephone lines are not capable of supporting the larger DA data base, then additional lines, ports and other hardware upgrades will be required. The total additional one-time cost is estimated to be approximately \$84,000, with ongoing maintenance and line costs of approximately \$6,600 annually.

ASSUMPTION (continued)

The DA officials stated the proposed legislation could have an indeterminate cost to local government units if facilities would be required to review information added to the various listings and dismiss existing staff as a result of their being added to an existing disqualification list as a part of this consolidation of listings effort. The costs would directly relate to recruiting and training replacement staff. The DA officials also stated that, additionally, the cost of telephone line or modem changes are anticipated to increase due to a longer data base search time.

Officials from the **DOS - Division of Legal Services (DLS)** stated there would be minimal or no impact on the DLS.

Officials from the **DOS - Division of Family Services (DFS)** stated 1.5 contractors would be necessary at \$75.00 per hour. If no change in the information requested of the Child Abuse/Neglect registry is required, it would take 14 days to create a file to transfer information to the DA. Therefore, total costs would be \$12,600.

Officials from the **Department of Corrections (DOC), Missouri Highway Patrol (MHP), and Office of Attorney General (AG)** did not respond to our request for fiscal impact statements.

Oversight assumes the proposed legislation would not fiscally impact the DOC, MHP, and AGO.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
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GENERAL REVENUE FUND

Costs - Department of Social Services

Division of Aging

Equipment and Expenses	<u>(\$85,556)</u>	<u>(\$6,411)</u>	<u>(\$6,604)</u>
Total <u>Costs</u> - Division of Aging	<u>(\$85,556)</u>	<u>(\$6,411)</u>	<u>(\$6,604)</u>

Costs - Department of Social Services

Division of Family Services

Equipment and Expense	<u>(\$12,600)</u>	<u>\$0</u>	<u>\$0</u>
Total <u>Costs</u> - Division of Family Services	<u>(\$12,600)</u>	<u>\$0</u>	<u>\$0</u>

Total <u>Costs</u> - Department of Social Services	<u>(\$98,156)</u>	<u>(\$6,411)</u>	<u>(\$6,604)</u>
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ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>(\$98,156)</u>	<u>(\$6,411)</u>	<u>(\$6,604)</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
<u>Costs - Local Political Subdivisions</u>			
Employee Verification	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
Total <u>Costs</u> - Local Government	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON LOCAL GOVERNMENT	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

FISCAL IMPACT - Small Business

The proposed legislation would add to the Employee Disqualification List persons on the Child Abuse/Neglect Registry and would prohibit such persons from being employed by elder care facilities and agencies, thereby, reducing the pool of available employees.

DESCRIPTION

The proposed legislation would add those persons for whom there exists a probable cause finding of child abuse or neglect to the Division of Aging's employee disqualification list and would require the employee disqualification list maintained by the Department of Mental Health to be included in the Family Care Safety Registry and Access Line maintained by the Department of Social Services. In addition, the proposed legislation would require elder-care providers to access the registry to satisfy the employee disqualification provision.

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

Department of Mental Health
Department of Social Services
Office of State Courts Administrator

NOT RESPONDING:

**Department of Corrections
Missouri Highway Patrol
Office of Attorney General**



Jeanne Jarrett, CPA
Director
February 5, 2001