

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5534-05  
Bill No.: HCS for HB 2508  
Subject: Children and Minors; Family Law; Family Services Division  
Type: Original  
Date: April 22, 2008

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Bill Summary: This legislation requires the state to make reasonable efforts to locate the grandparents of a child for emergency placement of the child and requires the grandparents to be given first preference as foster parents.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
General Revenue	(Unknown but Greater than \$450,481)	(Unknown but Greater than \$471,259)	(Unknown but Greater than \$485,397)
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>(Unknown but Greater than \$450,481)</b>	<b>(Unknown but Greater than \$471,259)</b>	<b>(Unknown but Greater than \$485,397)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
<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 7 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
Federal*	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*Income and costs of Unknown but Greater than \$170,016 in FY09, Unknown but Greater than \$177,859 in FY10 and Unknown but Greater than \$183,194 would net to \$0.

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
General Revenue	Unknown but Greater than 8.71 FTE	Unknown but Greater than 8.71 FTE	Unknown but Greater than 8.71 FTE
Federal	Unknown but Greater than 3.29 FTE	Unknown but Greater than 3.29 FTE	Unknown but Greater than 3.29 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>Unknown but Greater than 12 FTE</b>	<b>Unknown but Greater than 12 FTE</b>	<b>Unknown but Greater than 12 FTE</b>

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☒ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2009	FY 2010	FY 2011
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of Prosecution Services, Office of the Attorney General** and the **Office of State Courts Administrator** each assume the proposal would have no fiscal impact on their respective agencies.

In response to a previous version of this proposal, officials from the **Office of the State Public Defender** assume the proposal would have no fiscal impact on their agency.

Officials from the **Office of the Secretary of State (SOS)** state 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 \$2,500. 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 request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials from the **Department of Social Services - Children's Division (DSS-CD)** assume the proposal will require additional staff to work a minimum of three hours to locate a placement with a grandparent.

In Fiscal Year 2006, the CD had 6,130 children enter into care. This proposal would require at least three (3) additional hours per placement to attempt to locate a grandparent.

This calculates to:  $6,130 \text{ children} \times 3 \text{ hours} = 18,390 \text{ additional staff hours}$ .  $18,390 \div 2,080$  (number of full-time annual hours) = 8.84 or 9 additional Children Service workers. Additionally, 1 Children's Services Supervisor (7 Children Service Workers to 1 Supervisor ratio) and 2 Senior Office Support Staff (6 Professional Staff to 1 Office Support staff ratio) would be required. This is a total of 12 additional staff.

ASSUMPTION (continued)

If a grandparent were unable to be located within those three (3) hours, the fiscal impact would be much greater. Therefore, the CD is submitting a cost of unknown greater than \$620,498 for FY 2009.

**Oversight** notes that states can earn the federal medical assistance percentage (FMAP) on Medicaid program expenditures. The FMAP used in the DSS-CD response is a 73/27 split between General Revenue Funds and Federal Funds.

<u>FISCAL IMPACT - State Government</u>	FY 2009 (10 Mo.)	FY 2010	FY 2011
<b>GENERAL REVENUE</b>			
<u>Costs - Department of Social Services</u>			
Personal Service	(Unknown but Greater than \$226,255)	(Unknown but Greater than \$279,763)	(Unknown but Greater than \$288,156)
Fringe Benefits	(Unknown but Greater than \$100,050)	(Unknown but Greater than \$123,711)	(Unknown but Greater than \$127,423)
Equipment and Expense	(Unknown but Greater than \$124,176)	(Unknown but Greater than \$67,785)	(Unknown but Greater than \$69,818)
<u>Total Costs - DSS</u>	(Unknown but Greater than \$450,481)	(Unknown but Greater than \$471,259)	(Unknown but Greater than \$485,397)
FTE Change - DSS	Unknown but Greater than 8.71 FTE	Unknown but Greater than 8.71 FTE	Unknown but Greater than 8.71 FTE
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUNDS</b>	<b>(Unknown but Greater than \$450,481)</b>	<b>(Unknown but Greater than \$471,259)</b>	<b>(Unknown but Greater than \$485,397)</b>
Estimated Net FTE Change for General Revenue Fund	Unknown but Greater than 8.71 FTE	Unknown but Greater than 8.71 FTE	Unknown but Greater than 8.71 FTE

## FEDERAL FUNDS

### Income - Department of Social Services

Federal Assistance	Unknown but Greater than \$170,016	Unknown but Greater than \$177,859	Unknown but Greater than \$183,194
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### Costs - Department of Social Services

Personal Service	(Unknown but Greater than \$85,391)	(Unknown but Greater than \$105,586)	(Unknown but Greater than \$108,753)
Fringe Benefits	(Unknown but Greater than \$37,760)	(Unknown but Greater than \$46,690)	(Unknown but Greater than \$48,091)
Equipment and Expense	(Unknown but Greater than \$46,865)	(Unknown but Greater than \$25,583)	(Unknown but Greater than \$26,350)
<u>Total Costs - DSS</u>	(Unknown but Greater than \$170,016)	(Unknown but Greater than \$177,859)	(Unknown but Greater than \$183,194)
FTE Change - DSS	Unknown but Greater than 3.29 FTE	Unknown but Greater than 3.29 FTE	Unknown but Greater than 3.29 FTE

### ESTIMATED NET EFFECT ON FEDERAL FUNDS

	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Estimated Net FTE Change for Federal Funds	Unknown but Greater than 3.29 FTE	Unknown but Greater than 3.29 FTE	Unknown but Greater than 3.29 FTE

### FISCAL IMPACT - Local Government

FY 2009 (10 Mo.)	FY 2010	FY 2011
<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

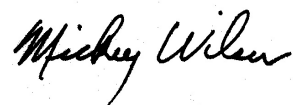
The proposed legislation requires the juvenile court or the Children's Division within the Department of Social Services to make a good faith attempt to contact and place a child needing emergency placement with a grandparent when the child must be removed from his or her primary caretaker's home. If placed with a grandparent, the emergency placement arrangement will remain in effect until a court conducts a hearing on the matter. The grandparent must comply with the emergency background check requirements. If contact with a grandparent cannot be made within three hours of the Division determining an emergency placement is necessary, the child may be placed in a foster home. If placed in a foster home, the Division must continue to attempt to contact the child's grandparents during the initial 24-hour period after an emergency placement was deemed necessary.

When a court determines that a child must be placed in a foster home, the Division must make a good faith attempt to contact the grandparents of the child to determine if they wish to be considered and given first consideration for foster home placement of the child.

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

Office of the Attorney General  
Office of the State Courts Administrator  
Department of Social Services  
Office of Prosecution Services  
Office of the Secretary of State  
Office of the State Public Defender

A handwritten signature in black ink, appearing to read "Mickey Wilson". The signature is written in a cursive, flowing style.

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Mickey Wilson, CPA  
Director  
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