

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1957H.011
Bill No.: HB 944
Subject: Nursing Homes and Long-Term Care Facilities; Department of Health and Senior Services
Type: Original
Date: March 13, 2023

Bill Summary: This proposal creates provisions relating to attendant call systems in residential care facilities and assisted living facilities.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
General Revenue	(\$97,487)	(\$118,085)	\$0
Total Estimated Net Effect on General Revenue	(\$97,487)	(\$118,085)	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
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 2024	FY 2025	FY 2026
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
General Revenue	1 FTE	1 FTE	0 FTE
Total Estimated Net Effect on FTE	1 FTE	1 FTE	0 FTE

- ☐ 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 2024	FY 2025	FY 2026
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§198.078 – Attendant call systems in residential/assisted living facilities

Officials from the **Department of Health and Senior Services (DHSS)** state §198.078.1 requires all assisted living facilities (ALF) and residential care facilities (RCF) operating within the state to be equipped with an attendant call system consisting of an electrical intercommunication system, a wireless pager system, a buzzer system, or hand and analog bells.

Section 198.078.2 further requires the mechanism for calling attendants to be located in each toilet room and resident bedroom.

Current regulations require all assisted living facilities and all residential care facilities whose plans are approved, or which are initially licensed for more than twelve (12) residents after December 31, 1987, be equipped with a call system consisting of an electrical intercommunication system, a wireless pager system, buzzer system or hand bells. An acceptable mechanism for calling attendants shall be located in each toilet room and resident bedroom. Call systems for facilities whose plans are approved, or which are initially licensed after December 31, 1987, shall be audible in the attendant's work area. Proposed 198.078.4 requires the call system to be designed in a manner that records the length of time that elapses between the call and the response to the call by the attendant and generation of logs of response times. It is unknown if any current systems meet this requirement; therefore, cost estimate is based on all 625 RCF/ALF licensed facilities.

It is assumed it will take an Associate Engineer (\$73,131) approximately 5 hours per licensed RCF and ALF to review physical plant designs for the installation of the electrical intercommunication system, wireless pager system, buzzer system or hand bells to ensure the system being installed is in accordance with promulgated regulations and state law, including system design. Currently, DHSS licenses 625 RCF/ALF facilities, which would equal 3,125 hours. Based on 2,080 working hours per year, this would require one (1) temporary FTE approximately two years to review facility plans for compliance. It is assumed an Associate Engineer would be hired around September 2023, for a total personal service cost of \$54,849 ($\$73,131 \times 9/12$) in FY 24 and \$74,594 ($\$73,131 \times 1.02$) in FY25.

Thereafter, approximately 100 hours (5 hours x 20 new construction projects) per year will be required to review new construction for system requirements. Based on 2,080 working hours per year, this would require 0.048 FTE to assume these duties ($100 \text{ hours} \div 2,080 \text{ hours per year} = 0.048$) for a total personal service cost of \$3,510 ($\$73,131 \times 0.048$) per year after FY25. It is assumed that the Department can absorb the costs of this FTE with current resources. However, if the workload significantly increased or other legislation was enacted, additional resources would be requested through the appropriation process.

Section 198.078.5 requires the DHSS to establish a standard for the maximum length of time allowed to elapse between a call made by a resident using the attendant call system and the response to the call by the attendant.

Oversight assumes DHSS would not need additional rental space for 1 new temporary FTE for this single proposal. Oversight further assumes the DHSS will have sufficient staff and resources available to monitor newly built and licensed RCF/ALF facilities for compliance with the provisions of this proposal within appropriation levels once the review of current facilities has been completed (beyond FY 2025).

Officials from the **Department of Social Services**, the **City of Kansas City**, the **Newton County Health Department** and the **St. Louis County Health Department** 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.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other local public health departments and nursing homes were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
GENERAL REVENUE FUND			
<u>Costs – DHSS (\$198.078)</u>			
Personal service	(\$54,848)	(\$74,594)	\$0
Fringe benefits	(\$32,208)	(\$43,491)	\$0
Equipment end expense	(\$10,431)	\$0	\$0
<u>Total Costs – DHSS</u>	<u>(\$97,487)</u>	<u>(\$118,085)</u>	<u>\$0</u>
FTE Change - DHSS	1 FTE	1 FTE	0 FTE
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(\$97,487)</u>	<u>(\$118,085)</u>	<u>\$0</u>
Estimated Net FTE Change on the General Revenue Fund	1 FTE	1 FTE	0 FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

This proposal will directly impact small business RCF/ALFs as they may be required to update their current communication systems. (§198.078)

FISCAL DESCRIPTION

This bill requires that all assisted living facilities and residential care facilities equip, in each toilet room and resident bedroom as well as the attendant's work area, an attendant call system that consists of an electrical intercommunication system, a wireless pager system, a buzzer system, or hand and analog bells.

For every call made by a resident using the system, the length of time that elapses between the call and the response to the call by the attendant must be recorded, and a log of such response times must be available to the Department of Health and Senior Services during any inspection.

The Department shall establish a standard for the maximum allowable length of time to elapse between a call made by a resident using the call system and the response to the call by the attendant. Any failure by a facility to meet this standard shall be considered a deficiency to be noted in the survey report. (§198.078)

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

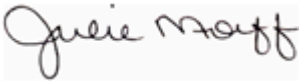
Department of Health and Senior Services

Department of Social Services

Newton County Health Department

St. Louis County Health Department

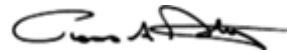
City of Kansas City



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