

PREPARED BY: Liz Hruska  
 DATE PREPARED: March 11, 2017  
 PHONE: 402-471-0053

**LB 450**

Revision: 00

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2017-18</b>		<b>FY 2018-19</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$38,189		\$39,266	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>\$38,189</b>		<b>\$39,266</b>	

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

This bill creates the Patient Choice at End of Life Act. The Act allows a terminally ill adult with the capacity to make medical decisions to make a request for a prescription for aid-in-dying medication. The Department of Health and Human Services is required to annually review a sample of records maintained pursuant to the Act and adopt rules and regulations for additional reporting requirements for physicians and pharmacists. An annual report to the Legislature is also required.

The Department of Health and Human Services estimates the need for a half-time research analyst and less than half-time epidemiologist. These costs are based on a similar law in Oregon. Due to the regulatory requirements in this bill, some additional costs are reasonable. Staff and operating costs would be \$38,189 in FY 2017-18 and \$39,266 in FY 2018-19. The costs beyond the first biennium are anticipated to decrease.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSES</b>			
LB: 450	AM:	AGENCY/POLT. SUB: Department of Health and Human Services (DHHS)	
REVIEWED BY: Elton Larson		DATE: 3/8/2017	PHONE: <a href="tel:4024714173">(402) 471-4173</a>
COMMENTS: DHHS analysis and estimate of fiscal impact appear 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) Karen Gatherer

Date Prepared:(4) 1-17-17

Phone: (5) 471-6351

	<b>FY 2017-2018</b>		<b>FY 2018-2019</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
<b>GENERAL FUNDS</b>	\$38,879		\$48,307	
<b>CASH FUNDS</b>				
<b>FEDERAL FUNDS</b>				
<b>OTHER FUNDS</b>				
<b>TOTAL FUNDS</b>	\$38,879	\$0	\$48,307	\$0

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

**Explanation of Estimate:**

LB 450 would adopt the Patient Choice at End of Life Act, which would enable individuals meeting outlined criteria to request a prescription for aid-in-dying medication from a health care practitioner. LB 450 would require the Department to adopt rules and regulations pertaining to the Act, review a sample of patients' medical records maintained by facilities, and submit an annual compliance and statistical report to the Legislature.

Similar legislation has been in place in Oregon since 1997. Information on implementation and ongoing staffing requirements from the Oregon Health Authority informed the Department's estimates.

The Department would require 0.50 FTE Research Analyst II in FY 2017-18 and FY 2018-19 and one month at 0.50 FTE of a Medical Epidemiologist in FY 2017-18 and FY 2018-19. The Department would need to establish reporting requirements for physicians, mental health specialists, and pharmacists. Confidential information, including but not limited to age, gender, race, ethnicity, and language of patients would be collected in order to produce the annual compliance and utilization statistical report for the Legislature. The Department expects staffing requirements would eventually lessen as activities are streamlined, but this is expected to take place beyond the two-year scope of this fiscal note.

**MAJOR OBJECTS OF EXPENDITURE**

PERSONAL SERVICES:	POSITION TITLE	NUMBER OF POSITIONS		2017-2018	2018-2019
		17-18	18-19	EXPENDITURES	EXPENDITURES
	Research Analyst II	0.375	0.50	\$15,822	\$21,095
	Medical Epidemiologist	0.04	0.04	\$5,930	\$5,930
	Benefits.....			\$7,437	\$9,241
	Operating.....			\$9,691	\$12,041
	Travel.....				
	Capital Outlay.....				
	Aid.....				
	Capital Improvements.....				
	<b>TOTAL.....</b>			\$38,879	\$48,307