

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0567-02
Bill No.: Perfected HCS for HB 242
Subject: Health Care
Type: Original
Date: February 19, 2019

Bill Summary: This proposal specifies that no investigation is required for a death that occurs under hospice care and modifies provisions relating to coroners.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
General Revenue	(\$8,748) to (\$78,765)	\$0 to (\$80,631)	\$0 to (\$81,312)
Total Estimated Net Effect on General Revenue	(\$8,748) to (\$78,765)	\$0 to (\$80,631)	\$0 to (\$81,312)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Missouri Coroners' Training Fund	\$296,235	\$355,482	\$355,482
Total Estimated Net Effect on Other State Funds	\$296,235	\$355,482	\$355,482

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 9 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
General Revenue	0 to 1.1 FTE	0 or 1 FTE	0 or 1 FTE
Total Estimated Net Effect on FTE	0 to 1.1 FTE	0 or 1 FTE	0 or 1 FTE

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 2020	FY 2021	FY 2022
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§58.451 and 58.720

Officials at the **Department of Insurance, Financial Institutions and Professional Registration** assume no fiscal impact from this proposal.

In response to a previous version, officials at the **Department of Health and Senior Services** assumed no fiscal impact from this proposal.

Oversight notes that the Department of Health and Senior Services and the Department of Insurance, Financial Institutions and Professional Registration 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.

Officials at **St. Louis County** and the **Monroe County Assessor's Office** each assume no fiscal impact to their respective entities from this proposal.

In response to a previous version, officials at **Boone County** and the **Boone County Sheriff's Department** each assumed no fiscal impact to their respective entities from this proposal.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other counties and sheriff departments were requested to respond to this proposed legislation but did not. For a general listing of political subdivisions included in our database, please refer to www.legislativeoversight.mo.gov.

In response to similar legislation from 2018, HB 1895, officials at the **Callaway County Commission** assumed no fiscal impact from this proposal.

Oversight assumes this proposal specifies that no investigation is necessary for a death that occurs under hospice care. Oversight assumes this proposal will not have a direct fiscal impact.

ASSUMPTION (continued)

§§58.035, 58.095, 58.208, 193.145 and 193.265 - House Amendment #1

In response to similar legislation from this year, HCS/HB 447, officials at the **Department of Health and Senior Services (DHSS)** stated the Bureau of Vital Records (BVR) and Local Public Health Agencies (LPHAs) issue on average 355,482 death certificates each year. Per 193.265, RSMo, the BVR and LPHAs already collect a thirteen dollar fee for each initial copy and a ten dollar fee for each additional death certificate ordered at the same time. The proposed legislation requires the collection of an additional one dollar fee for each death certificate to be deposited into an additional fund, the Missouri State Coroners' Training Fund.

Collecting the additional dollar at time of issuance and performing accounting procedures to report and submit the fees daily to DHSS Fee Receipts Office would be absorbed within current operations. The Fee Receipts Office would need two additional hours of an Accounting Clerk's time in a year. Collecting the additional dollar and depositing the fees daily would be part of the normal workload of the Fee Receipts Unit. One Accounting Clerk (\$26,340) x 2 hours = \$25.33. The department anticipates being able to absorb the costs. However, until the FY20 budget is final, the department cannot identify specific sources.

The proposed legislation requires the promulgation of rules and regulations, which include the following duties (but not all inclusive): establish guidelines, implement strategies, make evidence-based system changes, and create policy recommendations. The DHSS, Office of General Counsel will need an additional .1 FTE for an attorney (salary of \$64,500 per year) to perform the research necessary to ensure the new guidelines and information for this proposed legislation has been properly vetted and implementation is completed quickly and with fiscal responsibility. Due to current workload being at maximum limits, these costs cannot be absorbed.

Oversight assumes since DHSS states their workload currently being at maximum limits and the responsibility for the Coroner Standards and Training Commission is now with the DHSS in this substitute, Oversight will range the cost of the partial FTE from \$0 to DHSS' estimates.

DHSS stated in order to have the additional dollar deposited to the credit of this new fund, an ITSD system change would need to occur. ITSD estimates 116.64 programming hours at \$75 per hour or \$8,748 would be required in FY 2020 to modify the existing mainframe programs to accommodate the additional fee of \$1.00 for any death certificate issued which shall be deposited into the Missouri State Coroners' Training Fund. No additional ongoing maintenance is indicated as the changes are to the existing program.

ASSUMPTION (continued)

Oversight notes ITSD assumes that every new IT project/system will be bid out because all their resources are at full capacity. For this bill, ITSD assumes they will contract out the programming changes to the BVR system. ITSD estimates the project would take 116.64 hours at a contract rate of \$75 per hour for a total cost to the state of \$8,748. Oversight notes that an average salary for a current IT Specialist within ITSD is \$51,618, which totals roughly \$80,000 per year when fringe benefits are added. Assuming that all ITSD resources are at full capacity, Oversight assumes ITSD may (instead of contracting out the programming) hire an additional IT Specialist to perform the work required from this bill. Therefore, Oversight will range the fiscal impact from the cost of contracting out the work (\$8,748) to hiring an additional FTE IT Specialist (roughly \$80,000 per year).

Officials at the **Department of Revenue (DOR)** assume the Missouri State Coroner's Training fund could potentially increase by an estimated \$60,000 each fiscal year. The DOR is aware that not each and every death reported in Missouri has a death certificate issued.

Based upon information published on the DHSS website, the number of deaths per year, in Missouri, (past four calendar years) averages 60,000. This creates the possibility that a death certificate could be issued for all 60,000 individual deaths, for a maximum estimate of deposit into the Missouri State Coroners' Training Fund. Provided this were true, \$60,000 could be collected under this legislation and deposited into the Missouri State Coroners' Training Fund each year. As of December 2017, an increase in Missouri resident deaths has occurred each calendar year for the past eight years. The Department anticipates that the maximum estimated \$60,000 that could be collected under this legislation and deposited into the Missouri State Coroners' Training Fund could increase each year.

Oversight went to the Provisional Vital Statistics for December 2017 report on DHSS's website to obtain the data for the number of deaths for the last four years. They are as follows:

2017 - 61,867
2016 - 59,824
2015 - 59,810
2014 - 58,141

Officials at the **Department of Public Safety's Office of the Director** and the **Department of Insurance, Financial Institutions and Professional Registration** each assume no fiscal impact to their respective agencies from this proposal.

ASSUMPTION (continued)

In response to similar legislation from this year, HCS/HB 447, officials at the **Office of the State Treasurer** assumed no fiscal impact from this proposal.

Oversight notes that the Department of Public Safety's Office of the Director, the Department of Insurance, Financial Institutions and Professional Registration and the Office of the State Treasurer each has stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for these agencies.

In response to similar legislation from this year, HCS/HB 447, officials at the **City of Kansas City** and the **Monroe County Assessor** each assumed no fiscal impact to their respective entities from this proposal.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other counties were requested to respond to this proposed legislation but did not. For a general listing of political subdivisions included in our database, please refer to www.legislativeoversight.mo.gov.

Oversight heard testimony given by the Saline County Coroner on January 29, 2019. The Saline County Coroner provided Oversight with information regarding the Indiana State Coroner's Training Board in Indiana Statute.

In response to similar legislation from 2018, SCS for HCS for HB 2079, officials at **St. Louis County** and **Boone County** assumed no fiscal impact to their respective entities from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
GENERAL REVENUE FUND			
<u>Costs - DHSS - ITSD costs (ranged from contracting out programming to hiring additional FTE IT Specialist)</u>	(\$8,748) to (\$66,632)	\$0 to (\$80,631)	\$0 to (\$81,312)
FTE Change - ITSD	0 or 1 FTE	0 or 1 FTE	0 or 1 FTE
 <u>Costs - DHSS - Attorney</u>			
Personal Service	\$0 to (\$5,375)	\$0	\$0
Fringe Benefits	\$0 to (\$2,689)	\$0	\$0
Equipment and Expense	<u>\$0 to (\$4,069)</u>	<u>\$0</u>	<u>\$0</u>
Total cost - DHSS	\$0 to (\$12,133)	\$0	\$0
FTE Change - DHSS	0 to .1 FTE	0 FTE	0 FTE
 ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	 (\$8,748) to <u>(\$78,765)</u>	 <u>\$0 to (\$80,631)</u>	 <u>\$0 to (\$81,312)</u>
 Estimated Net FTE Change for General Revenue	 0 to 1.1 FTE	 0 or 1 FTE	 0 or 1 FTE
 MISSOURI CORONERS' TRAINING FUND			
<u>Revenue - DHSS - collection of \$1 fee on death certificates</u>	<u>\$296,235</u>	<u>\$355,482</u>	<u>\$355,482</u>
 ESTIMATED NET EFFECT ON THE MISSOURI CORONERS' TRAINING FUND	 <u>\$296,235</u>	 <u>\$355,482</u>	 <u>\$355,482</u>
 <u>FISCAL IMPACT - Local Government</u>	 FY 2020 (10 Mo.)	 FY 2021	 FY 2022
	 <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

This bill provides that when a death occurs under the care of a hospice, no investigation shall be required if the death is certified by the treating physician of the deceased or the medical director of the hospice as a natural death due to disease or diagnosed illness. The hospice must give written notice to the coroner or medical examiner within 24 hours of the death.

This bill establishes the "Coroner Standards and Training Commission" and the bill specifies the members of which the commission will be composed. The commission will establish training standards relating to the office of County Coroner. The standards will relate to the operation of the office, the legal responsibilities of the office, and the technical skills and knowledge required of the office. The commission may certify training programs that satisfy the classroom instruction requirements in lieu of the training provided by the Missouri Coroners' and Medical Examiners' Association. Certified training completion will be submitted to the association, and the association will submit the individual's name to the county treasurer and the Department of Health and Senior Services indicating the individual is compliant with the training requirements.

The bill also establishes the "Missouri State Coroners' Training Fund" and creates a \$1 fee for all death certificates issued in the state, which will be deposited into the fund. It also specifies that any amount of money in the fund over \$500,000 shall revert to the credit of the General Revenue Fund.

The bill specifies that, if a coroner is not current on his or her training, the department may prohibit that coroner from signing any death certificates.

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

SOURCES OF INFORMATION

Department of Health and Senior Services
Department of Revenue
Department of Public Safety
 Office of the Director
Department of Insurance, Financial Institutions and Professional Registration
Office of the State Treasurer
City of Kansas City
St. Louis County
Monroe County Assessor's Office
Boone County
Boone County Sheriff's Department
Callaway County Commission



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February 19, 2019

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