

**FISCAL NOTE**  
**Requested by Legislative Council**  
**01/16/2019**

Bill/Resolution No.: HB 1189

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

|                       | 2017-2019 Biennium |             | 2019-2021 Biennium |             | 2021-2023 Biennium |             |
|-----------------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
|                       | General Fund       | Other Funds | General Fund       | Other Funds | General Fund       | Other Funds |
| <b>Revenues</b>       |                    |             |                    |             |                    |             |
| <b>Expenditures</b>   |                    |             | \$356,451          |             | \$353,951          |             |
| <b>Appropriations</b> |                    |             | \$356,451          |             | \$353,951          |             |

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

|                         | 2017-2019 Biennium | 2019-2021 Biennium | 2021-2023 Biennium |
|-------------------------|--------------------|--------------------|--------------------|
| <b>Counties</b>         |                    |                    |                    |
| <b>Cities</b>           |                    |                    |                    |
| <b>School Districts</b> |                    |                    |                    |
| <b>Townships</b>        |                    |                    |                    |

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

HB 1189 requires the Department to provide for an expedited appeals process in relation to child abuse and neglect reports and requires the Department ensure the law and department policy is followed in making the determination.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The estimated fiscal impact for HB 1189 is \$356,451, of which all is general fund, due to the Department of Human Services (Department) incurring costs related to; the creation of new administrative rules, \$2,500, and two FTEs, \$353,951.

Section 50-25-1-05.1 stipulates that the Department is responsible for ensuring the law and department policy is followed in making a child abuse or neglect assessment. The counties are the Department's authorized agent and issue the assessments. To comply with this section, the Department anticipates the need for two FTEs to conduct a quality review process on all child abuse and neglect assessments.

Section 50-25.1-05.4 allows for the subject of a report of suspected abuse to be reimbursed any expenses incurred, including the provision of services to address the grievance, cost of services to address the grievance, and loss of earnings, if it is determined that the Department did not conform substantially with Department policy or acted in reckless disregard. Section 50-25-1-19.2 requires the Department provide remedial training for representatives who failed to substantially conform with department policy. The estimated fiscal impact of these sections cannot be determined.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

In the 19-21 biennium the Department of Human Services would incur additional operating expenditures of \$2,500, to issue an administrative rule change, and an additional \$353,951 in salary and wages for two FTEs, of which all would be general fund.

The fiscal impact of providing remedial training to representatives who failed to substantially conform with department policy, and to reimburse subjects of suspected child abuse in relation to such failure, is undeterminable.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

The Department of Human Services would need an appropriation increase of \$356,451, of which, all would be general fund, to the base level budget in SB 2012.

For the 21-23 biennium, an appropriation increase of \$353,951, of which all is general fund, would be needed to sustain the two employees.

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