

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4829-01
Bill No.: HB 1130
Subject: Children and Minors; Guardians; Mental Health; Attorneys
Type: Original
Date: January 28, 2014

Bill Summary: This proposal prohibits the denial of mental health care and treatment for children who are alleged victims of abuse or neglect and requires guardians ad litem to have training in child abuse and neglect.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
General Revenue	(Unknown, expected to exceed \$100,000)	(Unknown, expected to exceed \$100,000)	(Unknown, expected to exceed \$100,000)
Total Estimated Net Effect on General Revenue Fund	(Unknown, expected to exceed \$100,000)	(Unknown, expected to exceed \$100,000)	(Unknown, expected to exceed \$100,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Total Estimated Net Effect on FTE	0	0	0

☐ 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).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2015	FY 2016	FY 2017
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Mental Health (DMH)** state this proposal's language prohibits the denial of mental health treatment services for children who are alleged victims of abuse and neglect, but does not indicate the responsible party to determine if the appropriate services are being provided. Currently, children in the custody of the Department of Social Services are provided with mental health care and treatment, if needed. The proposed language does not indicate how services for other children are to be funded.

Children who are not in the custody of the Department of Social Services may not have access to funds for mental health services. If the DMH is required to provide mental health care and treatment for children who have no funding, it can be projected that this legislation would create a significant fiscal impact to the Department.

Because it is not known how many children might be served, or what array of services they might require, a specific amount cannot be projected for the fiscal impact. It can, however, be expected to significantly exceed \$100,000, since all three operating divisions (Developmental Disabilities, Comprehensive Psychiatric Services, and Alcohol and Drug Abuse) of the DMH serve children.

Officials from the **Department of Social Services (DSS)** state the Children's Division (CD) would not expect a fiscal impact should this proposal become law. The CD, in its current practice, already complies with section 210.116 of this proposal should it become law.

The changes to section 210.160.6 also do not fiscally impact the CD as any costs associated with required training for guardians ad litem would presumably come from sources other than the CD, most presumably the courts and/or attorneys intending to serve the courts and children in this capacity.

Officials from the **Office of State Courts Administrator** assume the proposal would not fiscally impact their agency.

<u>FISCAL IMPACT - State Government</u>	FY 2015 (10 Mo.)	FY 2016	FY 2017
GENERAL REVENUE FUND			
<u>Costs - DMH</u>			
Mental health-related services to children (§210.116)	(Unknown, expected to exceed \$100,000)	(Unknown, expected to exceed \$100,000)	(Unknown, expected to exceed \$100,000)
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	(Unknown, expected to exceed \$100,000)	(Unknown, expected to exceed \$100,000)	(Unknown, expected to exceed \$100,000)
 <u>FISCAL IMPACT - Local Government</u>	 FY 2015 (10 Mo.)	 FY 2016	 FY 2017
	<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.

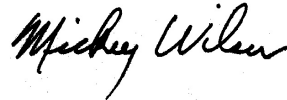
FISCAL DESCRIPTION

This proposal prohibits any child who is suspected of being a victim of abuse or neglect from being denied access to mental health care and treatment regardless of who is responsible for the child's care, custody, or control.

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 State Courts Administrator
Department of Mental Health
Department of Health and Senior Services

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
January 28, 2014

Ross Strobe
Assistant Director
January 28, 2014