

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0488-01
Bill No.: SB 43
Subject: Boards, Commissions, Committees, Councils; Children and Minors; Family Law;
Social Services Department
Type: Original
Date: January 15, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
General Revenue	(\$439,304)	(\$467,400)	(\$480,017)
Total Estimated Net Effect on General Revenue Fund	(\$439,304)	(\$467,400)	(\$480,017)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Social Services - Division of Medical Services** and **Office of State Courts Administrator** assume this proposal would not fiscally impact their agencies.

Officials from the **Department of Social Services - Division of Family Services (DFS)** state that the state ombudsman would be responsible for receiving, processing, responding to, and resolving complaints made by or on behalf of children receiving any services from the Department of Social Services, their providers, or their representatives that affects their health, safety, welfare, or civil or human rights.

DFS assumes the office of ombudsman would be required to promulgate regulations; recruit, train and provide meeting and other programs for volunteers, publicize its existence; prepare and distribute written notices to facilities explaining the function of the office and procedures for filing complaints. In addition, DFS assumes the office would be required to inform recipients and their families or guardians of their rights and entitlements under state and federal rules and regulations through the distribution of educational materials.

DFS assumes number of recipients that this legislation would impact is tremendous. DFS assumes the proposed legislation does not limit the scope of the duties to complaints regarding

ASSUMPTION (continued)

child welfare, the Division of Medical Services, Division of Youth Services, Division of Child Support Enforcement, and the Division of Legal Services. DFS assumes these divisions would come under the auspice of this newly created office of ombudsman. In children's services alone, over 18,000 children are in custody annually, over 55,000 child abuse/neglect incidents involving 85,000 children are responded to annually, and over 26,000 family centered services cases are active during a fiscal year. The populations served by Medical Services, Youth Services, Legal Services, and Child Support Enforcement would also need to be considered.

DFS assumes the role of the State Ombudsman for Children's Protection and Service would be to guarantee that children served by the Department of Social Services receive fair and equitable treatment. This would be accomplished through resolving complaints; recommending changes in rules or regulations to relevant governmental agencies; analyzing and monitoring federal, state and local laws; developing statewide policies and regulations for the office of the ombudsman; etc.

DFS states due to the large number of clients to be served through this legislation, a director and three staff will be needed to adequately cover the number of issues to be addressed. A Social Service Manager and three Management Analysis Specialist II positions would be required. DFS estimates total personnel and fringe benefit costs to be \$228,494 in FY 04; \$281,160 in FY 05; and \$288,189 in FY 06. DFS estimates expense and equipment to be \$60,810 in FY 04; \$31,740 in FY 05; and \$32,693 in FY 06.

In addition, significant expense and equipment funds will be needed in order to publicize and notify relevant parties and agencies about the existence of the office and their purpose. Training and recruitment dollars are needed to locate and train volunteers throughout the state to serve as gatekeepers for collecting information and as local contacts from whom consumer complaints could be obtained. A total of \$150,000 would be required for these activities.

Officials from the **Secretary of State (SOS)** assume this proposal establishes "Office of State Ombudsman for Children's Protection and Services: and the "Task force on Children's Justice" . The SOS assumes the Department of Social Services would promulgate rules to enact this legislation. Based on experience with other divisions, the rules, regulations, and forms issued by the Department of Social Services could require as many as 14 pages in the *Code of State Regulations* and half again as many pages in the *Missouri Register* because cost statements, fiscal notes and the like are not repeated in Code. These costs are estimated. The estimated cost of a page in the Register is \$23 and the estimated cost of a page in the Code is \$27. The actual cost could be more or less than the numbers given. The impact of the legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded or

ASSUMPTION (continued)

withdrawn. The SOS estimates the cost to be \$861 [(14 pp x \$27) + (21 pp x \$23)].

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
---	---------------------	---------	---------

GENERAL REVENUE

<u>Costs - Department of Social Services</u>			
Personal Service (4 FTE)	(\$162,664)	(\$200,157)	(\$205,161)
Fringe Benefits	(\$65,830)	(\$81,003)	(\$83,028)
Training, Publications, Seminars	(\$150,000)	(\$154,500)	(\$159,135)
Expense and Equipment	<u>(\$60,810)</u>	<u>(\$31,740)</u>	<u>(\$32,693)</u>
 <u>Total Costs - Department of Social Services</u>	 (\$439,304)	 (\$467,400)	 (\$480,017)
 ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	 <u>(\$439,304)</u>	 <u>(\$467,400)</u>	 <u>(\$480,017)</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

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

DESCRIPTION

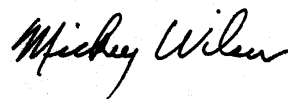
This proposal creates the "Office of State Ombudsman for Children's Protection and Services" within the Department of Social Services. The purpose of the office is to assure that children receive adequate protection and care from services and programs offered by the Department of Social Services.

This proposal also creates the "Task Force on Children's Justice" within the Department of Social Services. The purpose of the Task Force is to benefit and enhance children's lives by recommending improvement of child abuse and neglect laws, policies, and programs and to provide funding for these recommendations.

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

SOURCES OF INFORMATION

Department of Social Services
Secretary of State
Office of State Courts Administrator



Mickey Wilson, CPA
Director
January 15, 2003