

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0778-01
Bill No.: HB 154
Subject: Children and Minors; Family Law; Family Services Division
Type: Original
Date: February 3, 2009

Bill Summary: This legislation requires the state to make a good faith effort to locate the grandparents of a child for emergency placement and requires the grandparents to be given first preference as foster parents.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
General Revenue	(Unknown but Greater than \$481,860)	(Unknown but Greater than \$494,957)	(Unknown but Greater than \$509,806)
Total Estimated Net Effect on General Revenue Fund	(Unknown but Greater than \$481,860)	(Unknown but Greater than \$494,957)	(Unknown but Greater than \$509,806)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Federal*	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

*Income and costs of Unknown but Greater than \$181,860 in FY10, Unknown but Greater than \$186,802 in FY11 and Unknown but Greater than \$192,406 in FY12 would net to \$0.

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
General Revenue	Unknown but Greater than 8.71 FTE	Unknown but Greater than 8.71 FTE	Unknown but Greater than 8.71 FTE
Federal	Unknown but Greater than 3.29 FTE	Unknown but Greater than 3.29 FTE	Unknown but Greater than 3.29 FTE
Total Estimated Net Effect on FTE	Unknown but Greater than 12 FTE	Unknown but Greater than 12 FTE	Unknown but Greater than 12 FTE

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Public Defender, Office of the Attorney General** and the **Office of State Courts Administrator** each assume the proposal would have no fiscal impact on their respective agencies.

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials from the **Department of Social Services - Children's Division (DSS-CD)** assume the proposal will require additional staff to work a minimum of three hours to locate a placement with a grandparent. In Fiscal Year 2007, the CD had 5,655 children enter into care. This proposal would require at least three (3) additional hours per placement to attempt to locate a grandparent.

This calculates to: $5,655 \text{ children} \times 3 \text{ hours} = 16,965 \text{ additional staff hours}$. $16,965 \div 2,080$ (number of full-time annual hours) = 8.16 or 9 additional Children Service workers.

Additionally, 1 Children's Services Supervisor (7 Children Service Workers to 1 Supervisor ratio) and 2 Senior Office Support Staff (6 Professional Staff to 1 Office Support staff ratio) would be required. This is a total of 12 additional staff.

If a grandparent were unable to be located within those three (3) hours, the fiscal impact would be much greater. Therefore, the CD is submitting a cost of unknown greater than \$663,720 for FY 2010.

ASSUMPTION (continued)

Oversight notes that states can earn the federal medical assistance percentage (FMAP) on Medicaid program expenditures. The FMAP used in the DSS-CD response is a 73/27 split between General Revenue Funds and Federal Funds.

Officials from the **Office of Prosecution Services (OPS)** have not responded to Oversight's request for fiscal information.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
GENERAL REVENUE			
<u>Costs - Department of Social Services</u>			
Personal Service	(Unknown but Greater than \$233,027)	(Unknown but Greater than \$288,137)	(Unknown but Greater than \$296,781)
Fringe Benefits	(Unknown but Greater than \$113,321)	(Unknown but Greater than \$140,121)	(Unknown but Greater than \$144,325)
Equipment and Expense	<u>(Unknown but Greater than \$135,512)</u>	<u>(Unknown but Greater than \$66,699)</u>	<u>(Unknown but Greater than \$68,700)</u>
<u>Total Costs - DSS</u>	<u>(Unknown but Greater than \$481,860)</u>	<u>(Unknown but Greater than \$494,957)</u>	<u>(Unknown but Greater than \$509,806)</u>
FTE Change - DSS	Unknown but Greater than 8.71 FTE	Unknown but Greater than 8.71 FTE	Unknown but Greater than 8.71 FTE
ESTIMATED NET EFFECT ON GENERAL REVENUE FUNDS	<u>(Unknown but Greater than \$481,860)</u>	<u>(Unknown but Greater than \$494,957)</u>	<u>(Unknown but Greater than \$509,806)</u>
Estimated Net FTE Change for General Revenue Fund	Unknown but Greater than 8.71 FTE	Unknown but Greater than 8.71 FTE	Unknown but Greater than 8.71 FTE

FEDERAL FUNDS

Income - Department of Social Services

Federal Assistance	Unknown but Greater than \$181,860	Unknown but Greater than \$186,802	Unknown but Greater than \$192,406
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Costs - Department of Social Services

Personal Service	(Unknown but Greater than \$87,947)	(Unknown but Greater than \$108,746)	(Unknown but Greater than \$112,008)
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Fringe Benefits	(Unknown but Greater than \$42,769)	(Unknown but Greater than \$52,883)	(Unknown but Greater than \$54,470)
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Equipment and Expense	(Unknown but Greater than \$51,144)	(Unknown but Greater than \$25,173)	(Unknown but Greater than \$25,928)
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<u>Total Costs - DSS</u>	(Unknown but Greater than \$181,860)	(Unknown but Greater than \$186,802)	(Unknown but Greater than \$192,406)
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FTE Change - DSS	Unknown but Greater than 3.29 FTE	Unknown but Greater than 3.29 FTE	Unknown but Greater than 3.29 FTE
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**ESTIMATED NET EFFECT ON
FEDERAL FUNDS**

	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Estimated Net FTE Change for Federal Funds	Unknown but Greater than 3.29 FTE	Unknown but Greater than 3.29 FTE	Unknown but Greater than 3.29 FTE

FISCAL IMPACT - Local Government

FY 2010 (10 Mo.)	FY 2011	FY 2012
<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.

FISCAL DESCRIPTION

If emergency placement of a child in a private home is deemed necessary, the proposed legislation requires the Children's Division within the Department of Social Services to make diligent efforts to contact and place the child with a grandparent unless the Division determines that the placement is not in the best interest of the child. Prior to contacting the grandparent, the Division must care for any physical health needs of the child; and the grandparent must comply with the emergency background check requirements. If contact with a grandparent cannot be made within three hours of the Division determining an emergency placement is necessary, the child may be placed in a foster home; and during that three-hour period, the child can be placed in foster care. If placed in a foster home, the Division must continue to attempt to contact the child's grandparents during the initial 24-hour period after an emergency placement was deemed necessary.

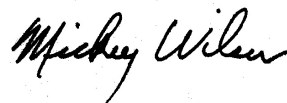
When a court determines that a child must be placed in a foster home, the Division must make diligent efforts to locate the grandparents of the child and determine if they wish to be considered for placement of the child.

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 the Attorney General
Office of the State Courts Administrator
Department of Social Services
Office of the Secretary of State
Office of the State Public Defender

Not Responding: Office of Prosecution Services



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