

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0494-01
Bill No.: SB 24
Subject: Elderly; Health Care; Health Care Professionals; Law Enforcement Officers and Agencies; Medical Procedures and Personnel; Mental Health Department; Nurses; Physicians; Social Services Department
Type: Original
Date: January 17, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
General Revenue	(Unknown less than \$100,000)	(Unknown less than \$100,000)	(Unknown less than \$100,000)
Total Estimated Net Effect on General Revenue Fund	(Unknown less than \$100,000)	(Unknown less than \$100,000)	(Unknown less than \$100,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Mental Health** and **Department of Social Services** assume this proposal would not fiscally impact their agencies.

Officials from the **Department of Public Safety - Missouri State Highway Patrol (MHP)** assume this proposal would not fiscally impact their agency because Section 590.010 already defines a peace officer as “a law enforcement officer of the state or any political subdivision of the state with power to arrest for a violation of the criminal code or declared or deemed to be a peace officer by state statute.” MHP states adding the phrase “law enforcement officer” to 660.300, when it already says “peace officer,” would not appear to have any impact.

Officials from the **Department of Health and Senior Services (DOH)** state Section 660.260 requires the DOH to make a prompt and thorough investigation to determine the need for protective services and adds that the DOH may refer to the Department of Mental Health for protective intervention and oversight of clients being served by the Department of Mental Health. The DOH assumes that the Department of Mental Health will determine the impact of cases that

may be referred to their department for protective intervention and oversight.

ASSUMPTION (continued)

In FY02 the DOH investigated 12,976 Class I and Class II hotline investigations. There were 2,268 Class I and 10,708 Class II hotline investigations in FY02. Out of the Class I hotlines (those who are classified as imminent danger) 92% are seen within 24-48 hours. DOH estimates that 42% of all Class II hotlines (those where there is a direct or immediate relationship to the health, safety, welfare of the reported adult but which does not create imminent danger) are seen within 24-48 hours. Therefore, the DOH assumes that the policy as described above meets the legislative intent of the proposal and would require no change in operation within the Division of Senior Services. DOH assumes no fiscal impact as a result of this proposal.

Officials from the **Department of Corrections (DOC)** state that in FY 2002, there were no admissions to prison for failure to report elderly abuse. DOC states in FY 2002 there were 6 open probation and parole cases related to elderly abuse. Therefore, DOC assumes fiscal impact related to this proposal would be unknown and less than \$100,000.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
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GENERAL REVENUE

<u>Costs - Department of Corrections</u>			
Incarceration/probation costs	<u>(unknown less than \$100,000)</u>	<u>(unknown less than \$100,000)</u>	<u>(unknown less than \$100,000)</u>

ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>(UNKNOWN LESS THAN \$100,000)</u>	<u>(UNKNOWN LESS THAN \$100,000)</u>	<u>(UNKNOWN LESS THAN \$100,000)</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal modifies the investigation and reporting of elder abuse and neglect for in-home services to the elderly. The definition of "eligible adult" is broadened to include any person sixty years of age or older who is unable to protect his or her own interests or is unable to meet his or her essential human needs.

When the Department of Social Services is investigating whether an eligible adult is in serious physical danger and in need of protective services, referrals for protective intervention and oversight will be provided to clients served by the Department of Mental Health.

Any nurse practitioner, physician's assistant, hospital and clinic personnel, probation or parole officer, law enforcement officer, and adult day care worker that reasonably believes that an in-home services client has been abused or neglected is required to report such information.

This proposal repeals Section 660.058, RSMo, pertaining to budget allotments, service contracts, and performance measures for the area agencies on aging.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Social Services
Department of Mental Health
Department of Health and Senior Services
Department of Corrections
Department of Public Safety -
Missouri State Highway Patrol

L.R. No. 0494-01
Bill No. SB 24
Page 5 of 5
January 17, 2003

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
January 17, 2003