

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1150S.06A  
Bill No.: SS for SCS for HS for HB 432, as amended  
Subject: Children and Minors; Children's Division; Courts; Disabilities; Domestic Relations; Elderly; Family Law; Health Care; Health and Senior Services, Department of; Insurance - Health; Medicaid/Mo Health; Mental Health; Social Services, Department of; Vital Statistics  
Type: Original  
Date: May 11, 2021

---

Bill Summary: This proposal modifies provisions relating to protection of vulnerable persons.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
General Revenue	(Could exceed \$8,327,290)	(Could exceed \$11,274,587)	(Could exceed \$11,351,860)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(Could exceed \$8,327,290)</b>	<b>(Could exceed \$11,274,587)</b>	<b>(Could exceed \$11,351,860)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
Agricultural Protection	(\$6,780)	(\$3,390)	\$0
Various State	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>(\$6,780 to Unknown)</b>	<b>(\$3,390 to Unknown)</b>	<b>\$0 or (Unknown)</b>

Numbers within parentheses: () indicate costs or losses.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
Federal*	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

\*Income and expenses exceed \$5.7 million annually and net to \$0. Provisions of §§285.625-285.670 (p.20-21) to have \$0 or (Unknown) fiscal impact on federal funds.

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
General Revenue	Up to 20.34 FTE	Up to 20.34 FTE	Up to 20.34 FTE
Federal	1.16 to 1.35 FTE	1.16 to 1.35 FTE	1.16 to 1.35 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>Up to 21.69 FTE</b>	<b>Up to 21.69 FTE</b>	<b>Up to 21.69 FTE</b>

- ☒ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- ☐ Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2022	FY 2023	FY 2024
<b>Local Government</b>	<b>\$38,583 to (Unknown)</b>	<b>\$42,307 to (Unknown)</b>	<b>\$42,307 to (Unknown)</b>

## **FISCAL ANALYSIS**

### **ASSUMPTION**

Due to time constraints, **Oversight** was unable to receive some agency responses in a timely manner and performed limited analysis. Oversight has presented this fiscal note on the best current information that we have or on information regarding a similar bill(s). Upon the receipt of agency responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note.

#### **§160.263 – Seclusion and restraint policies in public schools - Senate Amendment #6**

In response to similar provisions (HB 387), officials from the **Department of Elementary and Secondary Education (DESE)** estimated a one-time expense of \$62,400 and yearly maintenance of \$5,000 thereafter to securely collect and compile the data. The initial \$62,400 cost includes \$38,400 in development, and \$24,000 project management costs.

In response to a similar proposal (HB 119), officials from the **Fordland School District** assumed no fiscal impact from this proposal.

In response to similar provisions (HB 387), officials from the **High Point R-III School District** assumed no fiscal impact from this proposal.

In response to a similar proposal from 2020 (Perfected HB 1568), officials from the **Wellsville-Middletown R-I School District** stated as they don't currently use physical restraints or seclusion in their school, there wouldn't be a substantial fiscal impact from this bill.

**Oversight** assumes schools districts already using restraint have policies requiring training for employees performing such duties, and will be able to absorb any additional duties this proposal may require.

Oversight received few responses from school districts related to the fiscal impact of this proposal. Oversight has presented this fiscal note on the best current information available. Upon the receipt of additional responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval of the chairperson of the Joint Committee on Legislative Research to publish a new fiscal note.

#### **§160.3005 – DESE to develop and public school districts to adopt policies providing accommodations for nursing mothers - Senate Amendment #3**

In response to similar legislation (SB 76), officials from the **Department of Elementary and Secondary Education** and the **Department of Social Services** each assumed the proposal will have no 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 agencies for this section.

In response to similar legislation (SB 76), officials from the **Gordon Parks Elementary Charter School** assumed there could be a fiscal impact to their organization.

In response to similar legislation (SB 76), officials from the **Fordland R-III School District** and the **High Point R-III School District** each assumed the proposal will have no fiscal impact on their respective organizations.

**Oversight** is uncertain if all school buildings would currently meet the requirements of the proposal; therefore, Oversight will show a range of impact of \$0 (districts currently meet the requirements of this proposal) to an unknown cost to provide minimum accommodations. Oversight assumes these costs would likely be one-time costs occurring in FY 2022.

**Oversight** received a limited number of responses from school districts related to the fiscal impact of this proposal. Oversight has presented this fiscal note on the best current information available. Upon the receipt of additional responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note.

§162.686 – Recording certain meetings by a student’s parent or legal guardian - Senate Amendment #8

In response to similar provisions (SB 134), officials from the **Department of Elementary and Secondary Education** assumed the proposal will have no fiscal impact on their organization.

In response to a similar proposal from this year (HB 228), officials from the **Fordland School District** also assumed the proposal will have no fiscal impact on their organization.

**Oversight** notes that the above mentioned agencies have stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for this section.

Without additional responses, **Oversight** will make the assumption that these provisions will not have a direct fiscal impact on school districts.

§178.835 – Sheltered workshops

In response to similar legislation (SB 582), officials from the **Department of Elementary and Secondary Education** assumed the proposal will have no fiscal impact on their organization.

Upon further inquiry, **DESE** stated the state aid distributed to shelter workshops is not based on the wages paid to disabled workers. Therefore, this proposal does not change the state

distribution to sheltered workshops. Oversight notes DESE has paid an average of \$23,954,571 (General Revenue) per year for Sheltered Workshops

**Oversight** assumes the sheltered workshops determine the wages paid to disabled workers. This proposal could change the amount paid to disabled persons working in sheltered workshops if the calculation of commensurate wage is different than current practice. Oversight notes per section 178.900, RSMo, sheltered workshops are operated by not-for-profit corporations. Therefore, Oversight will show a potential impact to small businesses.

#### §§191.116 – Alzheimer’s State Plan Task Force

In response to similar legislation (SB 523), officials from the **Department of Health and Senior Services (DHSS), Division of Senior and Disability Services (DSDS)** states §191.116 would create the Alzheimer’s State Plan Task Force.

1. Subsection one would require DHSS to play an integral role in the task force by establishing the Task Force within the Department.
2. Subsection three would require the task force to request assistance or information from state departments, agencies, board, commissions, and offices. DHSS assumes that it would receive requests to provide information to the task force, which would place a requirement on staff time to gather and disseminate such information. Subsequently, they would utilize this information to make informed decisions when creating, updating, and maintaining an integrated state plan to cover Alzheimer’s.
3. Subsection four would require the task force to deliver a report to the governor and general assembly before June 1, 2022.

DSDS would utilize an hourly and intermittent (H&I) employee from September 1, 2021 to June 1, 2022 to assist with writing the report for the Governor and General Assembly. It is estimated that the employee would spend approximately 686 working hours (2,080 X 0.33) researching and preparing the report. The H&I employee would be paid \$20.00 per hour due to the comprehensive nature of the report requirements. Therefore, the total cost to DSDS would be approximately \$13,728 plus fringe (all GR) for the first year. After the first year, additional information gathering would exist within the division’s normal responsibilities.

It is also assumed that DSDS would be tasked with the logistics of ongoing support for the task force such as scheduling meetings, travel arrangements, etc. These duties could be absorbed by current DSDS staff.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect the costs provided by DHSS for fiscal note purposes.

§§192.2520 & 197.135 – Justice for Survivors Act

In response to similar legislation (SCS SB 550), officials from the **Department of Higher Education and Workforce Development**, the **Department of Health and Senior Services**, the **Department of Public Safety – Director’s Office** and **Missouri Highway Patrol**, the **Kansas City Health Department** and the **University of Central Missouri** each assumed the proposal will have no 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 agencies.

§208.018 – SNAP recipients allowed/encouraged to utilize local farmers' markets

In response to similar legislation (SB 575), officials from the **Department of Social Services (DSS)**, **Family Support Division (FSD)** stated §208.018 is amended to extend the pilot program for Supplemental Nutrition Assistance Program (SNAP) participants to purchase fresh food at farmers’ markets with a dollar – for - dollar match up to ten dollars per week until August 28, 2027.

Previously, FSD partnered with a nonprofit organization which had a grant from the United States Department of Agriculture (USDA), to implement this program. If there is not a nonprofit organization administering this program, FSD assumes DSS will administer the program directly should the provisions of this legislation be enacted.

FSD currently utilizes a third party vendor to administer SNAP benefits to participants on Electronic Benefit Transfer (EBT) cards. The current EBT vendor estimates the necessary programming changes will cost approximately \$150,000 to implement and approximately \$6,500 per month to maintain. Due to the necessary programming changes required, the EBT vendor estimates implementation cannot occur before October 2021.

The provisions of this legislation require the pilot program to be established in at least one urban area and one rural area in Missouri. For the purposes of this fiscal note, FSD assumes the pilot program will be administered in no more than one urban area and one rural area. FSD determined the number of households receiving SNAP in the most populated urban area and the least populated rural area to estimate the fiscal impact. In November 2020, there were 50,743 households receiving SNAP in St. Louis County, the greatest populated urban area in Missouri and 90 households receiving SNAP in Worth County, the smallest populated rural area.

FSD assumes 25% of the 50,833 (50,743 + 90) SNAP households in these areas will participate in the program for a total of 12,708 SNAP households ( $50,833 * 0.25 = 12,708.25$ , rounded down).

Based on the assumption this program will administer a pilot to 12,708 households in St. Louis County and Worth County, each household will receive an additional \$10 in weekly benefits to use at farmers’ markets. With implementation beginning October 2021, each household will

receive up to an additional \$390 (39 weeks \* \$10) in the first year and up to an additional \$520 (52 weeks \* \$10) in each year following. Therefore, the total additional benefits administered to SNAP participants to use at farmers' markets could be up to \$4,956,120 (12,708 \* \$390) in FY 22 and up to \$6,608,160 (12,708 \* \$520) in each year following.

FSD assumes the administration of this program can be accomplished with existing staff.

FSD defers to OA-ITSD for any system changes necessary to implement the provisions of this legislation.

Therefore, the total fiscal impact to FSD is \$0 to \$5,164,620 (\$150,000 EBT implementation + \$58,500 EBT Maintenance (\$6,500 \* 9 months) + \$4,956,120 benefits) in FY 22 and \$0 to \$6,686,160 (\$78,000 EBT Maintenance (\$6,500 \* 12 months) + \$6,608,160 benefits) in FY 23 and each year following.

DSS will explore opportunities for grants, gifts, donations, or partnerships with nonprofit organizations for the administration of this program. However, without the receipt of grant funds, other gifts, donations, or nonprofit organization partnerships, this program would be fully funded by general revenue and is subject to appropriations.

There is a possibility in the future of receiving a Federal Grant for the program, but none have been granted at this time. So cost have been calculated in General Revenue at this time.

**Oversight** does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by FSD.

Officials from the **DSS, Division of Legal Services (DLS)** stated SB 575 will result in no fiscal impact to DLS. SB 575 moves the sunset date for the pilot program established under this section. No additional DLS resources would be required in litigation, investigations, hearings or human resources.

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

**Oversight** learned, in discussions with DSS officials, that the non-for-profit Mid-America Regional Council (MARC) ran the Double Up Food Bucks (DUFb) program under a grant from summer 2016 through October 31, 2019. The MARC's final report shows there were 53 Farmers Markets that participated some time during the grant period. At those markets, 52,843 SNAP transactions were made for \$959,156 reimbursement/transactions. The DUFb incentive had a distribution of \$811,532 of which \$765,546 or 94% was redeemed.

The program was originally going to run through December 31, 2019, but was shut down on October 31, 2019 to allow time to close out the grant from the USDA and plan for 2020 with local funding they had. The local funding was only for Kansas and some Kansas City locations.

In response to similar legislation (SB 575), officials from the **Missouri Department of Agriculture** and the **Office of Administration (OA), Information Technology Services Division (ITSD)/DSS** assumed the proposal will have no 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 agencies.

§208.053 - “Hand-Up Program”

In response to similar legislation (HB 269), officials from the **Department of Social Services (DSS), Children’s Division (CD), Family Support Division (FSD)** and **Division of Legal Services (DLS)** provided the following information:

Officials from **CD** stated the program, subject to appropriations, is to be implemented by July 1, 2022 as a pilot in three counties (Jackson County, Clay County, and Greene County) with varying populations, as defined in the legislation, to be called “Hand-Up Program.”

The program allows applicants to receive transitional child care benefits without first being income eligible under traditional child care income guidelines. Persons would enter child care subsidy based on transitional income level guidelines.

Provisions of this legislation also require the division to track the number of recipients in the program and provide an annual report to the general assembly beginning September 1, 2022 and annually thereafter on September 1st. These provisions would result in additional fiscal impact on the division.

To develop, implement and oversee the program once implemented a full time Program Development Specialist (PDS) (\$42,654 annually) would be needed beginning in FY22. The full time PDS would be needed to draft program policy, regulations, and contract amendments for child care providers in the defined counties, coordinate system changes with ITSD, calculate data required by the provisions and write an annual report for the general assembly. The estimated cost for 1 FTE salary, fringe and expenses for FY22 totals \$73,328; FY23 costs total \$79,116; and FY24 costs total \$79,881 (up to 19% General Revenue; 81% or up to 100% Federal).

**Oversight** assumes CD would not need additional rental space for 1 new FTE for this single proposal. However, Oversight notes, depending on the number of proposals passed during the legislative session that, cumulatively, CD may need additional rental space or capital improvements as determined by the Office of Administration, Facilities Management, Design and Construction.

**CD** assumes all eligible children will have access to the program. The costs for FY22 would include personnel and systems changes due to the program implementation date of July 1, 2022. The cost for implementation in FY23 results in an increase of \$6,456,831 (19% or \$1,226,798 General Revenue and 81% or \$5,230,033 Federal) for subsidy payments. Calculation is based on



the number of children rejected per level of transitional child care multiplied by the transitional level rate and then annualized.

Currently, DSS is providing a transitional benefit to this population funded through the CARES Act.

The availability of future additional federal funds is unknown. Therefore, the fiscal impact is a range for General Revenue and Federal Funds.

**Oversight** does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by DSS/CD.

Officials from **FSD** stated the pilot program allows applicants in the program to receive transitional child care benefits without having to be first eligible for full childcare benefits with three different tiers with income maximums of 165% FPL, 190% FPL, and 215% FPL.

The individuals who would be eligible for the pilot program in the areas listed were determined by identifying the individuals in these areas who applied for Child Care Subsidy in State Fiscal Year 2020 with household incomes exceeding 138% FPL, but less than 215% FPL.

FSD determined there would be 1,744 individuals eligible for the Hand Up program if the provisions of this bill are enacted as proposed.

FSD arrived at 1,744 individuals in this manner:

In SFY 2020, the FSD rejected 995 children with household income between 138% FPL and 165% FPL; 523 children with household income between 166% FPL and 190% FPL; and 226 children with household income between 191% FPL and 215% FPL.

Tier One Children – 75% of maximum base rate for child care assistance: 995

Tier Two Children – 50% of maximum base rate for child care assistance: 523

Tier Three Children – 25% of maximum base rate for child care assistance: 226

**Total Children eligible for Hand Up program: 1,744**

FSD determines eligibility for child care assistance. FSD assumes existing staff will be able to complete necessary additional eligibility work because of this proposal.

FSD further assumes the Office of Administration (OA), Information Technology Services Division (ITSD)/DSS (OA-ITSD) will include the FAMIS programming costs for the system changes as well as the system-generated notice needed to implement provisions of this bill in their response.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect the no fiscal impact assumed by FSD for fiscal note purposes.

Officials from **DLS** stated they do not foresee a fiscal impact as a result of this legislation. FSD estimates that approximately 1,744 children would be added to the child care rolls as a result of SB 206. DLS would be able to handle any additional advisory or regulatory work resulting from this legislation with its currently-available resources. Since the legislation results in less applicants being rejected for child care assistance, it could cause a decrease in the number of administrative hearings conducted for that program. At the same time, a long-term increase in participation in the program could gradually cause an increase in hearings. Considering both possibilities, this proposal would not have a significant impact on the overall number of hearings conducted by DLS.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect the no fiscal impact assumed by DLS for fiscal note purposes.

**DSS** officials provided the response for the **OA-ITSD/DSS**. ITSD states FAMIS already has a process in place to determine eligibility for Transitional Child Care Eligibility Units. The system already caters to Transitional Child Care 1, 2, and 3 (TCC1, TCC2, and TCC3) based on the specified income guidelines. The current functionality within the TCC Program Eligibility Determination is to fail a participant/family if the income exceeds the specified limit.

The proposed functionality is to allow recipients to continue to receive benefits should their income rise above the maximum allowable monthly income for persons to receive full child care benefits if the recipient pays a premium that is applied only to the portion of the recipients income above such maximum allowable monthly income for the receipt of full child care benefits. The system needs to stop failing them and instead move them to a new program called the "Hand-Up Program".

This will involve screen changes, eligibility determination changes, forms notice changes in addition to any new processes that may be needed. There could be changes on the data warehouse programs as well.

ITSD assumes that every new IT project/system will be bid out because all ITSD resources are at full capacity. The current contract rate for IT consultants is \$95 per hour. It is assumed FAMIS changes will require 673.92 contract hours. Therefore, FY 2022 costs are estimated to be:

<u>Fund Affected</u>	<u>FY 2022</u>
General Revenue	\$32,011
Federal Funds	<u>\$32,011</u>
Total Costs	<u>\$64,022</u> (673.92 hours * \$95)

**Oversight** does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by OA-ITSD/DSS.

**Oversight** notes the provisions of this proposal only apply to Clay, Greene and Jackson counties. Clay and Greene Counties have not provided contacts to review proposed legislation. Officials from Jackson County did not respond to Oversight's request for a statement of fiscal impact. Therefore, Oversight assumes the proposal will have no fiscal impact on these counties.

§§208.226 and 208.227 - Antipsychotic medications; MO HealthNet; case management

In response to similar legislation (SB 173), officials from the **Department of Mental Health** and the **Department of Social Services** 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.

§208.285 – Farmer's market vouchers for pregnant and postpartum women, infants, and children

In response to similar legislation (SB 525), officials from the **Missouri Department of Agriculture (MDA)** noted the following regarding this proposal:

MDA assumed the federal grant award for Missouri will be \$235,070, which was the amount received the last year that Missouri received Women, Infant and Children supplemental nutrition program (WIC) funding for farmers markets (FY 2009). The reward would result in total federal administrative funds of \$39,962 ( $\$235,070 \times 17\%$ ). This grant requires a 30% cash match of administrative funding equaling \$11,989. As stated in CFR 248.2, matching requirement, the match may be satisfied through expenditures for similar farmers' market programs which operate during the same period.

The remaining portion of the WIC Farmer's Market Nutrition Program (FMNP) utilized for food vouchers in Missouri equals \$195,108 ( $\$235,070 - \$39,962$ ). For the purposes of this fiscal note, MDA assumes the benefit amount by each recipient or household is \$30, which results in 6,504 participants ( $\$195,108/30$ ) and 39,024 vouchers (six \$5 vouchers totaling \$30 per participant).

MDA plans to pilot the WIC FMNP in the same areas as the State Farmer's Market Nutrition Program (SFMNP) with authorized farmers at farmers' markets only.

MDA assumes that it will be able to utilize existing WIC staff in the piloted areas. The local agencies in the pilot areas will be given \$42,307 ( $\$680 \text{ base pay} \times 45 \text{ local agencies} + \$0.30 \text{ per voucher redeemed}$ ) to administer the vouchers to eligible participants. Local agencies will be instructed to operate the program on a "first come, first serve" basis.

MDA will need one (1) additional FTE to implement this proposal. The FTE will be responsible for coordinating the voucher program, monitoring the grant budget, completing the required

reports, coordinating efforts with local public health WIC agencies, and coordinating efforts with farmers' markets and producers across Missouri. The fiscal impact also factors in 10% of the program manager's time. Normal E&E costs are also necessary to support the on-going operation of the program.

The following additional costs are also essential to the program's operation:

Solutran - \$20,000

- Cost of printing vouchers
- Cost of processing vouchers
- Cost of returned vouchers
- Base, set up and deposit fee
- SOAR account reporting

Local Public Health/WIC Agencies - \$42,307 (\$19,962 Federal; \$22,345 General Revenue)

- Based on SFMNP areas
- Promote the program to eligible residents
- Distribute program applications
- Determine participant eligibility
- Process program applications
- Issue vouchers to eligible participants
- Perform nutrition education requirements
- Audit for dual participation within each assigned area

Outreach/Printing/On-going Expenses/One-time costs - \$10,000

- Outreach and recruitment of participants, farmers and farmers' markets
- Program signage for farmers' markets
- Printing of numerous federally required forms
- Website and social media outreach
- Creating, printing and distributing promotional materials for the program
- Creating, printing and distributing training materials for the program
- Customization and ordering of authorized farmer stamps, a required component of the program
- Printing of all-weather signage to be hung at authorized farmers' booths

Training - \$5,000

- Design a program training for farmers, farmers' markets and local agencies
- Implementation of program training courses
- Extensive travel involved to conduct multiple trainings annually
- Extensive travel involved to inspect at a minimum 10% (as federally required) of authorized farmers annually
- Cost of conducting both farmer reviews and local agency reviews annually

**Oversight** does not have any information to the contrary in regards to MDA's assumptions; therefore, Oversight will reflect MDA's costs on the fiscal note.

In response to similar legislation (SB 525), officials from the **Department of Health and Senior Services (DHSS)** assumed the following regarding this proposal:

Section 208.285, RSMo, establishes the Missouri Farmers' Market Nutrition Program under the administration of the Missouri Department of Agriculture. Participants of the Women, Infant and Children supplemental nutrition program administered by the Department of Health and Senior Services (DHSS), Division of Community and Public Health (DCPH), would be eligible to participate in this program.

Section 208.285.5, RSMo, of the proposed legislation would allow MDA to enter into written agreements with other state, local, and nonprofit agencies to maintain the Missouri Farmers' Market Nutrition Program.

DCPH and local agencies must maintain the confidentiality of WIC participants and may only disclose confidential participant information as outlined in 7 CFR 246.26(h). The chief state health officer must designate in writing the permitted non-WIC uses of confidential participant information and to what entity the information is provided. The state or local agency disclosing the information must also enter into written agreements with the entity that will be using the information.

The WIC State Plan must include a list of all organizations the state or local agencies will execute, or intend to execute, written agreements with to disclose this information. DCPH estimates it will take one (1) Public Health Program Specialist (average salary \$44,235) two hours to support this effort, for an annual personal services cost of \$42.54 ( $\$44,235 / 2,080 = \$21.27$  per hour;  $\$21.27 \times 2$  hours). The department anticipates being able to absorb these costs; however, until the FY22 budget is final, the department cannot identify specific funding sources. DCPH assumes any costs associated with the local agencies entering into agreements and providing services under the Missouri Farmer's Market Nutrition Program will be addressed in local agencies' individual fiscal note responses. Local agency funding to operate the WIC program cannot be used to provide services under the WIC Farmers' Market Nutrition Program, however some activities funded for WIC services, such as nutrition education, can be tailored to meet the requirements of both programs. Any other activities that are not specifically funded for WIC services must use other funding sources, in this case the Missouri Farmers' Market Nutrition Program administration funding.

**Oversight** assumes DHSS will use existing staff and will not hire additional FTE to conduct these activities; therefore, Oversight will not reflect the administrative costs DHSS has indicated.

In response to similar legislation (SB 525), officials from the **Department of Social Services** assumed the proposal will have no 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 that agency.

In response to similar legislation (SB 525), officials from the **Boone County/Columbia Health Department**, the **Kansas City Health Department** and the **Newton County Health Department** each assumed the proposal will have no 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 agencies.

In response to a similar proposal (HB 652), officials from the **St. Louis County Health Department** assumed the proposal would have no 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 that agency.

#### §208.1060 – Farm to Food Bank Project

In response to a similar proposal (SB 562), officials from the **Department of Social Services (DSS)** assumed the proposal will have no fiscal impact on their organization.

**Oversight** does not have any information to the contrary. In discussions with DSS officials, Oversight learned that DSS currently has a state plan submitted to the United States Department of Agriculture (USDA) under 7 C.F.R. 251.10(j) and has received funding from the USDA “Farm to Food Bank” grants for FY 20 and FY 21. Passage of this legislation would require DSS to continue to participate in the program, pending availability of the program/funds through the USDA.

From a USDA memo provided by DSS, Oversight also learned the Federal share of a Farm to Food Bank Project shall not exceed 50 percent of the total cost of the project. Therefore, all Federal funds utilized for Farm to Food Bank Projects must be matched by non-federal funds. DSS officials state the Southeast Missouri Food Bank (SEMO) is the only food bank implementing the ‘Farm to Food Bank’ grant program for FY 20. SEMO provides the state match for the program through in-kind services and expenses. There is currently no cost to DSS to run this program. Therefore, Oversight will reflect a zero impact to the state for this section in the fiscal note.

#### §§210.115 and 210.121 - Provisions relating to unaccompanied youth

In response to similar legislation (HCS HB 1276), officials from the **Department of Social Services**, the **Department of Commerce and Insurance**, the **Department of Corrections**, the **Department of Elementary and Secondary Education**, the **Department of Health and Senior Services**, the **Department of Higher Education and Workforce Development**, the **Department of Mental Health**, the **Kansas City Police Department**, the **Newton County Health Department** and the **St. Joseph Police Department** each assumed the proposal will have no 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 sections.

In response to similar legislation (HB 1276), officials from the **Columbia/Boone County Public Health & Human Services**, the **Kansas City Health Department**, the **St. Louis County Department of Public Health** and the **St. Louis County Police Department** each assumed the proposal would have no 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 sections.

§§210.150 and 210.156 – Birth match program

In response to a previous version of this proposal, officials from **Department of Health and Senior Services (DHSS)** stated §210.156 requires the state registrar of vital statistics to provide birth record information to the Department of Social Services (DSS), when a child is born to an individual whose identifying information has been provided by DSS and whose parental rights have been terminated or who has pled guilty or has found guilty of certain offenses when the victim is under the age of 18 years old.

Per information provided by DSS, an average of 2,185 parents have their rights terminated each year in Missouri. The number of parental terminations processed by DSS and provided to DHSS that were the result of a guilty plea or the person has been found guilty of the offenses described in §210.156 is unknown. Therefore, based on 2,185 data requests, the Division of Community and Public Health (DCPH), Bureau of Vital Statistics, assumes it will take one (1) Research/Data Analyst (average salary \$46,651) 1,040 hours to match the list of individuals whose identifying information was provided by DSS and/or a court to DHSS databases through complex programming queries and working with other units to ensure linkage of information across entities in an accurate manner. Based on 2,080 working hours this would require 0.5 FTE (2,080 hours / 1,040 hours) to assume these duties for an estimated personal services cost of \$23,326 (46,651 x 0.5 FTE) for FY 2022.

In response to similar legislation (HB 432), **Oversight** contacted DHSS staff regarding changes to staffing and ITSD costs provided for similar provisions found in HCS HB 2216 (2020). In that fiscal note response, DHSS assumed 1 FTE Public Health Data Technician I (\$29,448) would be needed to maintain a list of individuals whose identifying information was provided by the DSS, searching for the information and documentation, and processing the vital record information for submission to DSS. In addition, approximately \$41,040 in ITSD costs for changes to the electronic vital record keeping system was going to be required.

**DHSS** officials stated that, after further research for the current proposal, it was determined the task required by this proposal could be accomplished by having a research analyst use a linkage process the Bureau of Vital Records already has the capability of performing (thus, no ITSD costs), rather than someone having to go through each record manually. However, the work

would be done by a different bureau and would require a higher skilled position to perform the process (complex programming queries).

Generally, **Oversight** assumes departments have the ability to absorb limited increases in duties by existing staff. However, DHSS officials stated the DCPH does not currently have the capacity to absorb even 0.5 FTE of a Data/Research Analyst. Therefore, for fiscal note purposes, Oversight will present DHSS' request for 0.5 FTE Research/Data Analyst in the Division of Community and Public Health (\$46,651) as of January 1, 2021. However, Oversight assumes 0.5 FTE would not be provided fringe benefits (health insurance, sick leave, vacation, etc.) and the state would only pay Social Security and Medicare benefits of 7.65 percent. In addition, Oversight assumes the DHSS would not need additional rental space for 0.5 FTE. However, if multiple proposals pass during the legislative session requiring additional FTE, cumulatively the effect of all proposals passed may result in the DHSS needing additional rental space.

In response to a previous version of this proposal, officials from the **Department of Social Services (DSS), Children's Division (CD)** stated this proposal would fiscally impact the Division as an additional two (2) full time Investigative Children's Service Workers, one (1) Alternative Care Children's Service Worker, one (1) Family Centered Services Children's Service Worker, one (1) full time Children's Services Supervisor, and two (2) clerical staff would be needed to fulfill the requirements of this bill.

Based on the requirements of the bill, the number of Termination of Parental Rights (TPRs) was determined to be 530 from February 2020 to March 1, 2021. Of those 530 TPRs, CD estimated a potential 75% had the required preponderance of evidence (POE) finding, which was determined to be 398 cases. As further required in the bill, looking at the numbers over a ten year period, it brings the calculation to 3,975 cases.

Per the current census, women of child bearing age (ages 18-40), totaled 1,735,000 women. Based on that population, there were 72,000 live births in Missouri (obtained from the DHSS website). Based on these numbers, 4% (72,000 live births/1,735,000 women) of the population would have a child this year. 3,975 cases times 4% birth rate, equals an initiation of 165 additional contacts per year (rounded).

By dividing 365 days by the 45 day statute requirement that a report be concluded, and the twelve (12) investigations per worker ratio, a total of approximately 97 investigations per year would result from this legislation. This creates a requirement for **two (2) additional FTE caseworkers for the initial contact**. It is estimated that this legislation may result in additional opening of Family Centered Services (FCS) cases. If 25% of the 165 initiated contacts result in a FCS case divided by the caseload ratio of 20 cases per caseload, it would result in **two (2) additional FTE case workers for family centered services** being needed.

There is the assumption that this legislation could result in additional need for funding for Alternative Care. Assuming 10% of the 165 initial reports (that would not have otherwise come into alternative care) resulted in an alternative care case being opened (17, rounded) divided by



the 15 case ratio per worker, would result in an **additional FTE case worker needed for alternative care case management**.

An additional supervisor and one clerical would be needed as well.

When projecting of potential additional alternative care costs, 165 initiations multiplied by 10% of children that could come into care that potentially would not have, it would be approximately 17 children. That multiplied by the maintenance amount equals the state cost for foster care at \$4,393 per youth (per the General Assembly Report for Foster Care Case Management Child Welfare).

The Division of Legal Services will need **one Special Counsel for the additional cases**.

**Oversight** does not have information to the contrary and therefore, Oversight will reflect the estimates as provided by DSS.

In response to a previous version of this proposal, officials from **Office of Administration (OA), Information Technology Services Division (ITSD)/DSS** stated this proposal would require them to build a new interface with DHSS based on the current Missouri's Family Care Safety Registry (FCSR) process that would allow DHSS to query the Family and Children Electronic System (FACES) based on a Departmental Client Number (DCN) that has been entered. The new process will be similar but have additional edits and queries to check for TPRs and guilty verdicts.

OA, ITSD/DSS assumes every new IT project/system will be bid out because all ITSD resources are at full capacity. IT contract rates for FACES are estimated at \$95/hour. It is assumed the necessary modifications will require 649.73 hours for a cost of \$61,724 (649.73 \* \$95), split 50% GR; 50% Federal in FY22. Ongoing support and maintenance costs are estimated to be \$12,652 in FY23 and \$12,970 in FY24, split 50% GR; 50% Federal.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect the costs provided by ITSD/DSS for fiscal note purposes.

In response to similar legislation (SS SB 327), officials from the **Attorney General's Office**, the **Office of Administration - Budget and Planning** and the **Office of the State Courts Administrator** each assumed the proposal would have no fiscal impact on their organization.

**Oversight** does not have any information to the contrary. Therefore, Oversight will reflect the no fiscal impact for these organizations.

#### §210.201 – Changes the definition of “Montessori school”

In response to similar legislation (SCS for SB 457), officials from the **Department of Public Safety – Division of Fire Safety** assumed this section would have no 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 section for this agency.

In response to similar legislation (HCS SCS SB 457), officials from the **Department of Health and Senior Services**, the **Department of Mental Health**, the **Department of Public Safety**, **Missouri Highway Patrol**, the **Department of Social Services** and the **Fruitland Area Fire Protection District** each assumed the proposal would have no 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 this section for these agencies.

§210.252 – Moves certain child care provisions under DESE - Senate Amendment #7

**Oversight** assumes the provisions of Senate Amendment #7 will have no fiscal impact on the Department of Elementary and Secondary Education or the Department of Health and Senior Services.

§210.950 – Abandonment of newborn children

In response to similar legislation (HB 76), officials from the **Department of Health and Senior Services**, the **Department of Social Services**, the **Crestwood Police Department**, the **Ellisville Police Department**, the **Kansas City Police Department**, the **St. Louis County Police Department**, the **Crawford County 911 Board**, the **Nodaway County Ambulance District** and the **Hermann Area Hospital District** each assume the proposal will have no 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 agencies.

In response to similar legislation (HB 76), officials from the **St. Clair Fire Protection District** indicated this proposal would have a fiscal impact on their organization but did not indicate what that impact would be. The fire protection district did not respond to a request for additional information. Based on the no impact responses of other local governments, **Oversight** assumes this proposal will have a minimal fiscal impact on the St. Clair Fire Protection District and will present it as “no impact” for fiscal note purposes.

§210.1225 - Establishes provisions regarding the protection of children and medical care

In response to similar legislation (SB 561), officials from the **Department of Social Services** and the **Hermann Area Hospital District** assumed the proposal will have no 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 section.

§211.211 – Child’s right to counsel - Senate Amendment #5

In response to similar provisions (SB 305), officials from the **Office of the State Public Defender (SPD)** stated for the purpose of the proposed legislation, the SPD cannot assume

existing staff will be able to provide competent, effective representation for any new cases for indigent children. The SPD is currently providing legal representation in caseloads in excess of recognized standards.

In the FY 2018 Youth and Families report, Office of the State Courts Administrator (OSCA) indicated that 2,192 delinquency cases were filed by formal petition. SPD anticipates that 12 juvenile attorney specialists, specifically trained to represent children, would be necessary if this bill were passed.

**Oversight** contacted SPD regarding their response to a similar proposal from last year (HB 1422), which included an ‘(Unknown)’ fiscal impact. Upon further review of the current legislation, SPD had more of a specific response. **Oversight** does not have anything to the contrary and will reflect the impact as “Up to” the costs presented by SPD for fiscal note purposes.

In response to similar provisions (SB 305), officials from the **Department of Social Services**, the **Department of Public Safety-Missouri Highway Patrol**, the **Department of Health and Senior Services**, the **Department of Mental Health**, the **Department of Corrections** and the **Missouri Office of Prosecution Services** each assumed the proposal will have no 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 this section for these agencies.

#### §261.450 – Missouri Food Security Task Force

In response to the previous version of this proposal, officials from the **Missouri Department of Agriculture (MDA)** stated §261.450.4 states “The department of agriculture shall provide technical and administrative support as required by the task force to complete its duties.” Section 261.450.5 states “Members of the task force...shall receive reimbursement for actual and necessary expenses incurred in attending meetings of the task force or any subcommittee thereof.”

This fiscal note assumes that MDA, as part of its administrative support, will provide mileage reimbursement and a meal to all task force members attending the quarterly meetings. Those costs are calculated as follows:

Mileage reimbursement: 125 average miles reimbursed @ \$0.43/mile = \$53.75 X 24 task force members (excludes 3 department directors) = \$1,290 per meeting X 4 quarterly meetings = \$5,160 total mileage reimbursement.

Lunch (with meeting from 10-3) = \$15/person X 27 task force members = \$405 X 4 quarterly meetings = \$1,620

**Total cost = \$6,780 Ag Protection Fund – Wine Tax**

In response to the previous version of this proposal, officials from the **Missouri Senate (SEN)** anticipated a negative fiscal impact to reimburse 2 Senators for travel to task force meetings. It will cost approximately \$224.46 per meeting.

**Oversight** assumes MDA will cover the costs of mileage for task force members, including the two (2) senators, as indicated in their assumption. Oversight will not reflect a cost for the SEN.

**Oversight** notes the task force shall be dissolved on January 1, 2023; therefore, Oversight will only reflect six months (2 meetings) of costs in FY 2023.

In response to similar provisions (SB 441), officials from the **Department of Economic Development**, the **Department of Elementary and Secondary Education**, the **Department of Health and Senior Services**, the **Department of Social Services** and the **Missouri House of Representatives** each assumed the proposal will have no 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 this section for these agencies.

§§285.625 - 285.670 – Employment for victims of certain crimes

In response to similar legislation (SB 16), officials from the **Office of Administration (OA)** assumed that currently, state employees who require time away from work to address tasks related to domestic or sexual violence may use annual leave or compensatory time or, under specific circumstances, sick leave or leave without pay may be used. The fiscal impact would be limited to employees who use leave without pay. There is no fiscal impact on other leave types.

In FY20, there were approximately 9,011 state employees on a leave without pay status at some point during the year. OA does not track whether the use of leave without pay, or any other type of leave, is related to domestic or sexual violence. Accordingly, OA has no mechanism with which to estimate the number of instances in which an employee's use of leave without pay is related to a domestic or sexual violence incident. OA assumes this proposal would not cause the use of leave without pay to increase.

If all employees who require leave related to domestic or sexual violence utilize annual, compensatory, or sick leave, there would be no cost to the proposal. However, if they assume each employee who has a domestic or sexual violence event would cause them to incur two weeks of leave without pay, the state would continue to pay the employer's share of their health insurance at approximately \$536 per employee. If 9,011 state employees utilized 2 weeks of leave without pay due to a domestic or sexual violence incident, the total cost would be \$4.8 million. It is highly unlikely that the minimum or the maximum amounts will occur.

In short, the proposal would cost the state \$536 for every two weeks of leave without pay utilized related to domestic or sexual violence, but OA has no way of estimating the amount of leave

without pay that will be so used. The fund split presented is based off of total State employee salaries. Split ratio is General Revenue 48.6%, Other 32.2% and Federal 19.2%.

In response to similar legislation (SB 16), officials from **Department of Public Safety – Missouri Veterans Commission (DPS-MVC)** assumed the proposal is not much different than other medical leave bills and will range from “No Impact” up to possibly as much as \$100K annually. It is event driven and impossible to calculate.

In response to similar legislation (SB 16), officials from **Department of Elementary and Secondary Education (DESE)** assumed the proposal would have a negative fiscal impact; however, that impact is unknown at this time. The department has no way to predict how many employers would fall under the criteria described in the bill.

In response to similar legislation (SB 16), officials from the **City of Kansas City** assumed the proposal may have a negative fiscal impact on Kansas City due to overtime costs if the employee taking unpaid leave is working in a job class that has minimum staffing.

Such minimum staffing requirement would mean that the absent employee's job duties would have to be covered by another employee on overtime.

In response to similar legislation (SB 16), officials from the **City of Hale** assumed the proposal would have negative fiscal impact on their organization.

In response to similar legislation (SB 16), officials from **Missouri State University** assumed the proposal will have a negative fiscal impact of less than \$100,000 in time invested by existing employees to implement the legal changes.

In response to similar legislation (SB 16), officials from **Northwest Missouri University** assumed the proposal would cost the University approximately \$55,000.00 per year.

In response to similar legislation (SB 16), officials from **State Technical College of Missouri** assumed the proposal could have a slight negative fiscal impact, but no amount could be estimated.

In response to similar legislation (SB 16), officials from the **University of Central Missouri** assumed the proposal would have a minimal fiscal impact anticipated of an indeterminate amount for their organization.

**Oversight** notes that the above state government agencies, colleges, universities, and local political subdivisions have stated the proposal may, depending upon circumstance, have a negative fiscal impact on their respective organizations. Oversight does not have any information to the contrary. Therefore, Oversight will note a potential (Unknown) cost to the General Revenue, Various State Funds, and Various Federal Funds on the fiscal note.

In response to similar legislation (SB 16), officials from the **Attorney General's Office**, the **Office of Administration - Administrative Hearing Commission**, the **Department of Commerce and Insurance**, the **Department of Higher Education and Workforce Development**, the **Department of Health and Senior Services**, the **Department of Mental Health**, the **Department of Public Safety**, **Divisions of: Alcohol & Tobacco Control, Capital Police, Fire Safety, Director's Office, National Guard, and Highway Patrol**, the **Department of Social Services**, the **Missouri Department of Agriculture**, the **Missouri Department of Conservation**, the **Missouri Department of Transportation**, the **MoDOT & Patrol Employees' Retirement System**, the **Petroleum Storage Tank Insurance Fund**, the **Office of the State Public Defender**, the **Office of the Governor**, the **Office of the State Treasurer**, the **Office of the State Auditor**, the **Missouri House Of Representatives**, the **Joint Committee on Public Employee Retirement**, **Legislative Research**, the **Oversight Division**, the **Missouri Senate**, the **Missouri Lottery**, the **Missouri Consolidated Health Care Plan**, the **Missouri Higher Education Loan Authority**, the **Missouri State Employee's Retirement System**, the **Office of the State Courts Administrator**, the **City of Corder**, the **City of Saint Louis Budget Division**, **State Technical College of Missouri**, and the **University of Missouri** each assumed the proposal would have no fiscal impact on their respective organizations.

§376.1228 – Hearing aids covered by health benefit plans

In response to the previous version of this proposal, officials from the **Department of Commerce and Insurance (DCI)** stated the Affordable Care Act (ACA) requires all non-grandfathered individual and small group qualified health plans to cover a core set of healthcare services within 10 essential health benefit (EHB) categories. In 2011, Missouri like other states adopted its core benchmark plan that defined the core benefits these plans must offer in the state. The ACA also requires that the cost of a new coverage mandate added by a state after adoption of its benchmark plan that is above and beyond the EHB benchmark will be the responsibility of the state.

45 C.F.R 155.170 requires states to defray the cost of additional required benefits mandated by a state on or after January 1, 2012.

Documentation provided by the U. S. Department of Health and Human Services, Center for Consumer Information & Insurance Oversight (CCIIO) in Oct. 2018 instructions states that:

“...although it is the state’s responsibility to identify which state required benefits require defrayal, states must make such determinations using the framework finalized at §155.170, which specifies that benefits required by state action taking place on or before December 31, 2011, may be considered EHB, whereas benefits required by state action taking place after December 31, 2011, other than for purposes of compliance with federal requirements, are in addition to EHB and must be defrayed by the state. For example, a law requiring coverage of a benefit passed by a state after December 31, 2011, is still a state mandated benefit requiring defrayal even if the text of the law says otherwise.”

This bill requires that “Each health carrier or health benefit plan that offers or issues health benefit plans that are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2022, shall, at a minimum, provide coverage to children under eighteen years of age for all hearing aids covered for children who receive MO HealthNet benefits under section 208.151.”

This provision appears to create new mandates for which the state must defray payments, as required under federal law. Specifically, this bill appears to require that health benefit plans cover hearing aids for children under the age of 18. As a result, the state may be required to defray the actuarial cost of new coverage requirement and make payments to either issuers or beneficiaries to negate increased or potentially increased premiums. DCI will research the potential impact of increased utilization and the potential future cost to general revenue. The department will revise the fiscal note if these potential costs become available.

Further, Section 1557 of the ACA prohibits health plan from discriminating in providing benefits based on race, color, national origin, sex, age and disabilities – if they are receiving federal financial assistance. In this case federal financial assistance would include Advance Premium Tax Credits or APTC.

The following is an excerpt from the November 26, 2014 federal register; “...we caution both issuers and the States that age limits are discriminatory when applied to services that have been clinically effective at all ages. For example, it would be arbitrary to limit a hearing aid to enrollees who are 6 years of age or younger, since there may be some older enrollees for whom a hearing aid is medically necessary...”

The following is an estimate of potential costs and utilization provided by DCI.

Using Current Population Survey data for 2019, published by the US Bureau of Census, it is estimate that 1,010,184 of insureds will fall under the mandate.

Mo pop <=18	1,449,332
% with Private Insurance	69.7%
with private insurance	1,010,184

Of these 1,010,184, the number who may experience hearing loss are:

Prevalence estimate: 1.7/1000\*      1,717

Source:

\*CDC, Hearing Screening and Follow-up Survey Population: Screened infants. Available at <https://www.cdc.gov/ncbddd/hearingloss/data.html>

Average cost of hearing aid; \$2,805  
Average replacement period: Every four years

Source: Survey of audiologists, available at <https://www.hearingtracker.com/how-much-do-hearing-aids-cost>

The average annual cost per hearing impaired individual would be cost divided by the replacement period, or  $\$2,805 / 4 = \$701$

Total estimated annual cost;  
Prevalence estimate: 1.7/1000          \$1,204,266

If the provisions SB 43 become law, the Department of Commerce and Insurance may need a new budget decision item from General Revenue to cover the potential cost of defrayal.

**Oversight** has no information to the contrary, therefore, Oversight will reflect the updated response provided by DCI of (Up to \$1,200,000 to Unknown) cost to the General Revenue Fund to reimburse various entities to defray the additional costs resulting from the new coverage mandate as described in this proposal.

In response to similar legislation (Perfected SS SCS SB 43), officials from the **Missouri Department of Conservation**, the **City of Corder**, the **City of Hughesville**, the **City of O'Fallon** and the **City of St. Louis Budget Division** each assumed the proposal will have no 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 agencies.

**Oversight** is unsure whether each local political subdivision's health benefit plan covers hearing aids for children equal to coverage provided by MoHealthNet; therefore, Oversight will reflect a \$0 to (Unknown) cost to Local Political Subdivisions.

#### §376.1551 – Insurance coverage for mental health conditions - Senate Amendment #4

In response to similar provisions (HCS HB 889), officials from the **Missouri Department of Transportation**, the **Missouri Consolidated Health Care Plan**, the **Missouri Department of Conservation**, the **Department of Commerce and Insurance**, the **Office of Administration**, the **Department of Social Services** and the **Department of Mental Health** each assumed the proposal will have no fiscal impact on their respective organizations.

**Oversight** notes that the above mentioned agencies have stated the proposal would not have a direct fiscal impact on their organization. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for these agencies.

In response to similar provisions (HCS HB 889), officials from the **Department of Public Safety - Missouri Highway Patrol** deferred to the Department of Transportation to estimate the fiscal impact of the proposed legislation on their organization.

In response to a previous version, officials from the **City of Kansas City**, the **City of**



**Springfield**, the **City of O’Fallon** and the **City of Corder** each assumed no fiscal impact from the proposal.

According to the Centers for Medicare & Medicaid Services web site (CMS.gov), “(t)he Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA) is a federal law that generally prevents group health plans and health insurance issuers that provide mental health or substance use disorder (MH/SUD) benefits from imposing less favorable benefit limitations on those benefits than on medical/surgical benefits.”

**Oversight** assumes health insurance policies utilized by the state and by local political subdivisions will be in compliance with these federal requirements. Therefore, Oversight will assume the proposal will not have a material fiscal impact.

§376.2034 – Drug step therapy override - Senate Amendment #9

**Oversight** assumes the provisions of Senate Amendment #9 will have no fiscal impact.

§452.410 – Civil proceedings

In response to similar legislation (HCS SS SCS SB 71), officials from the **Office of the State Public Defender** and the **Office of the State Courts Administrator** assumed the proposal would have no 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 agencies.

§566.150 – Offenders of sex crimes not to be near facilities used by children - Senate Amendment #2

In response to similar legislation (Perfected SCS SB 91), officials from the **Department of Corrections (DOC)** stated this proposal creates a new class E non-violent felony and a new non-violent class D felony for any sex offender, present or loitering within 500 feet of Missouri Department of Conservation nature or education center properties.

For each new nonviolent class E felony, the DOC estimates one person could be sentenced to prison and two to probation. The average sentence for a nonviolent class E felony offense is 3.4 years, of which 2.1 years will be served in prison with 1.4 years to first release. The remaining 1.3 years will be on parole. Probation sentences will be 3 years.

The cumulative impact on the DOC is estimated to be 2 additional offenders in prison and 7 additional offenders on field supervision by FY 2024.

## Change in prison admissions and probation openings with legislation-Class E Felony (nonviolent)

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
<b>New Admissions</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	1	1	1	1	1	1	1	1	1	1
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	2	2	2	2	2	2	2	2	2	2
<b>Change (After Legislation - Current Law)</b>										
Admissions	1	1	1	1	1	1	1	1	1	1
Probations	2	2	2	2	2	2	2	2	2	2
<b>Cumulative Populations</b>										
Prison	1	2	2	2	2	2	2	2	2	2
Parole			1	1	1	1	1	1	1	1
Probation	2	4	6	6	6	6	6	6	6	6
<b>Impact</b>										
Prison Population	1	2	2	2	2	2	2	2	2	2
Field Population	2	4	7	7	7	7	7	7	7	7
<b>Population Change</b>	<b>3</b>	<b>6</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>

For each new nonviolent class D felony, the DOC estimates three people could be sentenced to prison and five to probation. The average sentence for a nonviolent class D felony offense is 5 years, of which 2.8 years will be served in prison with 1.7 years to first release. The remaining 2.2 years will be on parole. Probation sentences will be 3 years.

The cumulative impact on the DOC is estimated to be 8 additional offenders in prison and 22 additional offenders on field supervision by FY 2026.

## Change in prison admissions and probation openings with legislation-Class D Felony (nonviolent)

	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
<b>New Admissions</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	3	3	3	3	3	3	3	3	3	3
<b>Probation</b>										
Current Law	0	0	0	0	0	0	0	0	0	0
After Legislation	5	5	5	5	5	5	5	5	5	5
<b>Change (After Legislation - Current Law)</b>										
Admissions	3	3	3	3	3	3	3	3	3	3
Probations	5	5	5	5	5	5	5	5	5	5
<b>Cumulative Populations</b>										
Prison	3	6	8	8	8	8	8	8	8	8
Parole			1	4	7	7	7	7	7	7
Probation	5	10	15	15	15	15	15	15	15	15
<b>Impact</b>										
Prison Population	3	6	8	8	8	8	8	8	8	8
Field Population	5	10	16	19	22	22	22	22	22	22
<b>Population Change</b>	<b>8</b>	<b>16</b>	<b>24</b>	<b>27</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>30</b>

The combined cumulative impact is 11 new prison admissions and 23 new offenders in the field with a net population change of 34 offenders by FY 2024.

	# to prison	Cost per year	Total Costs for <b>prison</b>	# to probation & parole	Cost per year	Total cost for <b>probation and parole</b>	Grand Total - Prison and Probation (includes 2% inflation)
Year 1	4	(\$7,756)	(\$25,853)	7	absorbed	\$0	(\$25,853)
Year 2	8	(\$7,756)	(\$63,289)	14	absorbed	\$0	(\$63,289)
Year 3	11	(\$7,756)	(\$88,763)	23	absorbed	\$0	(\$88,763)
Year 4	11	(\$7,756)	(\$90,538)	26	absorbed	\$0	(\$90,538)
Year 5	11	(\$7,756)	(\$92,349)	29	absorbed	\$0	(\$92,349)
Year 6	11	(\$7,756)	(\$94,196)	29	absorbed	\$0	(\$94,196)
Year 7	11	(\$7,756)	(\$96,080)	29	absorbed	\$0	(\$96,080)
Year 8	11	(\$7,756)	(\$98,001)	29	absorbed	\$0	(\$98,001)
Year 9	11	(\$7,756)	(\$99,961)	29	absorbed	\$0	(\$99,961)
Year 10	11	(\$7,756)	(\$101,961)	29	absorbed	\$0	(\$101,961)

If this impact statement has changed from statements submitted in previous years, it is because the Department of Corrections (DOC) has changed the way probation and parole daily costs are calculated to more accurately reflect the way the Division of Probation and Parole is staffed across the entire state

In December 2019, the DOC reevaluated the calculation used for computing the Probation and Parole average daily cost of supervision and revised the cost calculation to be the DOC average district caseload across the state which is 51 offender cases per officer. The new calculation assumes that an increase/decrease of 51 cases would result in a change in costs/cost avoidance equal to the cost of one FTE staff person. Increases/decreases smaller than 51 offenders are assumed to be absorbable.

In instances where the proposed legislation would only affect a specific caseload, such as sex offenders, the DOC will use the average caseload figure for that specific type of offender to calculate cost increases/decreases. For instances where the proposed legislation affects a less specific caseload, DOC projects the impact based on prior year(s) actual data for DOC's 48 probation and parole districts.

The DOC cost of incarceration is \$21.251 per day or an annual cost of \$7,756 per offender. The DOC cost of probation or parole is determined by the number of P&P Officer II positions that would be needed to cover the new caseload.

**Oversight** does not have any information contrary to that provided by DOC. Therefore, Oversight will reflect DOC's estimated impact for fiscal note purposes.

In response to similar legislation (Perfecting SCS SB 91), officials from the **Office of the State Public Defender (SPD)** stated, for the purpose of the proposed legislation and as a result of

excessive caseloads, the **SPD** cannot assume existing staff will be able to provide competent, effective representation for any new cases where indigent persons are charged with the proposed new crime(s) concerning the presence of registered sex offenders in proximity to certain areas, which are classified as felonies under Section 566.150 RSMo. The Missouri State Public Defender System is currently providing legal representation in caseloads in excess of recognized standards. While the number of new cases may be too few or uncertain to request additional funding for this specific bill, the Missouri State Public Defender will continue to request sufficient appropriations to provide competent and effective representation in all cases where the right to counsel attaches.

**Oversight** assumes the SPD will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the SPD for fiscal note purposes.

In response to similar legislation (Perfected SCS SB 91), officials from the **Department of Public Safety - Missouri Highway Patrol**, the **Missouri Department of Conservation**, the **Missouri Office of Prosecution Services**, the **Office of the State Courts Administrator**, the **Kansas City Police Department**, and the **St. Louis County Police Department** each assumed the proposal will have no fiscal impact on their respective organizations.

In response to a previous version of SB 91, officials from the **Crestwood Police Department**, the **Ellisville Police Department**, the **Springfield Police Department**, the **St. Joseph Police Department**, and the **Boone County Sheriff's Department** each assumed the proposal will have no 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 these agencies.

#### §633.200 – Commission on Autism Spectrum Disorders - Senate Amendment #1

**Oversight** notes the provisions of Senate Amendment #1 provide that the 25 members of the Commission on Autism Spectrum Disorders will serve without compensation but may be reimbursed for actual and necessary expenses from moneys appropriated to the Department of Mental Health (DMH). Oversight assumes the DMH will have sufficient appropriations to cover any costs incurred by this Commission.

Oversight further assumes serving on the commission will not create a fiscal impact for any state agency department directors or their designees serving on the commission.

#### Bill as a whole

In response to previous versions of this proposal, officials from the **Department of Elementary and Secondary Education**, the **Department of Higher Education and Workforce Development**, the **Department of Mental Health**, the **Department of Corrections**, the

**Department of Labor and Industrial Relations, the Department of Revenue, the Department of Public Safety - Missouri Veterans Commission, the Missouri Department of Agriculture, the Missouri Department of Transportation, the Office of the Governor, the Missouri Consolidated Health Care Plan, the Kansas City Health Department, the Newton County Health Department, the Kansas City Police Department, the St. Joseph Police Department and the St. Louis County Police Department** each assumed the proposal will have no 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 agencies.

In response to previous versions of this proposal, officials from the **Department of Public Safety, Missouri Highway Patrol** deferred to the MoDOT/MSHP health plan for a fiscal impact statement.

#### Rule Promulgation

In response to similar proposals containing rules language, officials from the **Joint Committee on Administrative Rules** stated the provisions are not anticipated to cause a fiscal impact beyond its current appropriation.

In response to similar proposals containing rules language, officials from the **Office of the Secretary of State (SOS)** noted many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's office 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 Secretary of State's office for Administrative Rules is less than \$5,000. The Secretary of State's office recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, they also recognize 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 their office can sustain with its core budget. Therefore, they reserve 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.

<u>FISCAL IMPACT – State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
<b>GENERAL REVENUE FUND</b>			
<u>Costs</u> - DESE (§160.263) p. 3 - IT expenses SA 6	(\$62,400)	(\$5,000)	(\$5,000)
<u>Costs</u> – DHSS (§191.116) – H&I employee and benefits for Alzheimer’s State Plan Task Force p. 5	(\$14,778)	\$0	\$0
<u>Costs</u> – DSS (§208.018) p. 6-7	Up to...	Up to...	Up to...
EBT Implementation	(\$150,000)	\$0	\$0
EBT Maintenance Annual	(\$58,500)	(\$78,000)	(\$78,000)
EBT Benefits	(\$4,956,120)	(\$6,608,160)	(\$6,608,160)
Total <u>Costs</u> - DSS	(Up to \$5,164,620)	(Up to \$6,686,160)	(Up to \$6,686,160)
<u>Costs</u> - DSS (§208.053) p. 8-9	Up to...	Up to...	Up to...
Personal service	(\$6,754)	(\$8,185)	(\$8,267)
Fringe benefits	(\$4,461)	(\$5,380)	(\$5,407)
Equipment and expense	(\$1,976)	(\$526)	(\$539)
Increases in “Hand-up” childcare disbursements	\$0	(\$1,257,468)	(\$1,288,905)
Total <u>Costs</u> – DSS	Up to (\$13,191)	Up to (\$1,271,559)	Up to (\$1,303,118)
FTE Change – DSS*	0 FTE to 0.19 FTE	0 FTE to 0.19 FTE	0 FTE to 0.19 FTE
<u>Costs</u> - OA-ITSD/DSS (§208.053) FAMIS programming /IT costs p. 10	(\$32,011)	\$0	\$0
* High end of range for §210.053 represents no CARES Act funding and 19% of program disbursements paid from General Revenue.			

<u>FISCAL IMPACT – State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
<b>GENERAL REVENUE FUND</b> (Continued)			
<u>Costs - MDA</u> (§208.285) p. 11-12			
Personal Services	(\$40,029)	(\$48,515)	(\$49,000)
Fringe Benefits	(\$26,135)	(\$31,521)	(\$31,682)
Expense and Equipment	(\$3,983)	(\$1,555)	(\$1,577)
Outreach/Printing	(\$8,333)	(\$10,000)	(\$10,000)
Training	(\$4,167)	(\$5,000)	(\$5,000)
<u>Total Costs – MDA</u>	<u>(\$82,647)</u>	<u>(\$96,591)</u>	<u>(\$97,259)</u>
FTE Change – MDA	1 FTE	1 FTE	1 FTE
<u>Costs - DHSS</u> (§210.156) p. 15-16			
Personal service	(\$19,438)	(\$23,559)	(\$23,794)
Fringe benefits	(\$1,487)	(\$1,802)	(\$1,820)
Equipment and expense	(\$10,871)	(\$2,948)	(\$3,022)
<u>Total Costs - DHSS</u>	<u>(\$31,796)</u>	<u>(\$28,309)</u>	<u>(\$28,636)</u>
FTE Changes DHSS	0.5 FTE	0.5 FTE	0.5 FTE
<u>Costs - OA, ITSD/DSS</u> (§210.156) FACES system changes p. 17	<u>(\$30,862)</u>	<u>(\$6,326)</u>	<u>(\$6,485)</u>
<u>Costs – DSS</u> (§210.156) p. 16-17			
Personal service	(\$288,020)	(\$349,080)	(\$352,571)
Fringe benefits	(\$184,948)	(\$223,082)	(\$224,239)
Equipment & expense	(\$111,332)	(\$68,634)	(\$70,350)
Foster care	(\$40,452)	(\$49,756)	(\$51,000)
<u>Total Costs - DSS</u>	<u>(\$624,752)</u>	<u>(\$690,552)</u>	<u>(\$698,160)</u>
FTE Change	6.65 FTE	6.65 FTE	6.65 FTE
<u>Costs – SPD</u> (§211.211) p. 18-19	Up to...	Up to...	Up to...
Personal Service	(\$618,960)	(\$750,180)	(\$757,681)
Fringe Benefits	(\$328,299)	(\$396,466)	(\$398,997)
Equipment & Expense	(\$78,500)	(\$57,810)	(\$59,256)
<u>Total costs – SPD</u>	<u>Up to</u> <u>(\$1,025,759)</u>	<u>Up to</u> <u>(\$1,204,456)</u>	<u>Up to</u> <u>(\$1,215,934)</u>
FTE Change-SPD	Up to 12 FTE	Up to 12 FTE	Up to 12 FTE

[illegible]



HWC: LR: OD

<u>FISCAL IMPACT – State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
<b>FEDERAL FUNDS</b>			
<u>Income - DSS (§208.053)</u>			
Increase in program reimbursements p. 8-9	\$56,135 to \$69,303	\$5,420,857 to \$6,692,417	\$5,555,396 to \$6,858,514
<u>Income - OA-ITSD/DSS (§208.053)</u>			
Increase in program reimbursements p. 10	\$32,011	\$0	\$0
<u>Income – MDA (§208.285)</u>			
Farmer’s market nutrition grant award p. 11-12	\$235,070	\$235,070	\$235,070
<u>Income - OA, ITSD (§210.156)</u> Reimbursement for FACES system changes p. 17	\$30,862	\$6,326	\$6,485
<u>Income – DSS (§210.156) Program</u> reimbursement p. 16-17	\$31,939	\$38,615	\$39,368
<u>Costs - DSS (§208.053) p. 8-9</u>			
Personal service	(\$28,791 to \$35,545)	(\$34,895 to \$43,081)	(\$35,244 to \$43,511)
Fringe benefits	(\$19,018 to \$23,479)	(\$22,936 to \$28,316)	(\$23,052 to \$28,459)
Equipment and expense	(\$8,326 to \$10,279)	(\$2,242 to \$2,768)	(\$2,297 to \$2,836)
Increase in “Hand-up” child care disbursements	\$0	(\$5,360,784 to \$6,618,252)	(\$5,494,803 to \$6,783,708)
<u>Total Costs – DSS</u>	(\$56,135 to \$69,303)	(\$5,420,857 to \$6,692,417)	(\$5,555,396 to \$6,858,514)
FTE Change – DSS*	0.81 FTE to 1 FTE	0.81 FTE to 1 FTE	0.81 FTE to 1 FTE

<u>FISCAL IMPACT – State Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
<b>FEDERAL FUNDS</b> (continued)			
<u>Costs</u> - OA-ITSD/DSS (§208.053)			
FAMIS programming/IT costs p. 10	(\$32,011)	\$0	\$0
<u>Costs</u> - MDA (§208.285)			
Solutran p. 11-12	(\$20,000)	(\$20,000)	(\$20,000)
<u>Costs</u> - OA, ITSD/DSS (§210.156)			
FACES system changes p. 17	(\$30,862)	(\$6,326)	(\$6,485)
<u>Costs</u> – DSS (§210.156) p. 16-17			
Personal service	(\$6,220)	(\$7,539)	(\$7,614)
Fringe benefits	(\$4,109)	(\$4,955)	(\$4,980)
Equipment & expense	(\$1,384)	(\$1,243)	(\$1,274)
Foster care	(\$20,226)	(\$24,878)	(\$25,500)
Total <u>Costs</u> - DSS	(\$31,939)	(\$38,615)	(\$39,368)
FTE Change - DSS	0.35 FTE	0.35 FTE	0.35 FTE
<u>Costs</u> – Various State Agencies - to implement unpaid leave for employees that are impacted by domestic violence (§§285.625 – 285.670) p. 20-21	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Transfer Out</u> - MDA to WIC agencies in pilot areas (§208.285) p. 11-12	(\$19,962)	(\$19,962)	(\$19,962)
<u>Transfer Out</u> - MDA to WIC agencies for food vouchers (§208.285) p. 11-12	(\$195,108)	(\$195,108)	(\$195,108)
<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>
Estimated Net FTE Change for Federal Funds	1.16 to 1.35 FTE	1.16 to 1.35 FTE	1.16 to 1.35 FTE
* High end of range for §208.053 represents 100% Federal funding.			

L.R. No. 1150S.06A

Bill No. SS for SCS for HS for HB 432, as amended

Page **36** of **43**

May 11, 2021

<u>FISCAL IMPACT – Local Government</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
<b>LOCAL WIC AGENCIES</b>			
<u>Transfer In</u> - from MDA general revenue funds for administrative costs (§208.285) p. 11-12	\$18,621	\$22,345	\$22,345
<u>Transfer In</u> - from MDA federal funds for administrative costs (§208.285) p. 11-12	\$19,962	\$19,962	\$19,962
<u>Transfer In</u> - from MDA federal funds for food vouchers (§208.285) p. 11-12	\$195,108	\$195,108	\$195,108
<u>Cost</u> - Food vouchers for program participants (§208.285) p. 11-12	(\$195,108)	(\$195,108)	(\$195,108)
<b>ESTIMATED NET EFFECT ON LOCAL WIC AGENCIES</b>	<b><u>\$38,583</u></b>	<b><u>\$42,307</u></b>	<b><u>\$42,307</u></b>

<u>FISCAL IMPACT – Local Government (continued)</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Reimbursement</u> (\$376.1228) – from the state for new health insurance coverage mandate p. 22-24	\$0 to Unknown	\$0 to Unknown	\$0 to Unknown
<u>Costs – Various</u> Local Governments - to implement unpaid leave for employees that are impacted by domestic violence (§§285.625 – 285.670) p. 20-21	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<u>Cost</u> (\$376.1228) – Potential additional insurance coverage p. 22-24	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<b>ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>\$0 to (Unknown)</u></b>	<b><u>\$0 to (Unknown)</u></b>	<b><u>\$0 to (Unknown)</u></b>

<u>FISCAL IMPACT – Local Government (continued)</u>	FY 2022 (10 Mo.)	FY 2023	FY 2024
<b>SCHOOL DISTRICTS</b>			
	\$0	\$0	\$0
<u>Costs</u> - additional accommodations (§160.3005) p.4 SA 3	\$0 or <u>(Unknown)</u>	<u>\$0</u>	<u>\$0</u>
<b>ESTIMATED NET EFFECT ON SCHOOL DISTRICTS</b>	<b>\$0 or <u>(Unknown)</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

#### FISCAL IMPACT – Small Business

Oversight assumes this proposal could change the amount paid to disabled persons working in sheltered workshops if the calculation of commensurate wage is different than current practice. (§178.935)

This proposal could have a positive fiscal impact on small business farmers and farmers' markets. (§208.018)

Farmers' markets could have a fiscal impact as result of this proposal. (§208.285)

Small businesses (20-49 employees) that implement this program (one workweek of leave for impacted employees) could be impacted by continuing to pay employment benefits. (§§285.625–285.670)

Small businesses that provide health insurance could be impacted by this proposal. (§376.1228)

#### FISCAL DESCRIPTION

This bill defines "restraint" and "seclusion" and requires school districts, charter schools, or publicly contracted private providers to include in policy a prohibition on the use of restraint and seclusion, including "prone restraint" as defined by the bill, for any purpose other than situations or conditions in which there is imminent danger of physical harm to self or others. Any incident requiring restraint or seclusion shall be monitored by school personnel with written observation.

The bill requires that before July 1, 2022 each school district, and charter school, or publicly contracted private providers policy shall include:

- (1) When to remove a child from restraint, seclusion, or isolation;
- (2) Requirement for annual mandatory training;
- (3) Reporting requirements for any occurrence of restraint, seclusion or isolation as outlined in the bill, including the reporting requirements for parental notification and providing a copy of each report to the Department of Elementary and Secondary Education (DESE);
- (4) Notification requirement for each occurrence of a restraint, seclusion, or isolation incident to parents or guardians within one hour after the end of school on the day the incident occurs.
- (5) Protections for individuals that report or provide information about violations of policy under this section. (§160.263)

This act requires the Department of Elementary and Secondary Education to develop a model policy relating to accommodations for breast-feeding by January 1, 2022. Public school districts must adopt a written policy meeting the requirements of this act by July 1, 2022.

The policy must include provisions to provide certain minimum accommodations to lactating employees, teachers, and students to express or breast-feed in each public school building within the district for at least a year after the birth of a child. School districts must provide a minimum of three opportunities during a school day to express or breast-feed. (§160.3005)

This bill requires the Division of Aging within the Department of Health and Senior Services to provide information and support to persons with Alzheimer's disease and related dementias by establishing a family support group in every county. It further establishes the "Alzheimer's State Plan Task Force" in the Department of Health and Senior Services which will assess all state programs that address Alzheimer's and update and maintain an integrated state plan to overcome Alzheimer's. The membership of the Task Force shall consist of specified members, including one member of the House of Representatives appointed by the Speaker and one member of the Senate appointed by the President Pro Tem of the Senate. The Task Force shall deliver a report of recommendations to the Governor and the General Assembly no later than June 2, 2021. The task force expires on December 31, 2027. (§191.116)

The current Supplemental Nutrition Assistance Program (SNAP) farmers' market pilot program expired on October 10, 2020. This act reauthorizes the program until August 28, 2027. (§208.018)

Subject to appropriations, this bill reauthorizes, and makes changes to, the Hand-Up Program which is a pilot program intended to more effectively transition persons receiving state-funded child care subsidy benefits. The Pilot Program would begin on July 1, 2022 and would only be implemented in Jackson, Greene and Clay counties. The Program would allow recipients to qualify for transitional child care benefits without having to qualify for full child care benefits.



The Children's Division within the Department of Social Services must track recipients of the Hand-Up Program and report statistics on the Program to the General Assembly by September 1, 2022 and annually on September first thereafter. These provisions shall sunset three years after the effective date (§208.053).

This bill allows the Department of Agriculture to apply for a grant under the US Department of Agriculture Women, Infants and Children (WIC) Farmers' Market Nutrition Program to allow pregnant and postpartum women to obtain food at eligible farmers' markets. (§208.285)

Under this act, the Children's Division shall make available to the State Registrar the identifying information of certain individuals whose parental rights have been terminated due to child abuse or neglect, individuals who pled or were found guilty of murder or manslaughter when the victim was a child, and individuals who pled guilty or were found guilty of certain sexual offenses against a child. The State Registrar shall provide to the Division the birth record information of children born to such individuals. The Division shall verify the identity of the parent and if that identity is verified, the Division shall provide the appropriate local office with information regarding the birth of the child. Appropriate local Division personnel shall initiate contact with the family, or make a good faith effort to do so, to determine if the parent or family has a need for services and provide such voluntary and time-limited services as appropriate. The Division shall document the results of such contact and services provided, if any, in the Division's information system. Identifying information and records created and exchanged under this act shall be closed records and shall only be used as specified in the act (§§210.150 and 210.156).

Under this act, when a petition has been filed in a juvenile court under certain provisions of law and a child has waived his or her right to counsel, such waiver shall be made in open court and be recorded and in writing. The waiver shall be made knowingly, intelligently, and voluntarily, which shall be determined by the totality of the circumstances, including the child's age, background, experience, emotional stability, and the complexity of the proceedings. Such waiver shall only apply to that proceeding and in any subsequent proceedings, the child shall be informed of his or her right to counsel.

A child's right to counsel shall not be waived in the following proceedings: (1) at a detention hearing, (2) at a certification or dismissal hearing, (3) at an adjudication hearing for any misdemeanor or felony offense, (4) at a dispositional hearing, or (5) at a hearing on a motion to modify or revoke supervision under certain provisions of law. (§211.211)

Under this act, any person employed by a public or private employer with at least 20 employees is entitled to unpaid leave if the person, or a family or household member, is a victim of domestic or sexual violence. Permissible reasons for taking leave include seeking medical attention, recovering from injury, obtaining victim services, obtaining counseling, participating in safety planning, and seeking legal assistance.

Employers are required to post and keep posted a notice summarizing the requirements of this act, which shall be prepared by the Director of the Department of Labor and Industrial Relations. (§§285.625– 285.670)

This act requires health benefit plans delivered, issued, continued, or renewed on or after January 1, 2022, to provide coverage to children under 18 years of age for those hearing aids which are covered for children receiving benefits under MO HealthNet. (§376.1228)

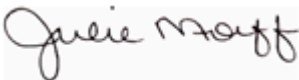
This act provides that persons guilty of certain sex crimes cannot be present or loiter within five hundred feet of athletic complexes or athletic fields that exist primarily for use and recreation of children or within five hundred feet of Missouri Department of Conservation Nature or Education Center properties, unless the registered sex offender is the parent of a child participating in an educational program of the Department of Conservation and has permission to be on the property. (§566.150)

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

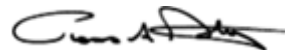
#### SOURCES OF INFORMATION

Attorney General's Office  
Office of Administration  
Department of Commerce and Insurance  
Department of Economic Development  
Department of Elementary and Secondary Education  
Department of Higher Education and Workforce Development  
Department of Health and Senior Services  
Department of Mental Health  
Department of Corrections  
Department of Labor and Industrial Relations  
Department of Revenue  
Department of Public Safety – Missouri Highway Patrol  
Department of Social Services  
Office of the Governor  
Missouri House of Representatives  
Joint Committee on Administrative Rules  
Missouri Senate  
Missouri Department of Agriculture  
Missouri Department of Conservation

Missouri Department of Transportation  
Missouri Consolidated Health Care Plan  
Missouri Office of Prosecution Services  
Office of the State Courts Administrator  
Office of the Secretary of State  
Office of the State Public Defender  
City of St. Louis Budget Division  
City of Kansas City Health Department  
City of Corder  
City of Kansas City  
City of O'Fallon  
City of Springfield  
Newton County Health Department  
Boone County Sheriff's Department  
Crestwood Police Department  
Ellisville Police Department  
Kansas City Police Department  
St. Joseph Police Department  
St. Louis County Police Department  
Springfield Police Department  
Fordland R-III School District  
Gordon Parks Elementary Charter School  
High Point R-III School District  
Wellsville-Middletown R-1 School District



Julie Morff  
Director  
May 11, 2021



Ross Strobe  
Assistant Director  
May 11, 2021