

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3448-01
Bill No.: Perfected HB 1486
Subject: Health, Public; Drugs and Controlled Substances; Health and Senior Services
 Department;
Type: Original
Date: February 19, 2020

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 2021	FY 2022	FY 2023
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
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 2021	FY 2022	FY 2023
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
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 2021	FY 2022	FY 2023
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§579.040 and 579.076 - Entities exempted from unlawful delivery/manufacture 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 proposed legislation would also not allow a registered entity to be within five hundred feet of any school building, unless it was in operation prior to the school building. DHSS would be responsible for registering entities, and it is assumed that DHSS would also be responsible for ensuring that the entity was not within five hundred feet of a school as part of the registration process. The duties associated with the registration of entities would require an additional 50 hours per year by a Health Program Representative, which would be a total cost of \$1,025.50 annually. (HPR average salary \$42,665 and average hourly salary of \$20.51 X 50 hours = \$1,025.50).

The department anticipates being able to absorb these costs. However, until the FY21 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.

Oversight notes the **Missouri Office of Prosecution Services** has stated the proposal would not have a measurable fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this organization.

In response to the previous version of this proposal, officials from the **Cooper County Public Health Center** assumed unknown revenues and savings, as well as unknown costs and potential losses, related to this proposal.

Oversight notes the Cooper County Public Health Center did not elaborate on the unknown fiscal impact of this proposal and did not provide any additional follow-up information. Therefore, Oversight assumes the Cooper County Public Health Center's unknown revenues/savings and unknown costs/losses will be minimal and absorbable within current funding levels and no fiscal impact will be assumed for fiscal note purposes.

ASSUMPTION (continued)

Oversight notes the **Department of Public Safety, Director’s Office** and the **Office of State Courts Administrator** have each stated the proposal would not have a direct fiscal impact on their respective organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these organizations.

In response to similar legislation from the current session (SB 668), officials from the **Columbia/Boone County Department of Public Health and Human Services** 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 this organization.

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. A general listing of political subdivisions included in our database is available upon request.

House Amendment (HA) 1

Oversight notes, based on agency responses, that HA 1 has no fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
	<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 Public Safety -
 Director's Office
Missouri Office of Prosecution Services
Office of State Courts Administrator
Columbia/Boone County Department of Public Health and Human Services
Cooper County Public Health Center



Julie Morff
Director
February 19, 2020



Ross Strope
Assistant Director
February 19, 2020