

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3997-02  
Bill No.: HB 1254  
Subject: Alcohol; Crimes and Punishment; Drunk Driving/Boating; Transportation  
Type: Original  
Date: March 10, 2006

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</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 2007</b>	<b>FY 2008</b>	<b>FY 2009</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.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

### **FISCAL ANALYSIS**

#### **ASSUMPTION**

Officials from the **Department of Economic Development – Division of Professional Registration, Department of Health and Senior Services, Department of Revenue, Department of Public Safety, Springfield Police Department, St. Louis Metropolitan Police Department, Putnam County Memorial Hospital, and the Cedar County Memorial Hospital** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Department of Mental Health (DMH)** assume the breach of confidentiality required by this bill will jeopardize federal funding for the department. This legislation may conflict with 42 CFR Part 2 regarding disclosure of confidential alcohol and drug abuse patient records. If medical facility includes alcohol and drug abuse programs, then those records cannot be released for the purpose of investigating the patient absent a court order.

The Division of Alcohol and Drug Abuse federal grants total \$32,590,281 (Block Grant \$25,014,596 & Access to Recovery Grant \$7,575,685) annually and the Division of Comprehensive Psychiatric Services block grant is \$7,000,000. It is difficult to determine a fiscal impact; therefore, the DMH assumes a \$0 to over \$100,000.

ASSUMPTION (continued)

**Oversight** assumes implementing the proposal would not involve the release of protected information. Therefore, Oversight assumes the proposal would not jeopardize Department of Mental Health's federal funding. Oversight has reflected no fiscal impact.

**Officials from the Boone County Sheriff's Department, Columbia Police Department, Greene County Sheriff's Department, Jackson County Sheriff's Department, Kansas City Police Department, St. Louis County Police Department, Barton County Hospital, Bates County Memorial Hospital, Cooper County Hospital, Excelsior Springs Medical Center, and Washington County Memorial Hospital did not respond to Oversight's request for fiscal impact.**

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

The proposed legislation defines "licensed health care provider" and requires a provider to notify a law enforcement agency when a person who is examined or treated, in the judgment of the licensed health care provider, is under the influence of alcohol, a controlled substance, or drugs, or any combination thereof, and the provider reasonably suspects that the person may attempt to operate a motor vehicle in that condition. Notification in good faith will provide the hospital or other entity that employs the provider immunity from any civil liability.

DESCRIPTION (continued)

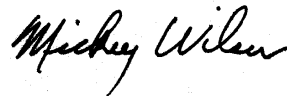
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Economic Development  
Department of Mental Health  
Department of Health and Senior Services  
Department of Revenue  
Department of Public Safety  
Springfield Police Department  
St. Louis Metropolitan Police Department  
Putnam County Memorial Hospital  
Cedar County Memorial Hospital

NOT RESPONDING

**Boone County Sheriff's Department, Columbia Police Department, Greene County Sheriff's Department, Jackson County Sheriff's Department, Kansas City Police Department, St. Louis County Police Department, Barton County Hospital, Bates County Memorial Hospital, Cooper County Hospital, Excelsior Springs Medical Center, and Washington County Memorial Hospital**



Mickey Wilson, CPA  
Director  
March 10, 2006