

Revised to include agency response

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2008-09		FY 2009-10	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See Below		See Below	

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

This bill amends the state's safe haven law to limit the age of a child who may be left under Section 29-121 to 30 days.

The state's safe haven law was contained in LB 157 which was passed in the 2008 legislative session. No additional funding was provided. Since the time when the bill took effect, the state has experienced a number of children who have been left at Nebraska hospitals from this state and other states that has resulted in new costs to the state, although no appropriation specifically for these cases was provided.

Most of the children who have been left at Nebraska hospitals since the provisions contained in LB 157 have been in effect have been over the age of 8 and the majority of those have been preteens or teens. In most cases the parents and guardians have cited the reason they left their children was because of the emotional and behavioral problems of the children. Children who are residents and non-residents have been left. Once left at a hospital, the children are turned over to law enforcement and become state wards.

Of the children residing in Nebraska at the time they were left at a hospital, approximately half were previously or currently state wards, These children may have become state wards again even without this law and received services from the state, although the types and the intensity of services may have been different. Others were Medicaid eligible at the time they were left and would have had access to services deemed medically necessary that would be paid for by the state. Approximately 25% of the children were neither state wards nor Medicaid eligible. The state was not expending funds on this group and it is unclear if the state would have without the provisions contained in LB 157. There was and is a process whereby a parent or a guardian can access state services for a youth through voluntary relinquishment. It is unknown if these steps would have been taken by these parents or guardians.

Since the passage of the bill, several children from other states have been left at hospitals in Nebraska. Although most of these children have been returned to their own states in a short period of time, prior to being returned to their home state, they are Nebraska state wards and services have been provided to them. It is unlikely the children from out-of-state would have become Nebraska state wards without the unique provision of the Nebraska law allowing a child of any age to be left at a hospital. This is a cost the state would not have otherwise incurred. Under the provisions contained in LB 1, children from other states are not likely to be left in this state, since all of the children from other states that have been left at Nebraska hospitals were much older than 30 days and because all other states have laws similar to what is contained in this bill. Although no estimate is available, this bill will prevent future child welfare costs that would have otherwise been incurred if a child of any age could be left in a Nebraska hospital.