

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5693-01
Bill No.: SB 913
Subject: Children and Minors; Children’s Division; Domestic Relations; Drugs and
Controlled Substances; Family Law; Health Care Professionals; Social Services
Department
Type: Original
Date: March 2, 2018

Bill Summary: This proposal modifies provisions relating to the duties of the Children’s
Division.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
General Revenue	\$36,707	\$44,048	\$44,048
Total Estimated Net Effect on General Revenue	\$36,707	\$44,048	\$44,048

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Federal*	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

* Savings and losses net to \$0.

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Total Estimated Net Effect on FTE	0	0	0

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

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Social Services (DSS)**, **Children's Division (CD)**, the **MO HealthNet Division (MHD)**, the **Division of Legal Services (DLS)**, the **Family Support Division (FSD)** and the **Division of Youth Services (DYS)** state the proposal amends three sections relating to abused or neglected children.

Section 191.737 is amended to provide that any physician or health care provider shall refer to the DSS families in which children may have been exposed to a controlled substance listed in section 195.017, schedules I, II and III, or alcohol. This section previously allowed physicians and health care providers the option of making a referral to the Department of Health and Senior Services and required DHSS to then notify DSS within 72 hours.

Section 191.739 is amended to delete a requirement prohibiting a department from closing a file in which services are being provided for a child exposed to substances as set forth in section 191.737 unless a physician or health care provider has authorized the closure of such file.

Section 210.110 is amended to change the definition of "assessment and treatment services" to include all children, not just those children under ten years old. Pursuant to this definition, a developmental and medical assessment may be completed for any foster child within thirty days of the child's entry into custody and, as long as the child remains in care, in accordance with the periodicity schedule set forth by the American Academy of Pediatrics.

MHD reported approximately 1,754 foster care kids under 10 years old that received more than 2 EPSDT (Early and Periodic Screening, Diagnosis and Treatment) services in a calendar year. (MHD cannot determine if any of the visits after the 1st visit were due to the current statute or if there was a medical necessity). The average cost of these 1,754 visits is \$72.17.

If the proposed legislation passes, MHD assumes the 2nd (or any un-medically necessary visit after the initial assessment following the American Academy of Pediatric guidelines) would no longer be billed to MHD.

MHD estimates a total savings for FY19/FY20/FY21 of \$126,586 (GR: \$44,048; FF: \$82,538)

Officials from the **Department of Health and Senior Services** assume the proposal would not fiscally impact their agency.

<u>FISCAL IMPACT - State Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
GENERAL REVENUE FUND			
<u>Savings - DSS (§§210.110)</u>			
Reduction in EPSDT services	<u>\$36,707</u>	<u>\$44,048</u>	<u>\$44,048</u>
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>\$36,707</u>	<u>\$44,048</u>	<u>\$44,048</u>

FEDERAL FUNDS

<u>Savings - DSS (§§210.110)</u>			
Reduction in EPSDT services	\$68,781	\$82,538	\$82,538
<u>Loss - DSS (§§210.110)</u>			
Reduction reimbursement for EPSDT services	<u>(\$68,781)</u>	<u>(\$82,538)</u>	<u>(\$82,538)</u>
ESTIMATED NET EFFECT ON FEDERAL FUNDS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

Under current law, any physician or health care provider may refer a family in which a child may have been exposed to a Schedule I, II, or III controlled substance or alcohol to the Department of Health and Senior Services. This act requires the physician or health care provider to refer the family to the Department of Social Services. Additionally, this act repeals the requirement that the Department of Health and Senior Services offer service coordination services to the family and initiate such services within 72 hours of notification.

This act repeals a provision of current law prohibiting any department to cease providing services for any exposed child when a physician or health care provider has made or approved a written assessment that documents the child as at risk of abuse or neglect until the physician or health care provider authorizes the file to be closed.

Finally, this act modifies the definition of "assessment and treatment services for children under ten years old" to remove the requirement that the assessment and screening be conducted every six months for a child under the custody of the state. Instead, the assessment and screening shall be conducted in accordance with the periodicity schedule of the American Academy of Pediatrics.

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 -
Children's Division
MO HealthNet Division
Division of Legal Services
Family Support Division
Division of Youth Services
Department of Health and Senior Services

Ross Strobe



Acting Director

HWC:LR:OD

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