

PREPARED BY: Liz Hruska
 DATE PREPARED: March 04, 2019
 PHONE: 402-471-0053

LB 59

Revision: 00

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

| ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates) | | | | |
|---|---------------------|----------------|---------------------|----------------|
| | FY 2019-20 | | FY 2020-21 | |
| | EXPENDITURES | REVENUE | EXPENDITURES | REVENUE |
| GENERAL FUNDS | | | | |
| CASH FUNDS | | | | |
| FEDERAL FUNDS | | | | |
| OTHER FUNDS | | | | |
| TOTAL FUNDS | See Below | | See Below | |

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

This bill places timelines on investigations of facilities licensed under the Children’s Residential Facilities and Placing Licensure Act. A decision would need to be made on whether to investigate a report within five days of receipt of a report. Investigations would need to be completed within 30 days after the decision is made to investigate.

Investigations involving law enforcement often are not completed within 30 days. Additional resources would have little or no impact on the Department of Health and Human Services being able to meet the 30-day requirement due to the complexity of the investigations and need to coordinate with law enforcement.

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|--|---|-----------------------|
| ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE | | |
| LB: 59 AM: | AGENCY/POLT. SUB: Dept. of Health and Human Services (DHHS) | |
| REVIEWED BY: Elton Larson | DATE: 1 /24/2019 | PHONE: (402) 471-4173 |
| COMMENTS: No basis to disagree with analysis provided by DHHS. | | |

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 1-14-19

Phone: (5) 471-6719

| | <u>FY 2019-2020</u> | | <u>FY 2020-2021</u> | |
|----------------------|---------------------|----------------|---------------------|----------------|
| | <u>EXPENDITURES</u> | <u>REVENUE</u> | <u>EXPENDITURES</u> | <u>REVENUE</u> |
| GENERAL FUNDS | | | | |
| CASH FUNDS | | | | |
| FEDERAL FUNDS | | | | |
| OTHER FUNDS | | | | |
| TOTAL FUNDS | See Below | \$0 | See Below | \$0 |

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

LB 59 would establish new requirements for investigations under the Children’s Residential Facilities and Placing Licensure Act. It would institute a requirement that the Department review all complaints and determine whether to conduct an investigation within five working days of receiving a complaint report. Current statute does not include this time limit. Additionally, LB 59 would require the Department to issue an investigation report within 30 days of making the decision to conduct the investigation.

The Department would review and determine whether to conduct an investigation within five working days of receiving a complaint report using existing resources.

The complete cost to comply LB 59’s 30 day reporting requirement is unknown. Of the 75 investigations under the Children’s Residential Facilities and Placing Licensure Act in 2017, 31 involved either CFS or law enforcement. The time elapsed between the initiation of such an investigation and its resolution typically exceeds 30 days. Without placing time restrictions on remaining steps in the process, increasing appropriations to the Department will have little or no impact on the length of law enforcement-involved investigations. A preliminary report could be issued in such cases.

LB 1079, introduced in 2018, included similar provisions. The fiscal note for LB 1079 included 1 FTE Child Care Services/Inspection Specialist. This fiscal note does not include additional staff due to the 19% decrease in the number of licensed entities in the past year. In January 2018 there were 58 licensed entities under the act. As of January 2019 there are 47.

MAJOR OBJECTS OF EXPENDITURE

| PERSONAL SERVICES: | NUMBER OF POSITIONS | | 2019-2020 | 2020-2021 |
|---------------------------|---------------------|-------|--------------|--------------|
| | 19-20 | 20-21 | EXPENDITURES | EXPENDITURES |
| Benefits..... | | | | |
| Operating..... | | | | |
| Travel..... | | | | |
| Capital Outlay..... | | | | |
| Aid..... | | | | |
| Capital Improvements..... | | | | |
| TOTAL..... | | | See above | See above |