

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0384-04
Bill No.: Perfected SS for SCS for SB 34
Subject: County Government; Department of Health and Senior Services; Medical Procedures and Personnel; and Professional Registration and Licensing
Type: Original
Date: April 10, 2019

Bill Summary: This proposal modifies provisions relating to coroners.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
General Revenue	(\$8,748) to (\$78,765)	\$0 to (\$80,631)	\$0 to (\$81,312)
Total Estimated Net Effect on General Revenue	(\$8,748) to (\$78,765)	\$0 to (\$80,631)	\$0 to (\$81,312)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Missouri Coroners' Training Fund	\$296,235	\$355,482	\$355,482
Total Estimated Net Effect on Other State Funds	\$296,235	\$355,482	\$355,482

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 9 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
General Revenue	0 to 1.1 FTE	0 or 1 FTE	0 or 1 FTE
Total Estimated Net Effect on FTE	0 to 1.1 FTE	0 or 1 FTE	0 or 1 FTE

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 2020	FY 2021	FY 2022
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§58.035, 58.095, 58.208, 193.145 and 193.265 - Coroner Standards, Training Commission and Death Certificates

In response to similar legislation from this year, SCS for HCS for HB 447, officials at the **Department of Health and Senior Services (DHSS)** stated the Bureau of Vital Records (BVR) and Local Public Health Agencies (LPHAs) issues on average 355,482 death certificates each year. Per 193.265, RSMo, the BVR and LPHAs already collect a thirteen dollar fee for each initial copy and a ten dollar fee for each additional death certificate ordered at the same time. The proposed legislation requires the collection of an additional one dollar fee for each death certificate to be deposited into an additional fund, the Missouri State Coroners' Training Fund.

Collecting the additional dollar at time of issuance and performing accounting procedures to report and submit the fees daily to DHSS Fee Receipts Office would be absorbed within current operations. The Fee Receipts Office would need two additional hours of an Accounting Clerk's time in a year. Collecting the additional dollar and depositing the fees daily would be part of the normal workload of the Fee Receipts Unit. One Accounting Clerk (\$26,340) x 2 hours = \$25.33. The department anticipates being able to absorb the costs. However, until the FY20 budget is final, the department cannot identify specific sources.

The proposed legislation requires the promulgation of rules and regulations, which include the following duties (but not all inclusive): establish guidelines, implement strategies, make evidence-based system changes, and create policy recommendations. The DHSS, Office of General Counsel will need an additional .1 FTE for an attorney (salary of \$64,500 per year) to perform the research necessary to ensure the new guidelines and information for this proposed legislation has been properly vetted and implementation is completed quickly and with fiscal responsibility. Due to current workload being at maximum limits, these costs cannot be absorbed.

Oversight assumes since DHSS states their workload currently being at maximum limits and the responsibility for the Coroner Standards and Training Commission is now with the DHSS in this substitute, Oversight will range the cost of the partial FTE from \$0 to DHSS' estimates.

DHSS states in order to have the additional dollar deposited to the credit of this new fund, an ITSD system change would need to occur. ITSD estimates 116.64 programming hours at \$75 per hour or \$8,748 would be required in FY 2020 to modify the existing mainframe programs to accommodate the additional fee of \$1.00 for any death certificate issued which shall be deposited into the Missouri State Coroners' Training Fund. No additional ongoing maintenance is indicated as the changes are to the existing program.

ASSUMPTION (continued)

Oversight notes ITSD assumes that every new IT project/system will be bid out because all their resources are at full capacity. For this bill, ITSD assumes they will contract out the programming changes to the BVR system. ITSD estimates the project would take 116.64 hours at a contract rate of \$75 per hour for a total cost to the state of \$8,748. Oversight notes that an average salary for a current IT Specialist within ITSD is \$51,618, which totals roughly \$80,000 per year when fringe benefits are added. Assuming that all ITSD resources are at full capacity, Oversight assumes ITSD may (instead of contracting out the programming) hire an additional IT Specialist to perform the work required from this bill. Therefore, Oversight will range the fiscal impact from the cost of contracting out the work (\$8,748) to hiring an additional FTE IT Specialist (roughly \$80,000 per year).

Officials at the **Department of Revenue (DOR)** assume the Missouri State Coroner's Training fund could potentially increase by an estimated \$60,000 each fiscal year. The DOR is aware that not each and every death reported in Missouri has a death certificate issued.

Based on information provided to the DHSS, there were 11,097 death certificates issued during Fiscal Year 2018. This would indicate that the Missouri State Coroners' Trust Fund could potentially receive \$11,097 each fiscal year.

Based upon information published on the DHSS website, the number of deaths per year, in Missouri, (past four calendar years) averages 60,000. This creates the possibility that a death certificate could be issued for all 60,000 individual deaths, for a maximum estimate of deposit into the Missouri State Coroners' Training Fund. Provided this were true, \$60,000 could be collected under this legislation and deposited into the Missouri State Coroners' Training Fund each year. As of December 2017, an increase in Missouri resident deaths has occurred each calendar year for the past eight years. The Department anticipates that the maximum estimated \$60,000 that could be collected under this legislation and deposited into the Missouri State Coroners' Training Fund could increase each year.

The proposed legislation does not have a begin date. The Department estimates that Fiscal Year 2020 could generate approximately \$21,324 to be deposited into the Missouri State Coroners' Training Fund. This was calculated by taking the number of deaths per month (as of July 2018) and averaging the number to estimate the total number of deaths per month. This was then multiplied by four, assuming this legislation goes into effect August 28, 2019.

Oversight went to the Provisional Vital Statistics for December 2017 report on DHSS's website to obtain the data for the number of deaths for the last four years. They are as follows:

2017 - 61,867
2016 - 59,824
2015 - 59,810
2014 - 58,141

ASSUMPTION (continued)

In response to similar legislation from this year, SCS for HCS for HB 447, officials at the **City of Kansas City** assumed no fiscal impact from this proposal.

In response to similar legislation from this year, HB 447, officials at the **Monroe County Assessor** assumed no fiscal impact from this proposal.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other counties were requested to respond to this proposed legislation but did not. For a general listing of political subdivisions included in our database, please refer to www.legislativeoversight.mo.gov.

Oversight heard testimony given by the Saline County Coroner on January 29, 2019. The Saline County Coroner provided Oversight with information regarding the Indiana State Coroner's Training Board in Indiana Statute.

In response to similar legislation from 2018, SCS for HCS for HB 2079, officials at **St. Louis County** and **Boone County** assumed no fiscal impact to their respective entities from this proposal.

Oversight notes §58.208 is clarified as "One dollar of the fee collected for any death certificate issue under section §193.265 shall be deposited into the Missouri state coroners' training fund." Oversight assumes one additional dollar will be collected for each death certificate issued instead of \$2 as assumed in the House Committee Substitute. Oversight assumes this will generate more income into the new fund compared to the introduced version of the bill. Oversight does not have data to compute the amount of anticipated revenue; therefore, Oversight will utilize DHSS' estimate of \$355,482 per year into the new MO Coroners' Training Fund.

§§58.451 and 58.720 - Deaths under Hospice Care

In response to similar legislation from this year, SCS for HCS for HB 447, officials at the **Department of Health and Senior Services** assumed no fiscal impact from this proposal.

In response to similar legislation from this year, SCS for HCS for HB 447, officials at the **City of Kansas City** assumed no fiscal impact from this proposal.

In response to similar legislation from this year, HCS for HB 242, officials at **St. Louis County**, **Boone County**, the **Boone County Sheriff's Department** and the **Monroe County Assessor's Office** each assumed no fiscal impact to their respective entities from this proposal.

ASSUMPTION (continued)

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other counties and sheriff departments were requested to respond to this proposed legislation but did not. For a general listing of political subdivisions included in our database, please refer to www.legislativeoversight.mo.gov.

In response to similar legislation from 2018, HB 1895, officials at the **Callaway County Commission** assumed no fiscal impact from this proposal.

Oversight assumes this proposal specifies that no investigation is necessary for a death that occurs under hospice care. Oversight assumes this proposal will not have a direct fiscal impact.

Bill as a Whole

Officials at the **Department of Insurance, Financial Institutions and Professional Registration**, the **Joint Committee on Administrative Rules**, the **Office of the Governor** and the **Office of the State Treasurer** each assume no fiscal impact to their respective agencies from this proposal.

In response to similar legislation from this year, SCS for HCS for HB 447, officials at the **Department of Public Safety's Office of the Director** assumed no fiscal impact from this proposal.

Oversight notes that the Department of Public Safety's Office of the Director, the Department of Insurance, Financial Institutions and Professional Registration, the Joint Committee on Administrative Rules, the Office of the Governor and the Office of the State Treasurer each has stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for these agencies.

In response to similar legislation from this year, SCS for HCS for HB 447, officials at the **St. Louis County Department of Public Health** assumed no fiscal impact from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
GENERAL REVENUE FUND			
Costs - DHSS - ITSD costs (ranged from contracting out programming to hiring additional FTE IT Specialist	(\$8,748) to (\$66,632)	\$0 to (\$80,631)	\$0 to (\$81,312)
FTE Change - ITSD	0 or 1 FTE	0 or 1 FTE	0 or 1 FTE
Costs - DHSS - Attorney			
Personal Service	\$0 to (\$5,375)	\$0	\$0
Fringe Benefits	\$0 to (\$2,689)	\$0	\$0
Equipment and Expense	<u>\$0 to (\$4,069)</u>	<u>\$0</u>	<u>\$0</u>
Total Costs - DHSS	\$0 to (\$12,133)	\$0	\$0
FTE Change - DHSS	0 to .1 FTE	0 FTE	0 FTE
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(\$8,748) to (\$78,765)</u>	<u>\$0 to (\$80,631)</u>	<u>\$0 to (\$81,312)</u>
Estimated Net FTE Change for General Revenue	0 to 1.1 FTE	0 or 1 FTE	0 or 1 FTE
MISSOURI CORONERS' TRAINING FUND			
Revenue - DHSS - collection of \$1 fee on death certificates	<u>\$296,235</u>	<u>\$355,482</u>	<u>\$355,482</u>
ESTIMATED NET EFFECT ON THE MISSOURI CORONERS' TRAINING FUND	<u>\$296,235</u>	<u>\$355,482</u>	<u>\$355,482</u>
 <u>FISCAL IMPACT - Local Government</u>			
	FY 2020 (10 Mo.)	FY 2021	FY 2022
	<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 act establishes the Coroner Standards and Training Commission within the Department of Health and Senior Services which shall establish training standards relating to the operation, responsibilities and technical skills of the office of county coroner. The membership of the Commission is set forth in the act. The Commission shall establish training standards relating to the office of county coroner and shall issue a report on such standards.

Currently, \$1,000 of a county coroner's salary shall only be payable if he or she completes at least 20 hours of classroom instruction each year relating to the operations of the coroner's office when approved by a professional association of county coroners of Missouri. This act provides that the Coroners Standards and Training Commission shall establish and certify such training programs and their completion shall be submitted to the Missouri Coroners' and Medical Examiners' Association. Upon the Association's validation of certified training, it shall then submit the individual's name to the county treasurer and Department of Health and Senior Services indicating his or her compliance.

This act creates the Missouri State Coroner's Training Fund. For any death certificate issued, one dollar of the fee collected shall be a fee deposited into the fund which shall be used by the Missouri Coroners' and Medical Examiners' Association for the purpose of in-state training, equipment, and necessary supplies, and to provide aid to training programs approved by the Missouri Coroners' and Medical Examiners' Association. This fee shall be imposed and collected in addition to all other fees already being imposed and collected on the issuance of death certificates, resulting in the current total fee of thirteen dollars being increased to fourteen dollars. Also, during states of emergency or disasters, local registrars may request reimbursement from the fund for copies of death certificates issued to individuals who are unable to afford the associated fees.

When a death occurs under the care of a hospice, no investigation shall be required, under this act, if the death is certified by the treating physician of the deceased or the medical director of the hospice as a named death due to disease or diagnosed illness. The hospice must give written notice to the coroner or medical examiner within twenty-four hours of the death.

The act specifies that, if a coroner is not current on his or her training, the Department may prohibit that coroner from signing any death certificates. In the event a coroner is unable to sign a death certificate, the county sheriff will appoint a medical professional to attest death certificates until the coroner can resume signing them or until another coroner is appointed or elected.

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 Revenue
Department of Public Safety
 Office of the Director
Department of Insurance, Financial Institutions and Professional Registration
Joint Committee on Administrative Rules
Office of the Governor
Office of the State Treasurer
City of Kansas City
Monroe County Assessor
St. Louis County
Boone County
Boone County Sheriff's Department
Callaway County Commission
St. Louis County Department of Public Health



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April 10, 2019

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