

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3287-01
Bill No.: Perfected SB 554
Subject: County Government; Department of Health and Senior Services; Medical Procedures and Personnel; Professional Registration and Licensing
Type: Original
Date: February 19, 2020

Bill Summary: This proposal modifies provisions relating to the deceased.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
General Revenue	(\$65,374)	\$0	\$0
Total Estimated Net Effect on General Revenue	(\$65,374)	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Missouri State Coroners' Training	\$297,996	\$357,595	\$357,595
Total Estimated Net Effect on <u>Other</u> State Funds	\$297,996	\$357,595	\$357,595

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 9 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
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 2021	FY 2022	FY 2023
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§58.035 - Coroner Standards and Training Commission

In response to the previous version of this proposal, officials from the **Governor's Office (GOV)** stated this section establishes within the Department of Health and Senior Services (DHSS) a "Coroner Standards and Training Commission" which will be composed of eight (8) members appointed by the GOV: two coroners elected from counties of the third classification; one coroner elected from a county of the first, second, or fourth classification; one currently appointed medical examiner; one child death pathologist; one elected prosecuting attorney; one elected sheriff; and the director of the DHSS, or their designee, who will serve as a nonvoting member.

There should be no added cost to the GOV as a result of this measure.

Oversight notes the provisions of §58.035 provide the Coroner Standards and Training Commission is to be established within DHSS. The Commission is to meet at least twice each year. No member of the Commission is to receive any compensation for the performance of official duties. Once the Commission has developed standards, a report will be submitted to the speaker of the house of representatives and the president pro tempore of the senate and be published on DHSS' website.

Oversight contacted DHSS officials regarding potential costs associated with the Commission. DHSS assumes the Commission will require minimal work and that work will fall within the course of normal duties for the department. Any costs incurred will be minimal and absorbable within current funding levels.

§§58.208 and 193.265 - Death certificate fees and State Coroners' Training Fund

In response to the previous version of this proposal, officials from the **Department of Health and Senior Services (DHSS)** stated the Bureau of Vital Records (BVR) and Local Public Health Agencies (LPHAs) issue on average 357,595 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 issued to be deposited into an additional fund, the Missouri State Coroners' Training Fund. This would generate state revenue into the Missouri State Coroners' Training Fund in the amount of \$297,996 for FY2021 and \$357,595 for FY2022 and FY2023.

ASSUMPTION (continued)

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. However, in order to have the additional dollar deposited to the credit of this new fund, an ITSD system change would need to occur.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the fees collected by DHSS and LPHAs that will be deposited into the Missouri State Coroners' Training Fund as provided by DHSS for fiscal note purposes.

In response to the previous version of this proposal, officials from the **Office of Administration (OA), Information Technology Services Division (ITSD)/DHSS** stated the provisions of §58.208 will have a fiscal impact on the General Revenue Fund (GR). It is assumed that every new IT project/system will be bid out because all ITSD resources are at full capacity. The consultant rate of \$95 per hour is an estimated rate based on current contract(s) pricing.

The provisions of this proposal require modification of existing mainframe programs to accommodate an additional fee of \$1 for any death certificate issued, which will be deposited into the Missouri State Coroners' Training Fund. No additional on-going maintenance is indicated as the changes are to existing programs. Modifications will include a change to the default cost of a death certificate in the issuance application.

Necessary system changes are estimated to require 116.64 hours x \$95/hr = \$11,081 in GR funding for FY 2021.

Bill as a whole

Oversight notes the **Department of Commerce and Insurance** 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 in the fiscal note for this organization.

Oversight notes, in response to the previous version of this proposal, the **Department of Revenue, the Department of Public Safety, Director's Office, the Office of State Treasurer and the Columbia/Boone County Department of Public Health and Human Services** 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 in the fiscal note for these organizations.

ASSUMPTION (continued)

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.

In response to the previous version of this proposal, 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 \$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.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other local public health agencies, counties, county coroners and sheriffs' departments were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

Senate Amendment 1

Section 193.145 - Final Disposition of Remains

In response to similar provisions from the current session (SB 598), officials from the **Department of Health and Senior Services (DHSS)** assumed the proposed legislation requires that the medical certification and attestation be included when filing a certificate of death. The current electronic system used to register death certificates, MoEVR, is not designed to allow medical certification and attestation by funeral directors, any other person in charge of final disposition of the dead body, or a person designated by the medical certifier. In addition to having to update the current system to be able to allow those individuals the ability to enter and attest to medical information, the system may have to be modified to prevent the automatic submission of electronic death certificates to allow the State of Missouri time to verify the

ASSUMPTION (continued)

medical information on the certificate. To change the system to allow attestation as proposed in this legislation would incur a fiscal impact to the state and will increase the time it would take for the citizens of Missouri to receive a death certificate.

DHSS provided the fiscal impact statement for Office of Administration, Information Technology Services Division (ITSD)/DHSS.

In response to similar provisions from the current session (SB 598), **OA, ITSD/DHSS** stated services will be required at a cost of **\$54,293**;

- \$8,721 (91.80 hours x \$95 per hour) of IT Consultant
- \$45,572 for Project Assessment Quotation (PAQ) with vendor

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 need to the MoEVR system. ITSD estimates the project would take 91.8 hours at a contract rate of \$95 per hour plus \$45,572 for the Project Assessment Quotation for a total cost to the state of \$54,293. Oversight notes that an average salary for a current IT Specialist within ITSD is approximately \$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; however, for fiscal note purposes, Oversight will reflect the ITSD estimated cost of \$54,293 in FY 2021.

§193.265.2 - Missing/incomplete information

In response to similar provisions from the current session (SB 598), officials from the **Columbia/Boone County Department of Public Health and Human Services (DPHHS)** stated the changes in §193.265.2 would have a fiscal cost. The new language would require the DPHHS to do follow-up on death certificates that the state determines are incomplete. This would involve staff contacting the appropriate people and presumably, would be responsible for tracking that the information is provided. Then staff would provide the certificate back to the state. The fiscal impact is not expected to be large, but it would be unknown since there is no way to determine how many certificates may be returned.

Oversight assumes, based on DPHHS' response, that the fiscal impact that may be incurred by this proposal would be absorbable within current funding levels. As a result, Oversight will show no fiscal impact to local public health agencies for fiscal note purposes.

ASSUMPTION (continued)

Amendment as a whole

Oversight notes the **Department of Commerce and Insurance** and the **Office of State Courts Administrator** have 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 in the fiscal note for these organizations.

Oversight notes, in response to similar provisions from the current session (SB 598), the **Department of Public Safety, Divisions of: Director's Office, Missouri State Highway Patrol and Missouri Veterans Commission**, the **Office of State Treasurer**, the **Adair County Health Department** and the **Cooper County Public Health Center** 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 in the fiscal note for these organizations.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other Local Public Health Agencies were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT - State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
GENERAL REVENUE FUND			
<u>Costs</u> - OA, ITSD/DHSS (§58.208) - IT consultant costs	(\$11,081)	\$0	\$0
<u>Cost</u> - OA,ITSD (§193.145) - Programing and PAQ Cost to modify the MoEVR system	<u>(\$54,293)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(\$65,374)</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
MISSOURI STATE CORONERS' TRAINING FUND			
<u>Income</u> - DHSS (§§58.208 and 193.265) - Death certificate fee increase	<u>\$297,996</u>	<u>\$357,595</u>	<u>\$357,595</u>
ESTIMATED NET EFFECT ON THE MISSOURI STATE CORONERS' TRAINING FUND	<u>\$297,996</u>	<u>\$357,595</u>	<u>\$357,595</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2021 (10 Mo.)	 FY 2022	 FY 2023
	<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 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. (§58.035)

This act creates the Missouri State Coroners' Training Fund. For any death certificate issued, there shall be a fee of one dollar 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. (§§58.208 and 193.265)

FISCAL DESCRIPTION (continued)

This act modifies provisions regarding the death registration process and the right of sepulcher.

Under current law, the medical certification from a medical provider is entered into the electronic death registration system. This act requires an attestation from the medical provider who completed the medical certification to be entered into the system as well. (§193.145)

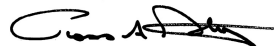
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Commerce and Insurance
Department of Health and Senior Services
Department of Revenue
Department of Public Safety -
 Director's Office
Governor's Office
Joint Committee on Administrative Rules
Office of Administration -
 Information Technology Services Division/DHSS
Office of State Courts Administrator
Office of Secretary of State
Office of State Treasurer
Columbia/Boone County Department of Public Health and Human Services



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