

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2020-21		FY 2021-22	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	525,000 - 3,932,500		525,000 - 3,932,500	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	525,000 - 3,932,500		525,000 - 3,932,500	

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

This bill would change provisions relating to payment for sexual assault forensic examinations. It states that the treatment for sexually transmitted infections and pregnancy prevention shall be paid from the Sexual Assault Payment Program Cash Fund.

The Sexual Assault Payment Program Cash Fund has no dedicated revenue source, like a court fee. Section 81-1429.03(5) states: "The fund shall consist of any money appropriated to it by the Legislature and any money received by the [Crime] [C]ommission for the program, including federal and other public and private funds".

The fund has had no activity in it since it was created by Laws 2016, LB843, § 2.

Currently, the Crime Commission pays for sexual assault forensic examinations (exam kits and medical exams) with a General Fund and Federal Fund appropriation.

It is reasonable to assume that this bill could increase expenditures because it adds items that are to be paid for by the Sexual Assault Payment Program Cash Fund.

The Crime Commission estimates the cost of this bill at \$525,000 to \$3,932,500. The agency notes it has contacted a sexual assault nurse examiner to provide estimates for their response. The low estimate is based on four of the most common treatments, and the high estimate is based on all the components of the prophylactic treatments.

The Attorney General and the State Patrol estimate no fiscal impact from this bill.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 1112	AM:	AGENCY/POLT. SUB: Nebraska Commission on Law Enforcement and Criminal Justice (078)
REVIEWED BY: Joe Wilcox	DATE: 2/04/2020	PHONE: (402) 471-4178
<p>COMMENTS: While the provisions of LB 1112 provide for an additional item to be included in the sexual assault forensic medical examination, which is "Prophylactic treatment for sexually transmitted infections and pregnancy prevention, as medically indicated," Section 1 (5) of LB 1112 (which amends Nebraska Revised Statutes, Section 81-1429.03) states the Sexual Assault Payment Program Cash Fund "shall be used to pay up to two hundred dollars for the examiner's fee, up to three hundred dollars for the examination facility fee, and for prophylactic treatment for sexually transmitted infections and pregnancy prevention." Given this wording, and assuming the volume of examinations remains as projected, at 2,000 per year, since the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) is already paying the maximum amount of \$500 for the exams, adding a new provision to the exam does not increase the actual cost to the Agency, as it can only pay up to the max limit of \$500. Therefore, the fiscal note indication of \$525,000 potential additional cost would not occur. If the new provision of exams is over and above the currently existing cap, then the \$525,000 estimate may be reasonable.</p>		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 1112	AM:	AGENCY/POLT. SUB: Nebraska Attorney General (011)
REVIEWED BY: Joe Wilcox	DATE: 1/24/2020	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Attorney General estimate of No Fiscal Impact to the Agency from LB 1112.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 1112	AM:	AGENCY/POLT. SUB: Nebraska State Patrol (064)
REVIEWED BY: Joe Wilcox	DATE: 1/31/2020	PHONE: (402) 471-4178
COMMENTS: Concur with the Nebraska State Patrol estimate of No Fiscal impact to the Agency from LB 1112.		

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

2020

LB⁽¹⁾ 1112

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ NE Commisson on Law Enf and Criminal Justice

Prepared by: ⁽³⁾ Bruce Ayers Date Prepared: ⁽⁴⁾ 2-3-2020 Phone: ⁽⁵⁾ 402-471-0359

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	<u>525,000</u>	<u> </u>	<u>525,000</u>	<u> </u>
CASH FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
FEDERAL FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
OTHER FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL FUNDS	<u>525,000</u>	<u> </u>	<u>525,000</u>	<u> </u>

Explanation of Estimate: Section (3) of LB 1112 changes the statute that governs the Sexual Assault Payment Program Cash Fund for forensic medical examinations. To the list of what can be reimbursed it adds “Prophylactic treatment for sexually transmitted infections and pregnancy prevention, as medically indicated.”

The Crime Commission administers this payment program. We have contacted a sexual assault nurse examiner and she has provided estimates for the cost range of prophylactic treatments. If only the four most common treatments are included, we estimate the cost to be an additional \$262.50 per exam. The current number of exams we are processing is estimated to be 2,000 per year. This totals \$525,000 in additional costs per exam. The current reimbursement amount is capped at \$500 per exam.

If all the components of prophylactic treatments and the percentage of patients that need these treatments are included (i.e. this adds Hepatitis B, HIV, emergency contraception) the additional cost is \$3,932,500 based on 2,000 exams per year.

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>
Benefits.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Operating.....	<u> </u>	<u> </u>	<u>525,000</u>	<u>525,000</u>
Travel.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Capital outlay.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Aid.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Capital improvements.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL.....	<u> </u>	<u> </u>	<u>525,000</u>	<u>525,000</u>

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2020

LB⁽¹⁾ 1112

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Attorney General

Prepared by: ⁽³⁾ Corey O'Brien Date Prepared: ⁽⁴⁾ 1-24-20 Phone: ⁽⁵⁾ 402-471-2687

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	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

No Fiscal Impact

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>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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2020

LB⁽¹⁾ 1112 _____

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska State Patrol _____

Prepared by: ⁽³⁾ Carol Aversman Date Prepared: ⁽⁴⁾ 1/29/2020 Phone: ⁽⁵⁾ _____

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	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

No Fiscal Impact.

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>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____