

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2003-03  
Bill No.: HCS for HB 924  
Subject: Education, Elementary and Secondary: Elementary and Secondary Education  
Dept; Liability; Teachers  
Type: Original  
Date: April 15, 2005

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2006</b>	<b>FY 2007</b>	<b>FY 2008</b>
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2006</b>	<b>FY 2007</b>	<b>FY 2008</b>
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

### FISCAL ANALYSIS

#### ASSUMPTION

According to officials from the **Department of Health and Senior Services (DOHSS)**, this proposed legislation would not be expected to fiscally impact the operations of DOHSS. If an impact were to result, funds to support the program would be sought through the appropriations process.

Officials from the **Office of State Courts Administrator** assume there will be no fiscal impact on the Courts.

Officials from the **Department of Elementary and Secondary Education** and the **Department of Public Safety - Director's Office** stated there would be no fiscal impact to their agency or to school districts.

Officials from the **Poplar Bluff School District** indicated a possible positive fiscal impact could result from the passage of this proposal.

Officials from the **Maryville, Parkway, and Salisbury School Districts** anticipated no additional cost for their district associated with this proposed legislation.

Officials from the **Columbia Public Schools** state that with the changes it still appears that

ASSUMPTION (continued)

school district staff are immune from liability administering medical procedures if done in good faith with training. The cost of general training for building staff is estimated at \$3,500 and specialized training for nursing staff and the cost to have appropriate trainers with training at all athletic events to be \$75,000 annual. This cost in previous years has been donated but that support is being withdrawn due to medical budget cuts. **Oversight** assumes the training is no longer a condition of employment and is therefore elective.

<u>FISCAL IMPACT - State Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
	<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 expands the existing liability protection for teachers and other personnel from matters of school discipline to include other issues handled in conformity with the established policies of the school board. Employees who are not qualified to administer medication are not subject to disciplinary action for refusing to administer it. Qualified or trained employees are exempted from liability for administering medication in good faith and according to standard medical practice, as well as administering cardiopulmonary resuscitation or other lifesaving measures in good faith.

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 Elementary and Secondary Education  
Office of State Courts Administrator  
Department of Health and Senior Services  
Department of Public Safety  
    Office of Director  
School Districts  
    Maryville  
    Poplar Bluff  
    Columbia  
    Salisbury  
    Parkway



Mickey Wilson, CPA  
Director  
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