

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 4660-01
BILL NO.: SB 1071
SUBJECT: Modifies Employee Disqualification Provisions
TYPE: Original
DATE: March 13, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Health** assume this proposal will not fiscally affect their agency.

Officials from the **Department of Mental Health (DMH)** state the proposal would make it illegal to hire persons listed on the Division of Aging's disqualification list, DMH's disqualification list, or the child abuse/neglect registry. Current DMH practice disqualifies persons on the Division of Aging's list or on the DMH list but does not disqualify persons on the child abuse/neglect registry. Currently disqualification based on the child abuse/neglect registry depends on the nature of the offense, the length of time since the offense, and the nature of the position that the candidate is applying for. DMH states this proposal could restrict the number of candidates available for a given position but DMH anticipates no fiscal impact as a result of the proposal.

Officials from the **Department of Social Services (DOS)** state that currently the Division of Aging (DA) checks all new employees, about 200 annually, to see whether they are on the DA employee disqualification (EDL) or the child and neglect (CA/N) central registry. DA assumes that beginning in January, 2001, all new employee screenings would be completed by checking with DOH's Family Care Safety Registry (as implemented under the Family Care Safety Act) and the Department of Mental Health's employee disqualification listing. DA believes that current resources would be sufficient to allow us to meet the additional requirement of checking both listings and the registry prior to hiring employees. DA assumes that any costs related to section 660.083.2 would be borne by skilled nursing facilities found to be in violation of state licensure requirements and therefore DA would have no fiscal impact as a result of the proposal. DA believes current staff resources would be sufficient to promulgate the required rules related to the fines and penalties.

The DAIS stated this proposal will have an indeterminate economic impact on local government units that may be operating SNF licensed under chapter 198 RSMo. The local government units will incur additional costs related to coming into compliance with this new staffing requirement as it establishes required ratios of specified types of facility staff to residents.

Oversight assumes the SNF owned by local governmental units will pass on the costs of additional staff required as a result of this proposal and therefore, will not reflect a fiscal cost to the local governmental funds.

ASSUMPTION (continued)

DOS - Division of Family Services (DFS) officials assume that new hires by DFS would range from 150 to 200 per month. DFS assumes an average of 175 hires for the purpose of estimating the cost of this proposal. DFS assumes that one hour would be required to check the employee disqualification lists and the child neglect system after determining that a person was being considered for employment and preparing all necessary paperwork associated with this proposal. DFS estimates one Personnel Office would be required and related expense and equipment.

Oversight assumes DFS would be able to perform the required checks of the disqualification lists and the child neglect registry with current resources.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	<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.

DESCRIPTION

This proposal modifies employee disqualification provisions and various nursing home violations and requires nursing homes to pay any penalties prior to a reinspection by the Division of Aging.

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

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SOURCES OF INFORMATION

Department of Social Services
Department of Health
Department of Mental Health

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is written in a cursive style with a large initial "J".

Jeanne Jarrett, CPA
Director
March 13, 2000