

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				
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 would require implicit bias training annually for certain professionals under the Uniform Credentialing Act. The Department of Health and Human Services indicates that provisions in this bill would apply to approximately 114,000 credential holders plus new applicants.

Additional one-time work DHHS will need to accomplish to implement the bill includes developing training criteria, training verification procedures, notifying credential holders of the new requirement, application form revision, and updating the website. The estimated cost of these activities is \$19,618. Additional ongoing work includes maintaining a list of approved training providers and programs, tracking adherence and provide follow up notifications, reminders, and pending actions. DHHS estimates ongoing work will require the addition of 4.5 FTE Administrative Technicians and 0.25 FTE Health Licensing Coordinators. The estimated cost of these ongoing personnel is \$328,896. To offset the costs, DHHS estimates an increase in fees by \$6 for each biennial credential however no increase in revenue would appear until several annual cycles are completed and a cost analysis performed.

DHHS indicates that current cash authority for Program 178 Professional Licensure is sufficient to cover the additional costs however additional PSL allowance within the appropriation would be required.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 291	AM:	AGENCY/POLT. SUB: Department of Health and Human Services	
REVIEWED BY: Jacob Leaver	DATE: 3/7/2023	PHONE: (402) 471-4173	
COMMENTS: The Department of Health and Human Services' estimated fiscal impact and ability to accommodate within existing appropriation as a result of LB 291 seems 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 3-6-2023

Phone: (5) 471-6719

	<u>FY 2023-2024</u>		<u>FY 2024-2025</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$0	\$0	\$0	\$0

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

Explanation of Estimate:

LB 291 requires that implicit bias type training be completed on an annual basis by certain professions under the Uniform Credentialing Act. This training will be required for an individual’s credential to remain valid from year to year. LB 291 would apply to approximately 114,000 credentialed individuals plus new applicants beginning with the first renewal period that begins on or after October 1, 2024. LB 291 also provides authority to the Department of Health and Human Services (DHHS) to review and approve training programs that are deemed to satisfy these requirements. LB 291 as written, would be self-executing and not require DHHS to change any existing rules and regulations for each profession or occupation.

LB 291 would require DHHS to verify mandatory training has been completed every year for the credential to remain valid. Currently, credentialing requirements are verified each biennial licensing renewal period and during the initial application process.

This estimate includes DHHS opting to review and approve programs that contain implicit bias or diversity, equity, and inclusion content.

To implement LB291, DHHS would need to perform the following additional work prior to October 1, 2024:

Develop the process and criteria for training program submissions, review and approval per LB 291, Section (3)(a). This work is estimated to require 2 DHHS Program Manager II personnel 10 hours each.

Develop the process for individuals to submit proof of training on an annual basis and subsequent DHHS tracking and adherence procedures. The training requirement could easily be added to the existing Licensing software for the renewal year or initial application period only. A separate method, module or database would need to be created for tracking non-renewal years. This work would require 2 DHHS Program Manager II personnel, 80 hours each; 1 Administrative Specialist, 80 hours; and 1 IT Business System Analyst, 120 hours.

Provide notification to all existing licensees of the new requirement. It is expected the notification could be provided with each credentialing categories’ renewal notification with minimal additional work required of the Licensure Unit.

Revise application forms for all applicable credentialing categories. This work would require 1 Health Licensing Coordinator 48 hours to complete and re-publish to the credentialing website.

Update the DHHS public website with information regarding the new requirements and process; provide a list of approved programs with links to access in-person and online training. This work would require 1 Administrative Specialist approximately 40 hours to complete.

The total estimated cost for implementation is \$19,618. The department will absorb these costs within current staffing and appropriations.

POSITION(S)			FISCAL YEAR 2023-2024					
Job Code	Job Title	Hourly Rate	No. of Hours	FTE	Pay	Benefits (35%)	Operating costs (26.7%)	Total
V78792	DHHS Program Manager II	\$ 29,244	90.00	2.00	\$ 5,264	\$ 1,842	\$ 1,897	\$ 9,003
K01014	Administrative Specialist	\$ 18,443	120.00	1.00	\$ 2,213	\$ 775	\$ 798	\$ 3,786
X01740	Health Licensing Coordinator	\$ 20,200	48.00	1.00	\$ 970	\$ 340	\$ 350	\$ 1,660
A07081	IT Business Systems Analyst	\$ 25,181	120.00	1.00	\$ 3,022	\$ 1,058	\$ 1,089	\$ 5,169
		\$ -			\$ -	\$ -	\$ -	\$ -
		\$ -			\$ -	\$ -	\$ -	\$ -
		\$ -			\$ -	\$ -	\$ -	\$ -
		\$ -			\$ -	\$ -	\$ -	\$ -
			378.00	5.00	\$ 11,469	\$ 4,015	\$ 4,134	\$ 19,618

After the implementation of LB291, DHHS would need to perform the following additional work on an ongoing basis:

Maintaining the list of approved training providers and programs would require minimal additional work to the Licensure Unit.

Track approximately 114,000 licensees' adherence to the requirements annually and provide follow up notifications, reminders, and pending actions.

Based upon the average work time of 5 minutes per credential, the additional work would require approximately 9,500 hours per year. An additional 4.5 FTE Administrative Technicians with a .25 FTE Health Licensing Coordinator as Supervisor would be needed to accomplish this work.

Total estimated annual cost to administer LB291 is \$328,896.

POSITION(S)				FISCAL YEAR 2024-2025					
Job Code	Job Title	Hourly Rate	Hours per Year	5% increase	FTE	Pay	Benefits (35%)	Operating costs (26.7%)	Total
K01014	Administrative Specialist	\$ 18,443	2,080	\$ 19,365	4.50	\$ 181,258	\$ 63,440	\$ 65,334	\$ 310,032
X01740	Health Licensing Coordinator	\$ 20,200	2,080	\$ 21,210	0.25	\$ 11,029	\$ 3,860	\$ 3,975	\$ 18,864
		\$ -	-	\$ -		\$ -	\$ -	\$ -	\$ -
		\$ -	-	\$ -		\$ -	\$ -	\$ -	\$ -
					4.75	\$ 192,287	\$ 67,300	\$ 69,309	\$ 328,896

This estimate is based on all costs associated with the implementation phase to occur during FY2023-FY2024 and the first year's training completion submissions to occur during FY2024-FY2025.

Estimated Revenue: Costs associated with the implementation and subsequent continuing work would be incurred under Program 178 – Professional and Occupational Credentialing Cash Fund. Per the Uniform Credentialing Act, costs would be included in a future analysis to determine if any adjustment in licensing fees would be necessary to support this work. Based upon the current estimate, the maximum amount of revenue increase that may be required is \$6 for each biennial credential. No increase in revenue would be anticipated until several annual cycles have been completed and cost analysis performed. DHHS is delaying a request for additional cash spending authority until such determination can be made.

Should LB 291 be amended to change the annual training requirement to coincide with the credentialing renewal dates, the estimated additional cost would be approximately \$164,448 per biennial period.

The Department would need the additional PSL in Program 178 Professional Licensure beginning in FY2024-25. The department believes sufficient total cash authority exists within current appropriation in program 178.

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:

POSITION TITLE	NUMBER OF POSITIONS		2023-2024	2024-2025
	23-24	24-25	EXPENDITURES	EXPENDITURES
K01014 Administrative Specialist		4.5		\$181,258
X01740 Health Licensing Coordinator		.25		\$11,029
Benefits.....				
Operating.....				
Travel.....				
Capital Outlay.....				
Aid.....				
Capital Improvements.....				
TOTAL.....			PSL only	\$192,287