

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2023-24		FY 2024-25	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$42,196			
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$42,196			

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

This bill establishes the Nebraska Human Breast Milk Bank and authorizes the Department of Health and Human Services (DHHS) to establish standards for transporting, processing, and distributing commercial human breast milk. The bill permits DHHS to form a committee of subject matter experts in order to develop programs to encourage the creation of breast milk depositories and banks.

The purpose of the Nebraska Human Breast Milk Bank is to accept and provide breast milk to assist mothers and guardians in providing breast milk to their infants, to screen breast milk collected before distribution, and comply with the standards set by DHHS.

This legislation would be effective 90 days following adjournment.

DHHS estimates needing additional funds for part-time personnel and administrative research allowance in FY24 to develop, publish and distribute promotional materials to encourage the establishment of human breast milk banks in Nebraska. The cost totals to \$42,196 attributable to Program 33 – Administration.

Technical note: this bill nominally creates the Nebraska Human Breast Milk Bank but does not require DHHS to act beyond establishing standards for and encouraging the creation of breast milk depositories and banks.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE				
LB:	12	AM:	AGENCY/POLT. SUB: Nebraska Department of Health & Human Services	
REVIEWED BY:	Ann Linneman	DATE:	1-26-2023	PHONE: (402) 471-4180
COMMENTS: The Nebraska Department of Health and Human Services' analysis and estimate of fiscal impact to the department appears reasonable.				

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

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

Prepared by: (3) John Meals

Date Prepared 1-26-2023

Phone: (5) 471-6719

	FY 2023-2024		FY 2024-2025	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$42,196	\$0	\$0	\$0
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$42,196	\$0	\$0	\$0

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

Explanation of Estimate:

LB 12 creates the Nebraska Human Breast Milk Bank and requires the Department of Health and Human Services (DHHS) to establish standards for the transporting, processing, and distributing of commercial human breast milk. This fiscal note estimate is based upon the following assumptions:

- a) Development of standards to take place during the FY 2023-2024 fiscal year with regulations and promotional programs to occur in the FY 2024-2025 fiscal year.
- b) Staff costs include time to review existing research studies, consult with subject matter experts and consult with existing non-profit human breast milk banks.
- c) Administrative costs include an allowance of \$10,000 for the purchase of copyrighted research materials; guidelines as published by other entities and payment to expert consultants.
- d) The resulting standards created by LB 12 would be promulgated as public health regulations for compliance purposes.
- e) Staff costs also include time to develop, publish and distribute promotional materials to encourage the establishment of human breast milk banks in Nebraska.
- f) Costs to create and implement a compliance program for the resulting standards have not been included.
- g) The activities accounted for in this fiscal note would not necessarily guarantee the operation of an active milk bank. This fiscal note would only ensure the tasks in the “shall” language section are completed.

The estimated cost associated with promulgating rules and regulations for LB 12 will be absorbed by the Department and is as follows:

Title	Hour(s)	Hourly Cost	Cost
<i>Director</i>	1	\$ 77	\$ 76
<i>Deputy Director</i>	1	\$ 56	\$ 55
<i>Administrator I</i>	1	\$ 31	\$ 31
<i>Program Specialist</i>	2	\$ 23	\$ 47
<i>Program Analyst</i>	4	\$ 23	\$ 91
<i>Attorney III</i>	10	\$ 35	\$ 345
<i>Total Costs</i>			\$ 645

All costs associated with LB 12 would become part of Program 033 – Administration – 262 Public Health and recommended to be funded with General Funds.

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:

POSITION TITLE	NUMBER OF POSITIONS		2023-2024	2024-2025
	23-24	24-25	EXPENDITURES	EXPENDITURES
H11521 - Community Health Educator	.25	0	\$11,797	\$0
H73320 - Program Specialist – RN	.10	0	\$7,485	\$0

Benefits.....			\$6,129	\$0
Operating.....			\$16,785	\$0
Travel.....				
Capital Outlay.....				
Aid.....				
Capital Improvements.....				
TOTAL.....			\$42,196	\$0