

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4793-02  
Bill No.: Truly Agreed To and Finally Passed SS for HB 1318  
Subject: Mental Health; Mental Health Department; Employees - Employers  
Type: Original  
Date: June 4, 2012

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Bill Summary: This proposal prohibits the working hours of state employees working in maximum or medium security mental health facilities to work more than 12 hours in a 24 hour period.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
General Revenue	(\$651,000)	(\$651,000)	(\$651,000)
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>(\$651,000)</b>	<b>(\$651,000)</b>	<b>(\$651,000)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2013	FY 2014	FY 2015
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

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).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

In response to a previous version of this proposal, officials from the **Office of Administration** defers to Department of Mental Health on the impact on operations and cost for this proposal.

Officials from the **Department of Mental Health (DMH)** state that they have two facilities with maximum or medium security units (Southeast Missouri Mental Health Center (SEMMH) and Fulton State Hospital (FSH). The SEMMH does not require mandatory overtime to cover shifts because it has fewer unanticipated staff shortages than FSH (it has higher functioning patients and a more modern facility, with less seclusion and restraint episodes and fewer staff injuries). FSH does require mandatory overtime.

Officials from DMH assume in order to comply with this legislation, the FSH will need to hire approximately 15 FTE's. DMH estimates 13,488 over time hours in the maximum security wing (at \$13.75 per hour) and 13,152 overtime hours in the medium security wing (at \$12.88 per hour). The hourly rate given is an average of a variety of positions needed. Each full time employee will also receive fringe benefits and health insurance. The cost to hire the additional FTE's, including fringe benefit cost, will be approximately \$651,000 to General Revenue.

There could be savings in future overtime supplemental appropriation request. However, a prior department study (Internal Audit Report 11-014, issued 3/16/2011) shows it is not cost effective to hire additional staff in lieu of overtime.

<u>FISCAL IMPACT - State Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
<b>GENERAL REVENUE</b>			
<u>Cost- Department of Mental Health additional FTE's</u>	<u>(\$651,000)</u>	<u>(\$651,000)</u>	<u>(\$651,000)</u>
<b>ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND</b>	<b><u>(\$651,000)</u></b>	<b><u>(\$651,000)</u></b>	<b><u>(\$651,000)</u></b>

<u>FISCAL IMPACT - Local Government</u>	FY 2013 (10 Mo.)	FY 2014	FY 2015
	<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

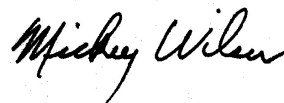
This proposal specifies that no state employee working in a maximum or medium security mental health facility or any portion of a mental health facility with maximum or medium security can be required to work more than 12 hours in any 24-hour period unless it is under a state of emergency declared by the Governor.

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 Administration  
Department of Mental Health

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Director  
June 4, 2012

L.R. No. 4793-02  
Bill No. Truly Agreed To and Finally Passed SS for HB 1318  
Page 5 of 5  
June 4, 2012

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