

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 6008-02
Bill No.: Truly Agreed To and Finally Passed HCS for HB 2171
Subject: Disabilities; Public Assistance; Social Services Department
Type: Original
Date: June 11, 2018

Bill Summary: This proposal modifies provisions relating to the blind pension fund.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
General Revenue	\$869,492	\$1,101,276	\$1,145,947
Total Estimated Net Effect on General Revenue	\$869,492	\$1,101,276	\$1,145,947

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Blind Pension	\$782,140	\$938,568	\$938,568
Total Estimated Net Effect on <u>Other</u> State Funds	\$782,140	\$938,568	\$938,568

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 11 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

* Savings and losses between \$0 and \$300,000 annually and net to \$0.

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
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 2019	FY 2020	FY 2021
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Social Services (DSS)**, **Family Support Division (FSD)**, the **Division of Legal Services (DLS)** and the **MO HealthNet Division (MHD)** state Section 209.030 adds a provision excluding individuals who obtain, maintain or renew a valid driver's license unless they relinquish such license, and who operate a motor vehicle, from eligibility for Blind Pension (BP) benefits. It also adds a provision applying an income cap of 500% of the Federal Poverty Level (FPL) of a blind person's sighted spouse's income as it relates to family composition in the determination of eligibility. Section 209.040 adds clarifying language to define blindness as a program requirement for Supplemental Aid to the Blind (SAB) and BP benefits and allows the DSS to require any applicant or recipient to submit to a vision test or reexamination if there is reason to believe the individual is not eligible for the pension.

The **FSD** estimates that 225 individuals will lose SAB/BP eligibility if the provisions of this legislation are enacted. The FSD determined the number of individuals who could lose eligibility in the following manner:

In SFY 2017, there was an average of 2,874 BP recipients. Of those 2,874 recipients, 29 had a sighted spouse with income of 500% of FPL or higher. All 29 of these individuals would lose eligibility due to the application of an income test to a blind person's sighted spouses' income as a condition of eligibility.

At this time, it is unknown how many individuals could lose eligibility by adding more restrictive language allowing for FSD to seek visual reexamination, exclude individuals who obtain, maintain, or renew a driver's license, and who would not meet the clarified definition of blindness. FSD estimates that approximately 5% of the total SAB/BP population would lose eligibility by adding each provision of more restrictive language. Due to this, FSD is using 5% to the total to determine the individuals who will be affected.

In State Fiscal Year (SFY) 2017, there was an average of 3,925 BP and SAB recipients (2,874 BP + 1,051 SAB). Using the 5% assumption from above, The FSD estimates that approximately 196 [(2,874 BP * 0.05 = 143.7, rounded up) + (1,051 SAB * 0.05 = 52.55, rounded down) = 196 total] individuals would lose eligibility.

Total Estimated Reduction of Eligible Individuals:

29 Income of Sighted Spouse over 500%
196 Restrictive Language
225 Total BP and SAB recipients losing benefits

ASSUMPTION (continued)

This legislation also proposes to increase the resource limit from \$20,000 to \$30,000 and exclude the first \$100,000 of a participant's ABLE (Achieving a Better Life Experience) account. The FSD estimates that this change could add 110 individuals to BP. In SFY 2017, the number of persons rejected or closed for excessive resources was 151. Of these 151, 110 had assets of less than \$30,000. Of 151 total persons rejected or closed due to resources, none had ABLE accounts.

Total New Cases from Rejections:

110 Resources under \$30,000

Net Adjustment to BP Population:

225 Losing eligibility due to income and language changes

110 Newly eligible under asset changes

115 Net reduction in BP eligibles

In SFY 18, BP cash payments are \$738 per month. The FSD is using this amount to calculate the cost savings due to the loss of eligibility from applying the income cap of 500% to individuals with sighted spouses and the addition of more restrictive language for eligibility for BP and the new eligible individuals due to the asset limit increase from \$20,000 to \$30,000.

The total number who would lose eligibility due to application of the income cap is 29. The FSD estimates that the **SFY 19** (September 2018 - June 2019) **savings will be \$214,020** (\$738*29 individuals *10 months) and a **full year** of savings is estimated at **\$256,824** (\$738*29 individuals *12 months) in BP cash benefits due to this change.

The total number of BP recipients who could potentially lose eligibility due to the addition of restrictive language is 144. The FSD estimates that the **SFY 19** (September 2018 - June 2019) **savings will be \$1,062,720** (\$738*144 individuals *10 months) and a **full year** of savings is estimated at **\$1,275,264** (\$738*144 individuals *12 months) in BP cash benefits.

The number of newly eligible BP recipients who could gain eligibility due to the change in asset limits is 110. The FSD estimate that the SFY 19 (September 2018 - June 2019) **cost for these individuals would be \$811,800** (\$738*110 individuals *10months) and **full year** of costs being **\$974,160** (\$738*110 individuals *12 months).

ASSUMPTION (continued)

In SFY 18, the projected estimated average SAB cash payment is \$610 per month. The FSD is using this amount to calculate the cost savings due to the individuals losing SAB eligibility due to the addition of restrictive language. The total number of SAB recipients who could potentially lose eligibility is 52. The FSD estimates that the **SFY19** (September 2018 - June 2019) **savings will be \$317,200** (\$610*52 individuals *10 months), and a **full year** of savings is estimated at **\$380,640** (\$610*52 individuals *12 months) in SAB cash benefits.

Estimated SFY 19 Savings (10 months):

BP: \$464,940 ((214,020 + 1,062,720) - (811,800))
SAB: \$317,200
Total: \$782,140

Estimated 12 Month Savings:

BP: \$557,928 ((256,824+1,275,264) - 974,160))
SAB: \$380,640
Total: \$938,568

Additionally, this bill stipulates that notices to BP and SAB recipients will be sent by certified mail. For the purpose of this legislation, the FSD assumes notices impacting eligibility will be sent by certified mail. In SFY 2017, an average of 3,925 BP and SAB participants received an average of 1,547 notices per month. The FSD assumes the average monthly number of applicants will remain approximately the same and the reduction in participants as a result of this legislation would not significantly reduce the number of notices to be sent. The cost of sending certified mail is \$4.00 per mailing. FSD estimates that the cost of sending notices to participants via certified mail would be \$6,188 monthly and \$74,256 annually.

1,547 Notices monthly * \$4.00 = \$6,188
18,564 (1,547 * 12) Notices annually * \$4.00 = \$74,256

MO HealthNet Division (MHD) would also see a change in the Blind Medical program. It is estimated that from 29 to 225 individuals could lose SAB/BP eligibility if the provisions of this legislation are enacted.

In SFY 2017, there was an average of 2,874 Blind Pension recipients. Of those 2,874 recipients, 29 had a sighted spouse with income of 500% or higher. All 29 of these individuals would lose eligibility due to the application of an income test to a blind person's sighted spouses' income as a condition of eligibility.

ASSUMPTION (continued)

At this time, it is unknown how many individuals could lose eligibility by adding more restrictive language allowing for FSD to seek visual reexamination, exclude individuals who obtain, maintain, or renew a driver's license, and who would not meet the clarified definition of blindness. FSD estimates that approximately 0-5% of the total SAB/BP population will lose eligibility by adding each provision of more restrictive language. Due to this, MHD is using 5% total to determine the individuals who will be affected.

In SFY 2017, there was an average of 3,925 BP and SAB recipients (2,874 BP+1,051 SAB). Using the 5% assumption from above, The FSD estimates that approximately 196 $((2,874 * .05 = 143.7, \text{ rounded up}) + (1051 * .05 = 52.55, \text{ rounded down}) = 196 \text{ total})$ individuals would lose eligibility.

Reduction of Eligible Individuals:

29 (Income of Sighted Spouse over 500%) (minimum)
196 (Restrictive Language)(potential range)
225 (Total)(potential maximum)

This legislation also proposes to increase the resource limit from \$20,000 to \$30,000 and to exclude the first \$100,000 of a participant's ABLE account. The FSD estimates that this change could add 110 individuals to BP. In SFY 2017, the number of persons rejected or closed for excessive resources was 151. Of these 151, 110 had assets of less than \$30,000. Of 151 total persons rejected or closed due to resources, none had ABLE accounts.

Net Adjustment to BP Population (assumed):

- 225 Blind Pension participants (Losing eligibility due to income and language changes)
- 110 Pensioners (Newly eligible under asset changes)
115 (Net reduction in BP eligibles)

MHD estimates that within these 115 participants that would be reduced, 23 of them would fall under the SAB population (who are Title XIX eligible), while the other 92 would be within the BP category (who receive benefits through the Blind Medical appropriation).

Due to the individuals who could lose their eligibility by adding more restrictive language, MHD assumes there will be a range of possible savings. MHD used the number of individuals from the BP program that could be lost and took those numbers times the per member per month (PMPM) expenditure rate to find the total savings.

ASSUMPTION (continued)

For the net difference of individuals who could lose eligibility due to income and language changes and the newly eligible under asset changes, MHD took the total number of individuals (23) in the SAB population times the PMPM of the SAB (\$1,579.94) times 12 (months) to equal a total of \$436,063. MHD also took the total number of individuals (92) times the PMPM of the Blind Pension (\$888.37) times 12 (months) to equal a total of \$980,761. This would make a grant total of \$1,416,824 in savings (\$436,063 + \$980,761).

MHD will only use a general revenue (GR) savings for the BP portion because the Blind Medical program is appropriated through general revenue.

MHD assumes a 3.8% inflation rate for FY20 and FY21.

FY19 (10 mo.): Total: \$1,180,687 [GR \$943,748; FF \$236,939];
FY20: Total: \$1,470,663 [GR \$1,175,532; FF \$295,131];
FY21: Total: \$1,526,548 [GR \$1,220,203; FF \$306,346].

The **Grand Total for the Department** (Blind Pension and Blind Medical Savings) is:

FY19 (10 mo.): Total: \$1,888,571 [GR \$869,492; FF \$236,939; Other Fund (BP Fund 621) \$782,140];
FY20: Total: \$2,334,9759 [GR \$1,101,276; FF \$295,131; Other Fund (BP Fund 621) \$938,568];
FY21: Total: \$2,084,515 [GR \$1,145,947; FF \$306,346; Other Fund (BP Fund 621) \$938,568].

Officials from the **Department of Revenue (DOR)** state §209.030.1 of the proposed language allows an adult blind person who has resided in Missouri for the year preceding their application to receive a blind pension. A person may not receive the blind pension if they obtain, maintain or renew a valid driver license in this or any other state or territory, unless such license has been relinquished to the DOR and the person provides satisfactory proof of such to the Department of Social Services (DSS). The DSS shall notify eligible blind persons with valid driver licenses that they shall surrender such license within sixty days of approval for a blind pension. The DOR shall, if requested by the person, issue a non-driver license at no charge to that person. The DSS and the DOR shall jointly establish procedures and shall share any information necessary to implement.

To implement provisions of §209.030.1, the Department would be required to:

- Create an application form for a blind person to relinquish their driver license and request issuance of a non-driver license.
- Work with the DSS to develop procedures and share information, including establishing a process where would provide notice of eligibility to establish the 60 day window, and a process where DOR would notify DSS if the individual had a license, and whether or not the individual actually relinquished their license.

ASSUMPTION (continued)

- Work with DSS to promulgate a rule outlining the process.
- Develop internal procedures.
- Create a notice to send to the DSS when a pension recipient has not relinquished their license within the sixty days, a proof of relinquishment of their driver license, and a notice of reject for unacceptable applications.

To implement provisions of §209.030.1, the administrative impact/cost may be estimated as:

Driver License Bureau (DLB) FY 19		
Administrative Analyst II -	80 hrs. x \$17.13 per hr. =	\$1,370.40
Revenue Band Manager I -	40 hrs. x \$25.05 per hr. =	<u>\$1,002.00</u>
		\$2,372.40
PSB (Personnel Service Bureau) FY 19		
Administrative Analyst III -	20 hrs. x \$19.43 =	\$388.60
Management Analysis Spec I-	20 hrs. x \$18.42 =	<u>\$368.40</u>
		\$757.00

Total = \$3,129

The DOR assumes it will be able to absorb the above listed costs. If multiple bills pass which require Department resources and updates, the DOR could request additional FTE and related equipment and expenses through the appropriation process.

Revenue Impact

There are currently 225 Blind Pension Fund recipients who have a valid drivers license. It is unknown how many of these individuals will apply for the free non-driver license identification cards, but the fiscal impact to the DOR will be minimal.

Officials from the **Office of State Treasurer** 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>Effect - DSS (§209.030 & 208.040)</u>			
Blind pension medical changes	\$943,748	\$1,175,532	\$1,220,203
<u>Costs - DSS (§209.030 & 208.040)</u>			
Mailing costs	<u>(\$74,256)</u>	<u>(\$74,256)</u>	<u>(\$74,256)</u>
ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	<u>\$869,492</u>	<u>\$1,101,276</u>	<u>\$1,145,947</u>
BLIND PENSION (#0621)			
<u>Savings - DSS (§209.030 & 208.040)</u>			
Reduction in blind pension expense for sighted spouse, BP language and SAB language changes	\$1,593,940	\$1,912,728	\$1,912,728
<u>Costs - DSS (§209.030 & 208.040)</u>			
New eligibles costs	<u>(\$811,800)</u>	<u>(\$974,160)</u>	<u>(\$974,160)</u>
ESTIMATED NET EFFECT ON THE BLIND PENSION FUND	<u>\$782,140</u>	<u>\$938,568</u>	<u>\$938,568</u>
<u>FISCAL IMPACT - State Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
FEDERAL FUNDS			
<u>Savings - DSS (§209.030 & 208.040)</u>			
Reduction in of blind pension medical expenses	\$236,939	\$295,131	\$306,346
<u>Losses - DSS (§209.030 & 208.040)</u>			
Reduction in reimbursements received for blind pension medical expenses	<u>(\$236,939)</u>	<u>(\$295,131)</u>	<u>(\$306,346)</u>
ESTIMATED NET EFFECT ON FEDERAL FUNDS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<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

This bill specifies, a person who obtains, maintains, or renews a valid driver's license, who operates a motor vehicle, who is not blind, or who has violated a particular state law regarding the Blind Pension Fund shall not be entitled to a blind pension. Additionally, a person whose sighted spouse's annual income equals or exceeds 500% of the federal poverty level shall not be eligible. The Department of Social Services may require any applicant for or recipient of the blind pension to submit to a vision test or reexamination if there is reason to believe the person is not eligible for the pension.

This proposal increases the resource limit from \$20,000 to \$30,000 and would exclude the first \$100,000 of a participant's ABLE account.

This proposal stipulates that notice to Blind Pension recipients will be sent by certified mail.

Finally, this bill requires the department to submit to the General Assembly a projected estimate of the monthly pension payment for each upcoming fiscal year based on the department's estimate of projected revenue from the blind pension tax levied, the projected balance in the Blind Pension Fund, the projected cash flow estimates to the fund, and estimates of the number of eligible persons. The estimated change in the monthly payment for the upcoming fiscal year shall be calculated as one-twelfth of the quotient obtained by dividing 75% of the annual change in the amount of funds in the fund for the preceding fiscal year by the projected number of eligible persons.

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 Social Services -
Family Support Division
MO HealthNet Division
Division of Legal Services

Department of Revenue
Office of State Treasurer

Ross Strobe



Acting Director
June 11, 2018