

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1682-03
Bill No.: SB 480
Subject: Boards, Commissions, Committees and Councils; Health Care; Health Care Professionals; Health and Senior Services Department; Health, Public
Type: Original
Date: April 16, 2019

Bill Summary: This proposal creates the “Pregnancy-Associated Mortality Review Board” within the Department of Health and Senior Services.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
General Revenue	\$0 to (\$9,443)	\$0	\$0
Total Estimated Net Effect on General Revenue	\$0 to (\$9,443)	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
 This fiscal note contains 6 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 0.1	0	0
Total Estimated Net Effect on FTE	0 to 0.1	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 2020	FY 2021	FY 2022
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§192.990 - Pregnancy-Associated Mortality Review Board

Officials from the **Department of Health and Senior Services (DHSS)** state §192.990.5 (1) states, "Before June 30, 2020, and annually thereafter, the board shall submit to the director of the department, the governor, and the general assembly a report on maternal mortality in the state based on data collected through ongoing comprehensive, multidisciplinary reviews of all maternal deaths, and any other projects or efforts funded by the board under the provisions of subsection 6 of this section. The data shall be collected using best practices to reliably determine and include all maternal deaths regardless of the outcome of the pregnancy and include, at a minimum:....."

DHSS assumes no expenses for board meetings as the legislation provides that board members "may" be reimbursed for reasonable and necessary expenses. (§192.990.4)

General Counsel - Attorney (\$64,500)

Since the Office of General Counsel has not received any past record requests for this newly established board, an estimate must be used in trying to determine impact from this proposed legislation. Once the public is aware of this new board, requests are possible. At this time, with no other data to help in the estimate, the following are assumed:

§192.900.12 of 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 0.10 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.

Oversight assumes 0.1 FTE would not be provided fringe benefits and the state would only pay Social Security and Medicare benefits of 7.65 percent. In addition, Oversight assumes the DHSS would not need additional rental space for 0.1 FTE. However, if multiple proposals pass during the legislative session requiring additional FTE, cumulatively the effect of all proposals passed may result in the DHSS needing additional rental space.

Oversight assumes since DHSS states their responsibility 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, Oversight will range the cost of the partial FTE from \$0 to DHSS' estimate less fringe benefits over 7.65% and rental space costs.

ASSUMPTION (continued)

Oversight notes, to accomplish the duties of the board, §192.900.8 allows DHSS to request and receive data from health care providers, health care facilities, laboratories, medical examiners, coroners, law enforcement agencies and driver's license bureaus, and facilities licensed by the department. Oversight does not know if, or when, DHSS will request information (or what information would be requested) and assumes no fiscal impact for this provision.

Officials from the **Joint Committee on Administrative Rules (JCAR)** state the legislation is not anticipated to cause a fiscal impact to JCAR beyond its current appropriation.

Oversight assumes JCAR will be able to administer any rules resulting from this proposal with existing resources.

Officials from the **Office of the Secretary of State (SOS)** state 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 \$5,000. 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 require additional resources.

Officials from the **City of Kansas City** state this legislation would have a very small negative fiscal impact on the City of Kansas City because of the staff time in providing medical records pursuant to the legislation.

Oversight does not have any information to the contrary. Oversight assumes the City of Kansas City has sufficient staff and resources available within current funding levels to provide the medical records required pursuant to this legislation and will reflect no fiscal impact to the City of Kansas City for fiscal note purposes.

Oversight notes that the **City of Springfield** has stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this organization.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
GENERAL REVENUE FUND			
<u>Costs - DHSS (\$192.990)</u>	\$0 to...		
Personal service	(\$5,375)	\$0	\$0
Fringe benefits	(\$411)	\$0	\$0
Equipment and expense	<u>(\$3,657)</u>	<u>\$0</u>	<u>\$0</u>
<u>Total Costs - DHSS</u>	<u>(\$9,443)</u>	<u>\$0</u>	<u>\$0</u>
FTE Change - DHSS	0.1 FTE	\$0	\$0
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>\$0 to (\$9,443)</u>	<u>\$0</u>	\$0
Estimated Net FTE Effect on the General Revenue Fund	0 to 0.1 FTE	0 FTE	0 FTE
 <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 "Pregnancy-Associated Mortality Review Board" within the Department of Health and Senior Services to improve data collection and reporting regarding maternal mortality and to develop initiatives that support at-risk populations. The Board shall consist of at least 18 members appointed by the Director of the Department, as specified in the act, with diverse racial, ethnic, and geographic membership. Before June 30, 2020, and each year thereafter, the Board shall submit a report on maternal mortality in the state and proposed recommendations to the Director of the Department, the Governor, and the General Assembly, as specified in the act. The Board may also conduct or otherwise fund certain entities to conduct prevention activities and research.

FISCAL DESCRIPTION (continued)


The Department shall have the authority to request and receive data for specific maternal deaths from specified entities. The Department may retain identifiable data regarding facilities where maternal deaths occurred, or from which a patient was transferred, and geographic information on each case solely for analysis and trending over time. All other identifiable information shall be removed before the Board's review. Records and proceedings shall be kept confidential as described in the act.

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
Joint Committee on Administrative Rules
Office of Secretary of State
City of Kansas City
City of Springfield

Kyle Rieman
Director
April 16, 2019



Ross Strope
Assistant Director
April 16, 2019