

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$727,915	\$402,668	\$577,903	\$805,335
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$727,915	\$402,668	\$577,903	\$805,335

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

LB 308 is the Health Care Staffing Agency Registration Act.

Section 2 provides definitions for the act.

Under LB 308, a health care staffing agency shall register annually with the Department of Labor (DOL). Applicants shall certify that the agency will not enforce any noncompete clause in any contract existing prior to registration with any health care entity or staff worker restricting any manner of employment opportunities of a staff worker. An annual registration fee of one thousand five hundred dollars (\$1,500) shall be paid to DOL.

LB 308 does not create, nor does it identify, a cash fund to receive such fees and make expenditures to administer the program. In absence of such language, it is assumed that the costs to run the program and any fees collected will be borne by the General Fund.

Section 4 requires health care staffing agencies to comply with certain requirements such: as documenting that each staff worker meets the minimum licensing, certification, and health requirements as are applicable, and maintaining a record for each staff worker and provide any required documentation to external parties or regulators, and reporting requirements to DOL.

Section 7 requires DOL to establish a system for the public to report complaints which shall be investigated by DOL.

Section 8 requires DOL to create a database of health care staffing agencies registered under the Act. DOL shall make the database accessible to the public on the DOL website.

Section 11 provides an operative date of January 1, 2026.

The Department of Labor estimates the need for 3.13 FTE in fiscal year 2026 as the program starts up. This number rises to 4.39 in fiscal year 2027, when a full fiscal year of costs will be realized. The cost for hearings is estimated to be \$90,000 per year, based on an assumed 15 hearings taking 40 hours each, multiplied by \$150 per hour. IT costs are estimated at \$442,672 for the initial bid and \$103,080 per year for annual maintenance costs. There is no basis to disagree with these estimates.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE				
LB: 308	AM:	AGENCY/POLT. SUB: Nebraska Secretary of State		
REVIEWED BY: Gary Bush	DATE: 01/21/2025	PHONE: (402) 471-4161		
COMMENTS: Agree with the agency estimate of No Fiscal Impact.				

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE				
LB: 308	AM:	AGENCY/POLT. SUB: Nebraska Department of Labor		
REVIEWED BY: Gary Bush	DATE: 01/23/2025	PHONE: (402) 471-4161		
COMMENTS: The agency's estimate of the General Fund impact appears to be reasonable given the assumptions used.				

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

2025

LB⁽¹⁾ 308

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Department of Labor

Prepared by: ⁽³⁾ Rea Easton Date Prepared: ⁽⁴⁾ 1/22/2025 Phone: ⁽⁵⁾ 402-416-6809

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2025-26</u>		<u>FY 2026-27</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>727,915</u>	<u>402,668</u>	<u>577,903</u>	<u>805,335</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><u>727,915</u></u>	<u><u>402,668</u></u>	<u><u>577,903</u></u>	<u><u>805,335</u></u>

Explanation of Estimate:

LB308 creates the Health Care Staffing Agency Registration Act. The Nebraska Department of Labor (NDOL) is responsible for the administration of the Act. LB308 requires NDOL to create and maintain a registration for all health care staffing agencies doing business in Nebraska. Health care staffing agencies are required to register with NDOL on an annual basis. Further, Section 4 requires health care staffing agencies to report additional information on a quarterly basis to NDOL. Section 7 requires NDOL to establish a system to receive complaints and gives the Commissioner of Labor authority to investigate alleged violations of the Act, issue citations, and revoke registrations. The Commissioner of Labor may designate an attorney to represent him or her in civil actions to enforce the Act.

As defined in LB308, NDOL estimates 536 employers currently doing business in Nebraska will be required to register under the Act. Registration fees are \$1,500 per year for \$804,000 per year in revenue, which will be remitted to the State Treasurer for credit to the General Fund. LB308 includes an operative date of January 1, 2026, which provides six months of impact during the first state fiscal year.

To administer the program, NDOL will need 1 Administrative Technician and 2 Labor Law Specialists. Additionally, NDOL will use contract hearing officers for conducting appeals. NDOL estimates 15 hearings per year. Each hearing will take approximately 40 hours of work from the hearing officer at a rate of \$150 per hour for a total of \$90,000 per year.

NDOL will need 1 Attorney III for developing regulations, advising on program operations, and representing the commissioner in enforcement of the Act.

NDOL will use its IT team for development of the registration system. As drafted, the registration requires several documents which NDOL will need to store. IT costs are estimated at \$442,672 for initial build and \$103,008 for annual maintenance costs.

Initial Costs include 1 full time Web Developer for 6 months, 30 days work from a NDOL Database Administrator, 1 full time Business Analyst for 6 months, 20 hours from an OCIO Senior Database and System Administrator, and costs for additional server and database storage.

Additionally, NDOL will use Nebraska Interactive to set up an online payment portal. This cost is free to the agency, but all online payments have a \$12.45 transaction fee. 20% of total transaction fees goes to the Nebraska Secretary of State. This would be approximately \$1,335 per year.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	<u>25-26</u>	<u>26-27</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
IT Web Developer	.50	.23	71,878	34,055
IT Database Analyst	.13	.06	17,969	8,884
IT Business System Analyst	.50	.10	58,809	12,115
Administrative Technician	.50	1.00	22,867	47,107
Attorney III	.50	1.00	48,289	99,475
Labor Law Specialist	1.00	2.00	55,482	114,292
Total Salaries	3.13	4.39	275,294	315,928
Benefits			99,286	113,941
Operating			344,935	148,034
Travel				
Capital outlay			8,400	
Aid				
Capital improvements				
TOTAL			727,915	577,903

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2025

LB⁽¹⁾ 308

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Secretary of State

Prepared by: ⁽³⁾ Joan Arnold Date Prepared: ⁽⁴⁾ 1-16-2025 Phone: ⁽⁵⁾ 402-471-2384

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2025-26</u>		<u>FY 2026-27</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>2025-26</u>	<u>2026-27</u>
	<u>25-26</u>	<u>26-27</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____