

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1685H.01I
Bill No.: HB 553
Subject: Health Care; Drugs and Controlled Substances; Department of Elementary and Secondary Education; Nurses; Emergencies; Health Care Professionals
Type: Original
Date: January 27, 2025

Bill Summary: This proposal modifies provisions relating to epinephrine products.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue	(\$14,400)	\$0 to (\$14,400)	\$0 to (\$14,400)
Total Estimated Net Effect on General Revenue	(\$14,400)	\$0 to (\$14,400)	\$0 to (\$14,400)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on FTE	0	0	0

- ☐ 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.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Local Government	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

FISCAL ANALYSIS

ASSUMPTION

Sections 167.630, 190.246, & 167.627 - Modifies provisions relating to epinephrine products

Officials from the **Department of Social Services (DSS)** assume the cost of Epinephrine nasal spray devices has an average cost of \$100 per device. It is anticipated that the Division of Youth Services would need to purchase 144 Epinephrine devices to meet the needs of this legislation. Therefore, the fiscal impact to DYS would be \$14,400 in FY 2026 and an ongoing cost of \$0 to \$14,400 for the fiscal years following.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the cost estimated by DSS in the fiscal note.

Officials from the **Office of Attorney General (AGO)** assume any potential litigation costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if the proposal results in a significant increase in litigation or investigation costs.

Oversight does not have any information to the contrary. Therefore, Oversight assumes the AGO 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 AGO for fiscal note purposes.

Officials from the **Department of Elementary and Secondary Education, Department of Health and Senior Services, Department of Mental Health, Department of Public Safety - Fire Safety, Missouri Highway Patrol, Office of the State Public Defender, and Office of the State Treasurer** 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.

Officials from the **Audrain County Health Department** assume the proposal will have a fiscal impact.

Officials from the **Newton County Health Department, Phelps County Sheriff's Office, Kansas City Police Department, and St. Louis County Police Department** each assume the proposal will have no fiscal impact on their organizations.

Oversight notes the proposal authorizes each board of education in this state to grant permission to pupils, as well as each school board in this state to grant permission to school nurses to use this medication (single-use epinephrine nasal sprays). Oversight assumes there could be a potential cost to schools to purchase these devices. Therefore, Oversight will reflect a \$0 to Unknown cost to schools in the fiscal note.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other local agencies, schools, and associations were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Office of the Secretary of State (SOS)** note many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS 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 the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes 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 the office can sustain with its core budget. Therefore, the SOS reserves 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 2026 (10 Mo.)	FY 2027	FY 2028
GENERAL REVENUE			
<u>Cost – DSS – to purchase epinephrine nasal spray devices §§167.630, 190.246 & 167.627</u>	<u>(\$14,400)</u>	<u>\$0 to (\$14,400)</u>	<u>\$0 to (\$14,400)</u>
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(\$14,400)</u>	<u>\$0 to (\$14,400)</u>	<u>\$0 to (\$14,400)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
LOCAL POLITICAL SUBDIVISIONS			
<u>Cost – School Districts - to purchase epinephrine nasal spray devices §§167.630, 190.246 & 167.627</u>	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)

FISCAL IMPACT – Small Business

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

FISCAL DESCRIPTION

This bill adds single-use epinephrine nasal spray to provisions of statute that permit the possession and self-administration of the medication to treat a student's chronic health condition, such as asthma or anaphylaxis.

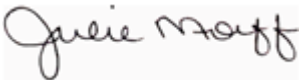
The bill authorizes each board of education in this state to grant permission to pupils, as well as each school board in this state to grant permission to school nurses to use this medication.

This bill additionally modifies existing provisions for epinephrine possession, use limitations, and stock supply by adding single-use epinephrine nasal sprays as eligible products.

Current law authorizes qualified first responders, as defined in the bill, to administer epinephrine auto-injectors to a person who is suffering from an apparent anaphylactic reaction. This bill extends that authorization to single-use epinephrine nasal sprays.

SOURCES OF INFORMATION

Attorney General's Office
Department of Elementary and Secondary Education
Department of Health and Senior Services
Department of Mental Health
Department of Public Safety - Fire Safety
Missouri Highway Patrol
Department of Social Services
Office of the Secretary of State Office of the State Public Defender
Office of the State Treasurer
Joint Committee on Administrative Rules
Audrain County Health Department
Newton County Health Department
Phelps County Sheriff's Office
Kansas City Police Department
St. Louis County Police Department



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