

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0106-03
Bill No.: Perfected HCS for HB 168
Subject: Health and Senior Services Department; Drugs and Controlled Substances;
Crimes and Punishment
Type: Original
Date: April 2, 2019

Bill Summary: This proposal exempts health care entities registered with the Department of Health and Senior Services that distribute hypodermic needles or syringes from the crime of unlawful delivery of drug paraphernalia.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
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 2020	FY 2021	FY 2022
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§579.040 and 579.076 - Entities exempted from unlawful delivery of drug paraphernalia

Officials from the **Department of Health and Senior Services (DHSS)** state the proposed legislation would require any entity that possesses, distributes, or delivers hypodermic needles or syringes for the purpose of operating a syringe exchange program or mitigating health risks that are associated with unsterile drug use to register with the DHSS. The duties associated with the registration of entities would require an additional 25 hours per year by a Health Program Representative (HPR), which would be a total cost of \$512.75 annually. (HPR average hourly salary of \$20.51 * 25 hours = \$512.75)

The DHSS anticipates being able to absorb these costs. However, until the FY 2020 budget is final, the department cannot identify specific funding sources.

Oversight does not have any information to the contrary. Oversight assumes the DHSS has sufficient staff and resources to perform the additional work required by this proposal and will reflect no fiscal impact for the DHSS for fiscal note purposes.

Officials from the **Osage County Health Department** assume the proposal would not have any fiscal impact on their department unless it increases their liability insurance. At the present time, the department does not intend to implement this program as they do not have the funding available.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this organization.

Oversight notes the **Department of Insurance, Financial Institutions and Professional Registration**, the **Department of Public Safety, Director's Office** and **Missouri State Highway Patrol**, the **Missouri Office of Prosecution Services**, the **Office of State Courts Administrator**, the **Office of State Public Defender**, the **Andrew County Health Department**, the **Bollinger County Health Center**, the **Columbia/Boone County Department of Public Health and Human Services**, the **Perry County Health Department** and the **St. Louis County Department of Public Health** have [stated](#) the proposal would not have a direct fiscal impact on their [organizations](#). Oversight does not have [any](#) information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

In response to the previous version of this proposal, officials from the **Cole County Health Department** and the **Cooper County Public Health Center** [stated](#) the proposal would not have a direct fiscal impact on their organizations. **Oversight** does not have [any](#) information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note.

ASSUMPTION (continued)

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other Local Public Health Departments were requested to respond to this proposed legislation but did not. For a general listing of political subdivisions included in our database, please refer to www.legislativeoversight.mo.gov.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
	<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 appears to have no direct fiscal impact.

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 Health and Senior Services
Department of Insurance, Financial Institutions and Professional Registration
Department of Public Safety -
 Director's Office
 Missouri State Highway Patrol
Missouri Office of Prosecution Services
Office of State Courts Administrator

SOURCES OF INFORMATION (continued)

Office of State Public Defender
Andrew County Health Department
Bollinger County Health Center
Cole County Health Department
Columbia/Boone County Department of
Public Health and Human Services
Cooper County Public Health Center
Osage County Health Department
Perry County Health Department
St. Louis County Department of Public Health



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April 2, 2019

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