

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0758-01  
Bill No.: HB 249  
Subject: Public Buildings; Emergencies; Health and Senior Services Department; Medical Procedures and Personnel  
Type: Original  
Date: April 26, 2019

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Bill Summary: This proposal proposes mandatory placement of first aid trauma kits in public buildings.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
General Revenue	\$0 or (Unknown greater than \$73,206)	\$0 or (Unknown greater than \$88,749)	\$0 or (Unknown greater than \$89,664)
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0 or (Unknown greater than \$73,206)</b>	<b>\$0 or (Unknown greater than \$88,749)</b>	<b>\$0 or (Unknown greater than \$89,664)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
<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 6 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
<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 FULL TIME EQUIVALENT (FTE)</b>			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
General Revenue	0 or 1	0 or 1	0 or 1
<b>Total Estimated Net Effect on FTE</b>	<b>0 or 1</b>	<b>0 or 1</b>	<b>0 or 1</b>

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

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
<b>Local Government</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

## **FISCAL ANALYSIS**

### **ASSUMPTION**

#### **§190.096 - Trauma public access kits (trauma PAKs)**

Officials from the **Office of Administration (OA), Division of Facilities Management, Design and Construction (FMDC)** state subsection 190.096.4 makes the placement of trauma public access kits (PAKs) voluntary in private buildings, facilities, or structures, but does "not preclude any state agency or political subdivision from adopting mandatory building standards requiring the placement of PAKs in public buildings, facilities, or structures." This subsection also requires any person or entity placing or requiring the placement of PAKs in private buildings, facilities, or structures to comply with the requirements of subsection 5 of the section in order to claim immunity from civil damages under subsection 6 of the section. FMDC does not intend to require the placement of trauma PAKs in public or private buildings, facilities, or structures within its purview. FMDC assumes it could be responsible for compliance with this legislation should any state agency, political subdivision, person, and/or entity require the placement of trauma PAKs in public or private buildings, facilities, or structures within FMDC purview.

Subdivisions (1), (2), (3), and (5) of subsection 190.096.2 describe the minimum contents of a trauma public access kit (trauma PAK), but subdivision (4) is an open ended requirement of "Medical materials and equipment similar to those described in subdivisions (1), (2), and (3) of this subsection, and any additional items that are approved by local law enforcement or first responders, adequately treat a traumatic injury, and can be stored in a readily available kit". If FMDC were required to place a trauma PAK, subdivision (4) makes it impossible to estimate the cost of a trauma PAK that would meet the requirements of the subsection. Basic trauma kits to MobileAid easy-roll Trauma First Aid Stations can range from \$200 to \$623 per kit. If the trauma PAK requires a defibulator or defibrillator, a portable electronic device, the cost would be much higher - \$148,000 to \$461,020. FMDC may also incur significant personnel services costs for the time spent coordinating with each local law enforcement or first responder organization regarding additional approved items and determining whether items adequately treat a traumatic injury.

Subsection 190.096.5 and its subdivisions require the entity responsible for managing the building, facility, or tenants of a structure that is an occupied structure in which a trauma PAK is placed to perform certain duties including, but not limited to including: regular maintenance, inspection, and replacement of trauma kits, notification of tenants, and tenant training in use of the PAK. If FMDC were required to perform the required duties, at least one additional new full-time employee would be required. FMDC would likely need to hire at least 1.00 FTE of a certified nurse, paramedic, inspector and/or emergency management coordinator. The salary

ASSUMPTION (continued)

estimate for such an employee would be \$50,000-\$60,000 a year for each FTE. There is also the annual maintenance cost for the supplies in the kits. The estimated cost of replacement supplies and travel is \$10,000 to \$20,000 annually, but could be more or less depending on the number of trauma PAKs placed, the contents of those trauma PAKs, usage of the placed trauma PAKs, and/or the geographic dispersal of the placed trauma PAKs.

FMDC may incur a significant fiscal impact as a result of this legislation. The extent of this impact is unknown and impossible to determine based on the unknown number of state agencies, political subdivisions, persons, and/or entities that may choose to require the placement of trauma PAKs in public or private buildings, facilities, or structures within FMDC purview, the unknown contents and costs of each trauma PAK, the unknown amount of personnel services time/costs for the time spent coordinating with each local law enforcement or first responder organization regarding additional approved items and determining whether items adequately treat a traumatic injury, the unknown usage of trauma PAKs that may be placed, and/or the unknown geographic dispersal of the trauma PAKs that may be placed.

**Oversight** researched the cost of trauma PAK kits on-line. The Lifesecure MobileAid Easy-Role Hi-Visibility Modular Trauma First Aid Station was priced at \$459.95, the America Lifeguard MobileAid 100 Easy Roll Trauma First Aid Station was priced at \$289.95 and the Reflex 100 Trauma First Aid Backpack Kit was priced at \$348.50. None of these kits contain a defibulator or defibrillator.

**Oversight** assumes, for fiscal note purposes, the OA, FMDC may need to hire 1 FTE at a salary of at least \$50,000 plus fringe benefits, travel and equipment and expense. An unknown cost for trauma PAK kits and supplies may also be needed. Therefore, Oversight will range costs to the General Revenue Fund from \$0 to Unknown exceeding \$87,847 (salary + fringe benefits + travel) annually.

**Oversight** notes that the **Department of Health and Senior Services** and the **Department of Public Safety, Division of Fire Safety** 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 in the fiscal note for these organizations.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
<b>GENERAL REVENUE FUND</b>			
<u>Costs</u> - OA (\$190.096)	\$0 or Could exceed ...	\$0 or Could exceed ...	\$0 or Could exceed ...
Personal service	(\$41,667)	(\$50,500)	(\$51,005)
Fringe benefits	(\$23,206)	(\$27,999)	(\$28,153)
Travel	(\$8,333)	(\$10,250)	(\$10,506)
PAK kits, other supplies, and equipment and expense	(Unknown)	(Unknown)	(Unknown)
Total <u>Costs</u> - OA	<u>\$0 or (Unknown</u> <u>greater than</u> <u>\$73,206)</u>	<u>\$0 or (Unknown</u> <u>greater than</u> <u>\$88,749)</u>	<u>\$0 or (Unknown</u> <u>greater than</u> <u>\$89,664)</u>
FTE Change - OA	0 or 1 FTE	0 or 1 FTE	0 or 1 FTE
<b>ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND</b>	<b><u>\$0 or</u> <u>(Unknown</u> <u>greater than</u> <u>\$73,206)</u></b>	<b><u>\$0 or</u> <u>(Unknown</u> <u>greater than</u> <u>\$88,749)</u></b>	<b><u>\$0 or</u> <u>(Unknown</u> <u>greater than</u> <u>\$89,664)</u></b>
Estimated Net FTE Change on the General Revenue Fund	0 or 1 FTE	0 or 1 FTE	0 or 1 FTE
 <u>FISCAL IMPACT - Local Government</u>			
	FY 2020 (10 Mo.)	FY 2021	FY 2022
<b>POLITICAL SUBDIVISIONS</b>			
<u>Costs</u> - potential costs of PAK kits, other supplies and equipment and expense	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>ESTIMATED NET EFFECT TO POLITICAL SUBDIVISIONS</b>	<b><u>\$0 or</u> <u>(Unknown)</u></b>	<b><u>\$0 or</u> <u>(Unknown)</u></b>	<b><u>\$0 or</u> <u>(Unknown)</u></b>

FISCAL IMPACT - Small Business

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

### FISCAL DESCRIPTION

This bill creates the "Tactical Response to Traumatic Injuries Act."

The bill specifies that any entity responsible for managing a building, facility, or tenant of a structure may voluntarily provide a trauma public access kit (trauma PAK) unless a trauma PAK is required as a mandatory building standard adopted by a state agency or political subdivision. The requirements for placing and maintaining a trauma PAK are specified in the bill.

This bill specifies that any person or entity that acquires and places a trauma PAK in a structure shall not be liable for any civil damages resulting from any acts or omissions in rendering emergency care by use of the trauma PAK if such person or entity has complied with the provisions of this bill. Any person who gratuitously and in good faith renders emergency care or treatment by use of the trauma PAK at the scene of an emergency shall not be held liable for any civil damages as a result of such care or treatment, unless the person acts in a willful and wanton or reckless manner in providing the care or treatment. The person or entity that provides training on use of the trauma PAK, that is responsible for the site where the trauma PAK is located, that owns the trauma PAK, that provides clinical protocol for trauma PAK sites or programs, or that reviews and approves the clinical protocol shall not be held liable for civil damages resulting from use of the trauma PAK.

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 Public Safety - Division of Fire Safety  
Office of Administration - Division of Facilities Management, Design and Construction



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