

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0485-02
Bill No.: SCS for SB 26
Subject: Emergencies; Health, Public
Type: Original
Date: January 30, 2015

Bill Summary: This proposal establishes requirements for authorized entities to stock epinephrine (EPI) auto-injectors for use in emergencies.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
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 2016	FY 2017	FY 2018
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2016	FY 2017	FY 2018
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Columbia-Boone County Department of Public Health and Human Services (DPHHS)** state the DPHHS would incur unknown training costs as a result of this proposal. The proposal requires an employee, agent, or other person who provides or administers an epinephrine auto-injector to successfully complete an anaphylaxis training program prior to providing or administering an epinephrine auto-injector and at least every two years following successful completion of the initial training program. The training must be conducted by a nationally recognized organization experienced in training laypersons in emergency health treatment or other entity or person approved by the Department of Health and Senior Services. Since the training entities are not yet established in regulation, it is impossible to know the cost associated with the training.

Oversight assumes since provisions regarding the prescription of epinephrine auto-injectors by a physician to an authorized entity and the acquiring of a stock supply of epinephrine auto-injectors by the authorized entity are permissive, the DPHHS would not be required to provide training in the use of the auto-injectors and, therefore, would not have to incur the training costs.

Officials from **Everton R-III School District** assume the proposal would cost the school district approximately \$1,000 annually.

Oversight assumes the provisions of the proposal are permissive and Everton R-III would not be required to supply the epinephrine auto-injectors. However, should it decide to do so, Oversight assumes this cost would be absorbable by the district.

Officials from the **Independence Health Department (Health Department)** state if the bill only applies to laypersons, there is no fiscal impact to the Health Department. However, the bill does not clearly exempt trained medical staff from taking a specific epinephrine administration/anaphylaxis course. If nurses are required to take the training, it would increase expenses by approximately \$500 per year.

Oversight assumes even if the proposal does not exempt nurses, the Health Department could absorb the additional expense of \$500 per year.

Officials from **Carondelet Leadership Academy** assumes a minimal cost to the school.

ASSUMPTION (continued)

Officials from the **Pulaski County Health Center (Health Center)** state it is unclear on whether the Health Center would be required to stock a certain number of auto-injectors. It also doesn't clarify whether or not the Health Center has to supply the auto-injectors to other entities. The Health Center currently carries epinephrine but not in the auto-injectors. Some of the language in the bill implies it will be required and some that it would be an option. Auto-injectors are expensive and have a very short shelf-life. The Health Center could potentially lose \$123.50 for each auto-injector that is required to be in inventory. If five (5) auto-injectors were purchased, they would all expire within the fiscal year, thereby causing a potential loss of \$617.50 or more per year, if none of them are used.

Officials from the **Department of Health and Senior Services**, the **Department of Mental Health**, the **Department of Social Services**, the **Joint Committee on Administrative Rules**, the **Office of Administration, Division of General Services**, the **Office of State Courts Administrator**, the **Harrison County Public Health Department and Hospice**, **Metropolitan Community College**, **Missouri Southern State University**, **Missouri State University**, **Missouri Western State University**, **State Technical College of Missouri**, the **University of Missouri**, **Kansas City Public Schools**, and **Malta Bend Public School District** each assume the proposal would not fiscally impact their respective agencies.

Officials from the **University of Missouri (UM or University)** did not respond to **Oversight's** request for a statement of fiscal impact. However, in response to very similar legislation from the current session (HB 96), UM officials stated the projected impact of the proposal on the University, if mandated, could be equal to or greater than \$100,000 when considering the cost of \$262.36 per box of 2 epinephrine pens plus the cost of training staff for the defined "authorized entities" of UM involved with its availability and administering the drug.

Oversight assumes since the provisions regarding a physician prescribing epinephrine auto-injectors in the name of an authorized entity and that entity acquiring a stock supply of epinephrine auto-injectors are permissive, the University would not be required to incur costs associated with this proposal.

Officials from the **Office of the Secretary of State (SOS)** did not respond to **Oversight's** request for a statement of fiscal impact. However, in response to the previous version of this proposal, the SOS stated 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

ASSUMPTION (continued)

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.

Officials from the following **health departments**: Audrain County Health Unit, Cass County Health Department, Clay County Public Health Center, Cooper County Public Health Center, Henry County Health Center, Hickory County Health Department, Howell County Health Department, Jefferson County Health Department, Linn County Health Department, McDonald County Health Department, Madison County Health Department, Marion County Health Department, Miller County Health Center, Morgan County Health Center, Nodaway County Health Center, Platte County Health Department, Polk County Health Center, Randolph County Health Department, Reynolds County Health Center, Ripley County Health Center, Shelby County Health Department, the St. Francois County Health Center and the St. Joseph Health Department did not respond to **Oversight's** request for a statement of fiscal impact.

Officials from the following **schools**: Blue Springs Public Schools, Branson Public Schools, Caruthersville School District, Charleston R-I School District, Cole R-I School District, Columbia Public Schools, Fair Grove Schools, Francis Howell Public Schools, Fulton Public Schools, Harrisonville School District, Independence Public Schools, Jefferson City Public Schools, Kirbyville R-VI School District, Kirksville Public Schools, Lee Summit Public Schools, Macon School District, Mexico Public Schools, Monroe City R-I School District, Nixa Public Schools, Parkway Public Schools, Pattonville School District, Raymore-Peculiar R-III School District, Raytown School District, Riverview Gardens School District, Sedalia School District, Sikeston Public Schools, Silex Public Schools, Special School District of St. Louis County, Spickard R-II School District, Springfield Public Schools, St. Joseph School District, St. Louis Public Schools, St. Charles Public Schools, Sullivan Public Schools, Warren County R-III School District, Waynesville Public School District, Allen Village School and KIPP Endeavor Academy in Kansas City did not respond to **Oversight's** request for a statement of fiscal impact.

Officials from the following **colleges and universities**: Crowder, East Central, Harris-Stowe, Jefferson College, Lincoln University, Moberly Area Community College, Northwest Missouri State University, Southeast Missouri State University, State Fair Community College, St. Charles Community College, St. Louis Community College, Three Rivers Community College, Truman State University, and the University of Central Missouri did not respond to **Oversight's** request for a statement of fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2016 (10 Mo.)	FY 2017	FY 2018
	<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

The proposed legislation appears to have no direct fiscal impact.

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

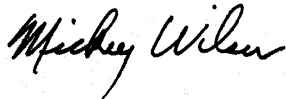
Department of Health and Senior Services
Department of Mental Health
Department of Social Services -
Joint Committee on Administrative Rules
Office of Administration -
 Division of General Services
Office of State Courts Administrator
Columbia-Boone County Department of
 Public Health and Human Services
Harrison County Public Health Department and Hospice
Independence Health Department
Pulaski County Health Center
Metropolitan Community College
Missouri Southern State University
Missouri State University
Missouri Western State University
State Technical College of Missouri
University of Missouri

SOURCES OF INFORMATION (continued)

Everton R-III School District
Kansas City Public Schools
Malta Bend School District
Carondelet Leadership Academy

NOT RESPONDING:

Office of Secretary of State



Mickey Wilson, CPA
Director
January 30, 2015

Ross Strobe
Assistant Director
January 30, 2015