

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1590-02
Bill No.: SB 533
Subject: Social Services Department; State Employees
Type: Original
Date: March 15, 2005

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Prosecution Services, Department of Social Services,** and the **Office of State Courts Administrator** assume this proposal would not fiscally impact their agencies.

Officials from the **State Public Defender (SPD)** state for the purpose of this proposal, the SPD has assumed that existing staff could provide representation for those few cases arising where indigent persons were charged with the proposed additional penalty for persons placed on the employee disqualification list.

Passage of more than one bill increasing penalties on existing crimes or creating new crimes would require the SPD to request increased appropriations to cover the cumulative cost of representing indigent persons accused in the now more serious cases or in the new additional cases.

Officials from the **Department of Mental Health (DMH)** assume this proposal would not change any current practice, procedure, rule or regulation concerning the DMH pre-employment screenings. DMH states there is no discernible fiscal impact to the DMH due to implementation of this proposal.

ASSUMPTION (continued)

Officials from the **Department of Health and Senior Services (DOH)** assume this proposal is not expected to fiscally impact the operations of the DOH. DOH states if a fiscal impact were to result, funds to support the program would be sought through the appropriation process.

Officials from the **Department of Corrections (DOC)** state this proposal, if passed into law, provides an additional penalty for persons placed on the employee disqualification list. Penalty provisions for violations, the component of the bill to have potential fiscal impact for DOC, is for a class A misdemeanor.

Currently, the DOC cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost through supervision provided by the Board of Probation and Parole (FY03 average of \$3.15 per offender, per day or an annual cost of \$1,150 per offender).

In summary, supervision by the DOC through probation or incarceration would result in some additional costs, but it is assumed the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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FISCAL IMPACT - Small Business

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

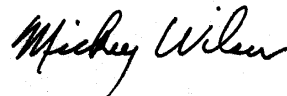
DESCRIPTION

This proposal provides a penalty for persons placed on the employee disqualification list who continue to work in the health care industry while on the list by extending the person's placement on the list for one additional year. This extension is not subject to appeal. Also, such person who continues to work in a position for which he or she is prohibited by such placement on the list is guilty of a Class A misdemeanor. This act also modifies the required notice to be provided to the employee by the Department of Social Services after an investigation and a determination has been made to place an employee's name on the list.

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

Office of Prosecution Services
Department of Social Services
Office of State Courts Administrator
State Public Defender
Department of Mental Health
Department of Health and Senior Services
Department of Corrections



Mickey Wilson, CPA
Director
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