

PREPARED BY: Liz Hruska  
 DATE PREPARED: February 19, 2020  
 PHONE: 402-471-0053

**LB 1185**

Revision: 00

**FISCAL NOTE**  
 LEGISLATIVE FISCAL ANALYST ESTIMATE

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)</b>				
	<b>FY 2020-21</b>		<b>FY 2021-22</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS				
CASH FUNDS	\$45,250	\$45,250	\$45,250	\$45,250
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>\$45,250</b>	<b>\$45,250</b>	<b>\$45,250</b>	<b>\$45,250</b>

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

This bill requires child care providers and all their staff to submit to criminal background checks before the provider can participate in the federal Child Care Subsidy Program. The cost of the criminal background check would be paid by the individual.

The State Patrol estimates an additional technician would be needed to process the criminal background check. The cost is \$45,250 in FY 2021 and FY 2022. The estimated revenue equals the expenditures.

Non-compliance with the federal requirement for criminal background checks could result in the loss of up to 5% of the Child Care and Development Block Grant of \$1,448,589.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>		
LB: 1185 - REVISED AM:	AGENCY/POLT. SUB:) Department of Health and Human Services (DHHS)	
REVIEWED BY: Elton Larson	DATE: 2/19/2020	PHONE: (402) 471-4173
COMMENTS: No basis to disagree with DHHS analysis and estimate of fiscal impact.		

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) Mike Michalski

Date Prepared 2-19-2020

Phone: (5) 471-6719

**FY 2020-2021**

**FY 2021-2022**

	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
<b>GENERAL FUNDS</b>				
<b>CASH FUNDS</b>				
<b>FEDERAL FUNDS</b>				
<b>OTHER FUNDS</b>				
<b>TOTAL FUNDS</b>	See below	\$0	See below	\$0

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

LB1185 will require unlicensed providers of child care to submit a request for a national criminal history background check for each child care staff member, prospective child care staff members, and residents of a child care home eighteen years of age or older in order to participate in the federal Child Care Subsidy program. The childcare staff member or the childcare provider seeking to participate in the subsidy program shall pay the cost of the background check. No state funds will be used.

By not implementing fingerprint checks, up to 5% of CCDBG discretionary funds are subject to penalty. This equates to \$1,448,589 (total FFY19 Discretionary award is \$28,971,778).

The Department of Health and Human Services will be required to complete a minor rule and regulation change as a result of LB1185. DHHS will absorb the estimated costs listed below to complete this regulation change.

Title	Hour(s)	Hourly Cost	Absorbed Cost
Director	1	\$ 74.28	\$ 74
Deputy Director	1	\$ 53.48	\$ 53
Administrator I	1	\$ 30.82	\$ 31
Program Specialist	2	\$ 22.52	\$ 45
Program Analyst	4	\$ 21.91	\$ 88
Attorney III	10	\$ 33.82	\$ 338
<b>Total Costs</b>	<b>19</b>		<b>\$ 629</b>

**MAJOR OBJECTS OF EXPENDITURE**

PERSONAL SERVICES:	NUMBER OF POSITIONS		2020-2021	2021-2022
	20-21	21-22	EXPENDITURES	EXPENDITURES
POSITION TITLE				
Benefits.....				
Operating.....				
Travel.....				
Capital Outlay.....				
Aid.....				

Capital Improvements.....

**TOTAL**.....

\$0	\$0
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Please complete ALL (5) blanks in the first three lines.

**2020**

**LB<sup>(1)</sup> 1185**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska State Patrol

Prepared by: <sup>(3)</sup> Carol Aversman Date Prepared: <sup>(4)</sup> 2/19/2020 Phone: <sup>(5)</sup> \_\_\_\_\_

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2020-21</u>		<u>FY 2021-22</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	\$45,250	\$45,250	\$45,250	\$45,250
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>\$45,250</u>	<u>\$45,250</u>	<u>\$45,250</u>	<u>\$45,250</u>

**Explanation of Estimate:**

LB 1185 requires that beginning on October 1, 2020, an individual who is not required to be licensed under the Child Care Licensing Act but seeks to participate as a provider in the federal Child Care Subsidy program shall submit a request for a national criminal history record information check for each child care staff member, including a prospective child care staff member of the child care provider, (i) prior to the child care provider being approved to participate as a child care provider in the federal Child Care Subsidy program, except as otherwise permitted under 45 C.F.R. 98.43, as such regulation existed on January 1, 2020, or (ii) prior to residing in a family child care home. The State Patrol estimates that in order to process the additional criminal history record information checks, one additional staff person will be needed. The fiscal note reflects 75% of the annual salary costs for Fiscal Year 2020-2021, and 100% of the annual salary costs for Fiscal Year 2021-2022.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2020-21</u>	<u>2021-22</u>
	<u>20-21</u>	<u>21-22</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
State Patrol Criminal Identification Records Technician	1	1	\$22,353	\$26,824
			\$ 7,153	\$ 8,584
Benefits.....				
Operating.....			\$13,744	\$ 9,842
Travel.....				
Capital outlay.....			\$ 2,000	
Aid.....				
Capital improvements.....				
TOTAL.....			\$45,250	\$45,250