

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5721-04  
Bill No.: Perfected SS for SB 870  
Subject: Ambulances and Ambulance Districts; Emergencies; Health Care; Health Care Professionals; Department of Health and Senior Services; Medical Procedures and Personnel; Mental  
Type: Original  
Date: March 14, 2018

Bill Summary: This proposal modifies provisions of law relating to emergency medical services.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
General Revenue	\$72,000	\$72,000	\$72,000
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$72,000</b>	<b>\$72,000</b>	<b>\$72,000</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Criminal Records	\$30,600	\$30,600	\$30,600
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$30,600</b>	<b>\$30,600</b>	<b>\$30,600</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 11 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</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 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
<b>Local Government</b>	<b>\$0 or Unknown</b>	<b>\$0 or Unknown</b>	<b>\$0 or Unknown</b>

## FISCAL ANALYSIS

### ASSUMPTION

**Oversight** was unable to receive some of the agency responses in a timely manner due to the short fiscal note request time. Oversight has presented this fiscal note on the best current information that we have or on prior year information regarding a similar bill. Upon the receipt of agency responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval of the chairperson of the Joint Committee on Legislative Research to publish a new fiscal note.

§§99.848, 190.100, 190.103, 190.131, 190.142, 190.143, 190.147, 190.165, 190.173, 190.196, 190.900, 190.903, 190.906, 190.909, 190.912, 190.915, 190.918, 190.921, 190.924, 190.927, 190.930, 190.933, 190.936, 190.939

In response to a previous version, officials at the **St. Louis County Police Department (STLPD)** assumed this bill would require the STLPD to complete Memorandums of Understanding (MOU) with all local Fire Departments. This feat would cost significant man hours to develop the MOU, have them revised by legal counsel, have them mailed to each Fire Department, and have them returned and signed by Police Department personnel.

The STLPD would also have to modify policy, which again, would require man hours to complete and at least 1 hour of training for all staff, both commissioned and professional staff. The average hourly pay for a St. Louis County Police Department employee is \$46.10. There are currently 1206 employees. The cost for one hour of training would be \$55,596.60. There would be a \$50 an hour cost to develop the training that would take approximately 2 hours of development. The passage of this bill would cost, at minimum, \$55,696.60. This cost does not include the development and approval of all MOUs.

Additionally, this bill is similar to HB 1919, where St. Louis County Police Department expressed concern over the possible increase in cost from taking additional assault reports and searching for homicidal/suicidal subjects who have fled.

**Oversight** assumes that the STLPD is provided with core funding for training employees to handle a certain amount of activity each year. Oversight believes the training referred to above is currently apart of the employees' duties. Oversight also assumes if multiple MOUs are needed for various fire departments with the STLPD, then a basic MOU could be written and adjustments could be made as needed with the various fire departments. Oversight assumes the STLPD could absorb the costs related to this proposal.

ASSUMPTION (continued)

In response to similar legislation from this year, HB 1662, officials from the **Department of Health and Senior Service (DHSS)** stated Section 190.142.1(2) explicitly addresses "initial licensure". However, the subparagraph also states, "Any fees due for a criminal background check shall be paid by the applicant." Therefore, DHSS interprets the language to require applicants for Emergency Medical Services (EMS) licenses to pay for the cost of background checks for both initial licensure and all subsequent license renewals. DHSS would no longer need to pay for criminal background checks for all applicants. Currently, the EMS conducts criminal background checks for all applicants through the Missouri State

Highway Patrol (MSHP). In FY 2017, EMS expended approximately \$72,000 on background screenings. Based on the expenditures from 2017, there would be a positive impact to general revenue in the amount of \$72,000.

Pursuant to Chapter 190.142.1, RSMo, the EMS conducts criminal records checks for all applicants through the MSHP. DHSS assumes there will not be a significant increase in the number of background checks; therefore, current staff will be able to accommodate these.

The proposal expands the EMS investigative authority to include investigations conducted out of state. While the variables of what activity constitutes "reported conduct" and what level of responsibility the investigative authorities in the remote state will have, DHSS assumes there will not be a significant increase in the number of investigations conducted out of state; therefore, these activities will be accomplished with current staff and funding.

The number of subpoenas issued under this section is unknown. DHSS assumes there will not be a significant number of subpoenas for attendance and testimony of witnesses or the production of evidence; therefore, these activities will be accomplished with current staff and funding.

DHSS assumes the commission will receive sufficient revenue through other sources so an annual assessment will not be imposed on the state of Missouri.

**Oversight** notes that DHSS' response to this bill is quite different from previous years' (i.e. HB 100 in 2017). DHSS noted that there is more data on the compact now and other states have indicated that only some minimal travel costs should be anticipated and that there has been no influx of new applicants in the other states.

In response to similar legislation from this year, HB 1662, officials from the **Department of Public Safety (DPS), Missouri State Highway Patrol (MHP)** provided the following assumptions:

ASSUMPTION (continued)

During 2017, the Department of Health and Senior Services conducted approximately 3,400 name-based criminal record checks for Emergency Medical Technician (EMT) licensing. This number accurately reflects the number of emergency medical personnel that would be required to obtain a state and federal fingerprint-based criminal record check with the passage of this legislation. This requirement would take effect no later than five (5) years after approval of the Emergency Medical Services Compact. For purposes of this fiscal note, the MHP assumes this legislation will take effect August 28, 2018.

The cost for a fingerprint-based background check to include state and federal open and closed records is as follows:

State fee: \$20  
FBI fee: \$12 (\$2 of the federal fee is retained by the Central Repository as a pass-through fee)  
Total: \$32

3,400 applicants annually X \$32 = \$108,800	
State fee portion deposited in the Criminal Records Fund = 3,400 X \$20 = \$68,000	
Federal pass through fee retained by Central Repository = 3,400 X \$2 =	<u>\$6,800</u>
Total	\$74,800

The funds currently generated as a result of the name-based checks is 3,400 X \$13 = \$44,200. Therefore, the total increase in revenue deposited in the Criminal Record System Fund (new fingerprint background check cost + federal pass through fee - existing cost of name-based check is \$30,600 (\$74,800 - \$44,200).

**Oversight** notes that the Recognition of EMS Personnel Licensure Interstate Compact (REPLICA) has been passed by 12 states and is now active.

In response to similar legislation from this year, HB 1662, officials from the **Office of Attorney General (AGO)** assumed 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.

In response to similar legislation from this year, HB 1662, officials from the **Office of the Governor** and the **Joint Committee on Administrative Rules** each assumed the proposal would not fiscally impact their respective agencies.

ASSUMPTION (continued)

In response to a previous version, officials at the **Boone County Sheriff's Department** assumed no fiscal impact from this proposal.

Bill as a Whole

Officials at **Office of the State Courts Administrator** assumed there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

Officials at the **Missouri Department of Transportation** assume no fiscal impact from this proposal.

In response to a previous version, officials from the **Office of the Secretary of State (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 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.

In response to a previous version, officials at the **Office of the Attorney General (AGO)** assumed that any potential costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if there is a significant increase in litigation.

In response to a previous version, officials at the **Department of Public Safety's Division of Fire Safety**, the **Joint Committee on Administrative Rules** and the **Office of Administration's Administrative Hearing Commission** each assumed no fiscal impact to their respective agencies from this proposal.

ASSUMPTION (continued)

In response to a previous version, officials at the **Springfield Police Department**, the **St. Louis County Department of Justice Services** and the **Joplin Police Department** each assumed no fiscal impact to their respective entities from this proposal.

Senate Amendment #1

Officials at the **State Tax Commission** and **Missouri Department of Transportation** each assume no fiscal impact to their respective agencies from this proposal.

In response to similar legislation this year, SB 936, officials at **St. Louis County** and **Boone County** each assumed no fiscal impact to their respective entities from this proposal.

**Oversight** assumes this proposal would modify provisions relating to tax increment financing. Should a redevelopment plan, area or project or urban redevelopment corporation which receives tax abatement or exemption on property be amended, an ambulance or fire district will have the right to recalculate the reimbursement rate that they would receive for tax revenues. This could generate an increase of tax revenues to the ambulance and/or fire district from this proposal. Therefore, Oversight will reflect a \$0 or unknown increase in tax revenues for this proposal.

Senate Amendment #2

Officials at the **Missouri Department of Transportation**, the **Office of Administration's Administrative Hearing Commission** and the **State Tax Commission** each assume no fiscal impact to their respective agencies from this proposal.

Officials at **St. Louis County** assume no fiscal impact from this proposal.

**Oversight** assumes no fiscal impact from this amendment.

Senate Amendment #3

Officials at the **Office of the State Courts Administrator** assume there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

Officials at the **Missouri Department of Transportation** and the **State Tax Commission** each assume no fiscal impact to their respective agencies from this proposal.

ASSUMPTION (continued)

In response to similar legislation this year, HB 1627, officials from the **Department of Corrections** assumed the proposal would not fiscally impact their agency.

In response to a similar proposal from this year (SB 803), officials from the **City of Kansas City** assumed the proposal would not fiscally impact their respective agencies.

In response to a similar proposal (HB 1437), officials from the **St. Louis County Police Department** and the **Boone County Sheriff's Department** each assumed the proposal would not fiscally impact their respective agencies.

In response to a similar proposal (HB 1437), officials from the **Jefferson County Sheriff's Department** stated as a medical provider, they have all these requirements in place already. The only thing we need to make sure of is that custody does not use restraints on anyone that is in their 3rd trimester. We can review all the policies related to this.

**Oversight** notes that Senate Amendment 1 to Senate Amendment 3 excludes a number of political subdivisions from these requirements.

<u>FISCAL IMPACT - State Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
<b>GENERAL REVENUE FUND</b>			
<u>Savings - DHSS (§190.142.1(2))</u>			
Reduction in background check fees paid REPLICA	<u>\$72,000</u>	<u>\$72,000</u>	<u>\$72,000</u>
<b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>	<b><u>\$72,000</u></b>	<b><u>\$72,000</u></b>	<b><u>\$72,000</u></b>
<b>CRIMINAL RECORDS FUND</b>			
<u>Income - DPS - increase in background check fees REPLICA</u>			
	<u>\$30,600</u>	<u>\$30,600</u>	<u>\$30,600</u>
<b>ESTIMATED NET EFFECT ON THE CRIMINAL RECORDS FUND</b>	<b><u>\$30,600</u></b>	<b><u>\$30,600</u></b>	<b><u>\$30,600</u></b>



<u>FISCAL IMPACT - Local Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
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**AMBULANCE AND FIRE  
 PROTECTION DISTRICT FUNDS**

<u>Revenues</u> - potential increase in tax revenues from recalculating rates set for reimbursement on tax increments	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>
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**ESTIMATED NET EFFECT ON  
 AMBULANCE AND FIRE  
 PROTECTION DISTRICT FUNDS**

	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</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.

FISCAL DESCRIPTION

§§99.848, 190.100, 190.103, 190.131, 190.142, 190.143, 190.147, 190.165, 190.173, 190.196, 190.900, 190.903, 190.906, 190.909, 190.912, 190.915, 190.918, 190.921, 190.924, 190.927, 190.930, 190.933, 190.936, 190.939

This bill authorizes Missouri to become a member state of the Recognition of EMS Personnel Licensure Interstate Compact and to adopt the provisions of authorization as specified in the bill. The purpose of the compact is to facilitate the exchange of information between members states regarding EMS personnel licensure, adverse actions, and significant investigatory information.

Senate Amendment #1

Current law provides that ambulance and fire protection districts are entitled to a reimbursement of between 50% and 100% of the amount of the district's tax increment deposited into the Special Allocation Fund of a tax increment financing district. This act provides that ambulance and fire protection districts shall annually set such reimbursement rate prior to the time the assessment is paid into the Fund. If the redevelopment plan, area, or project is amended, the ambulance or fire protection district shall have the right to recalculate the reimbursement rate.

This act also modifies the Urban Redevelopment Corporations Law by allowing ambulance and fire protection districts to receive a reimbursement of between 50% and 100% of the amount of

FISCAL DESCRIPTION (continued)

ad valorem property tax revenues the district would have received in the absence of the property tax abatement or exemption provided for under current law. Ambulance and fire protection districts shall annually set such reimbursement rate prior to the time the assessment is determined by the county assessor. If the redevelopment plan, area, or project is amended, the ambulance or fire protection district shall have the right to recalculate the reimbursement rate.

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

St. Louis County Police Department  
Office of Administration  
    Administrative Hearing Commission  
Department of Health and Senior Services  
Office of Attorney General  
Department of Public Safety  
    Division of Fire Safety  
    Missouri State Highway Patrol  
Office of the Governor  
Joint Committee on Administrative Rules  
Office of State Courts Administrator  
Office of Secretary of State  
Missouri Department of Transportation  
Department of Corrections  
Boone County Sheriff's Department  
Springfield Police Department  
St. Louis County Department of Justice Services

SOURCES OF INFORMATION (continued)

Joplin Police Department  
St. Louis County  
State Tax Commission  
Jefferson County Sheriff's Department  
Boone County  
City of Kansas City

Ross Strobe

A handwritten signature in black ink, appearing to read "Ross Strobe", with a stylized flourish at the end.

Acting Director  
March 14, 2018