

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5538-01
Bill No.: SB 858
Subject: Children and Minors; Children’s Division; Social Services Department
Type: Original
Date: February 15, 2018

Bill Summary: This proposal modifies provisions of law relating to investigations of child abuse or neglect.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
General Revenue	(\$182,980)	(\$192,600)	(\$194,522)
Total Estimated Net Effect on General Revenue	(\$182,980)	(\$192,600)	(\$194,522)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
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 2019	FY 2020	FY 2021
Federal*	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

* Income and expenses exceed \$100,000 annually and net to \$0.

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
General Revenue	3.25	3.25	3.25
Federal	1.75	1.75	1.75
Total Estimated Net Effect on FTE	5	5	5

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 2019	FY 2020	FY 2021
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Social Services (DSS), Children's Division (CD) and Division of Legal Services (DLS)** state SB 858 amends two sections in Chapter 210 relating to child abuse investigations.

A new subsection 4 is added to Section 210.145. This new subsection provides that the CD may accept a report for investigation or family assessment if either the child or the alleged perpetrator resides in the state, may be found in the state or if the incident occurred in the state. The CD may also accept a report if the child has recently resided in the state but he or she is currently located in another state and the reported incident occurred outside of the state. Finally, the CD is required to immediately communicate all reports that merit investigation to the appropriate agencies in such state where the child is believed to be located along with any relevant information.

A new subsection 21 is also added to Section 210.145. This new subsection provides that nothing in this chapter shall be construed to prohibit the CD from coinvestigating a report of child abuse or neglect or from sharing records and information with other appropriate agencies in other states if the CD determines it is appropriate to do so under subsection 4 of section 210.150 and if such receiving agency is exercising its authority under the law.

A new subsection 4 is added to Section 210.150. This new subsection provides that the CD may share any records, information, and findings with federal, state, or local child welfare agency personnel and law enforcement agencies, including those from outside the state, and sets out the conditions under which documents or information can be shared.

The CD currently takes reports when either the child or alleged perpetrator resides in Missouri, may be found in Missouri, or if the incident occurred in Missouri. The Division may also accept a report if the child resides in Missouri or is currently residing outside of Missouri and the incident occurred inside Missouri. Missouri does not currently accept reports on a child that is currently living outside of Missouri and the incident occurred outside of Missouri, but the child once lived in Missouri.

In calendar year 2017, the CD's Child Abuse and Neglect Hotline Unit (CANHU) documented 437 calls that were not taken (investigated) due to the alleged victim and alleged perpetrator not living in the State of Missouri. In fiscal year 2017, an additional 106 calls were taken (investigated) giving a total of 543 out-of-state calls. Based on the number of additional calls, no additional CANHU staff would be needed (based on a 15 call per day average workload).

ASSUMPTION (continued)

If this legislation does pass, it is assumed there would be a 25% increase in call volume (543 out-of-state calls * 0.25 = 136 calls, rounded up). This would result in an additional 679 reports to be investigated annually (543 calls + 136 calls = 679 calls). This would result in the need for an additional 5 field staff investigators based on a 12 case workload per month per FTE (679 calls/investigations / 12 cases per month / 12 months = 4.72 FTE, rounded to 5 FTE).

Investigating incidents that did not occur within this state would also create jurisdictional problems with courts, law enforcement and other multi-disciplinary team members.

Oversight has, for fiscal note purposes only, changed the starting salary for the Children's Service Worker to correspond to the second step above minimum for comparable positions in the state's merit system pay grid. This decision reflects a study of actual starting salaries for new state employees for a six month period and the policy of the Oversight Subcommittee of the Joint Committee on Legislative Research.

Oversight notes in response to proposals from the current session in which agencies have requested additional rental space the Office of Administration (OA), Division of Facilities Management, Design and Construction (FMDC) has provided that additional space in leased facilities for additional staff in the Cole County area is estimated at 230 sq. ft. per FTE times \$17.50 per sq. ft., or \$4,025 annually per FTE. These costs are building lease cost, fuel and utilities, and janitorial services. The assumption for the need for larger space and/or in other regions of the state, or possible new construction space, would be a higher cost per sq. ft. (estimated at \$24.50 per sq. ft.).

NOTE: DSS officials have provided information stating that their original proposal for legislation relating to CA/N reports did not include the language about DSS accepting reports if the child has recently resided in the state but is currently located in another state and the incident occurred in that state. If this language is removed it would eliminate the need for additional Children's Division staff and the fiscal impact of the proposal would be \$0.

Officials from the **Office of Attorney General (AGO)** assume any potential costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if the proposal results in a significant increase in litigation.

Officials from the **Office of State Courts Administrator (OSCA)** state this proposal may have some impact, but there is no way to quantify that impact at the present time. Any significant changes will be reflected in future budget requests.

Officials from the **OA, General Services Division and Information Technology Services Division (ITSD)/DSS** and the **Office of State Public Defender** each assume the proposal would not fiscally impact their respective agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
GENERAL REVENUE FUND			
<u>Costs - DSS (§§210.145 & 210.150)</u>			
Personal services	(\$85,659)	(\$103,816)	(\$104,857)
Fringe benefits	(\$54,658)	(\$65,895)	(\$66,204)
Equipment and expense	<u>(\$42,663)</u>	<u>(\$22,889)</u>	<u>(\$23,461)</u>
<u>Total Costs - DSS</u>	<u>(\$182,980)</u>	<u>(\$192,600)</u>	<u>(\$194,522)</u>
FTE Change - DSS	3.25 FTE	3.25 FTE	3.25 FTE
 ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	 <u>(\$182,980)</u>	 <u>(\$192,600)</u>	 <u>(\$194,522)</u>
 Estimated Net FTE Change on the General Revenue Fund	 3.25 FTE	 3.25 FTE	 3.25 FTE
 FEDERAL FUNDS			
<u>Income - DSS (§§210.145 & 210.150)</u>			
Increase in program reimbursements	\$98,492	\$103,662	\$104,697
 <u>Costs - DSS (§§210.145 & 210.150)</u>			
Personal services	(\$46,095)	(\$55,867)	(\$56,426)
Fringe benefits	(\$29,423)	(\$35,471)	(\$35,638)
Equipment and expense	<u>(\$22,974)</u>	<u>(\$12,324)</u>	<u>(\$12,633)</u>
<u>Total Costs - DSS</u>	<u>(\$98,492)</u>	<u>(\$103,662)</u>	<u>(\$104,697)</u>
FTE Change - DSS	1.75 FTE	1.75 FTE	1.75 FTE
 ESTIMATED NET EFFECT ON FEDERAL FUNDS	 <u>\$0</u>	 <u>\$0</u>	 <u>\$0</u>
 Estimated Net FTE Change on Federal Funds	 1.75 FTE	 1.75 FTE	 1.75 FTE
 <u>FISCAL IMPACT - Local Government</u>	 FY 2019 (10 Mo.)	 FY 2020	 FY 2021
	 <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

Under this act, the Children's Division may accept a report for a child abuse or neglect investigation or family assessment if the child or alleged perpetrator resides in Missouri, may be found in Missouri, or if the incident occurred in Missouri. The Division may also accept a report if the child resides or has recently resided in Missouri but is currently located in another state and the reported incident occurred outside of Missouri. The Division shall immediately communicate all reports and relevant information that merit investigation to the appropriate agencies in the state where the child is believed to be located.

The Division shall be permitted to co-investigate a report of child abuse or neglect, as well as share records and information with child welfare, law enforcement, or judicial officers in Missouri or another state, territory, or nation when the Division determines it is appropriate to do so.

Currently, the Division may permit specified persons to have access to certain records for which the Division has received a report of child abuse or neglect and for which the Division has determined that there is insufficient evidence. This act removes the requirement that the Division make a determination that there is insufficient evidence prior to allowing specified individuals access to the records.

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

SOURCES OF INFORMATION

Department of Social Services -
 Children's Division
 Division of Legal Services
Office of Attorney General
Office of Administration -
 General Services Division
 Information Technology Services Division/DSS
Office of State Courts Administrator
Office of State Public Defender

Ross Strobe



Acting Director
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