

Department of Planning and Budget 2018 Fiscal Impact Statement

1. **Bill Number:** HB196-E

House of Origin Introduced Substitute Engrossed

Second House In Committee Substitute Enrolled

2. **Patron:** Bulova

3. **Committee:** Health, Welfare, and Institutions

4. **Title:** Extensions of hearings to review findings by local departments of social services.

5. **Summary:** Provides that a person who appeals a determination by a local department of social services related to child abuse or neglect to a hearing officer designated by the Commissioner of Social Services may request extensions of the hearing. No extensions shall exceed 90 days after the date on which the hearing was first scheduled to be held, absent a showing of compelling reasons to justify the extensions.

6. **Budget Amendment Necessary:** Yes, Item 348.

7. **Fiscal Impact Estimates:** Preliminary. See Item 8.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2018	-	-	-
2019	\$59,079	0.5	General
	\$59,079	0.5	Nongeneral
2020	\$56,498	0.5	General
	\$56,498	0.5	Nongeneral
2021	\$56,498	0.5	General
	\$56,498	0.5	Nongeneral
2022	\$56,498	0.5	General
	\$56,498	0.5	Nongeneral
2023	\$56,498	0.5	General
	\$56,498	0.5	Nongeneral
2024	\$56,498	0.5	General
	\$56,498	0.5	Nongeneral

8. **Fiscal Implications:** This legislation requires that all child abuse or neglect determination hearings that are awarded extensions, take place within ninety days after the date of the originally scheduled hearing, absent a showing of compelling reasons to justify extensions exceeding ninety days. Currently, since there is not a policy that limits the timeframe for extensions, it takes approximately 120 days or longer to complete a Child Protective Services (CPS) hearing process, as the process is very complicated and the case

documents are voluminous. The hearings themselves can often last several days and each case can require up to several weeks of preparation.

The Department of Social Services (DSS) has four Hearing Officer positions and receives an average of five new CPS hearings weekly. Under this legislation, the average time Hearing Officers have to prepare their cases will be reduced by approximately 25 percent (1-[90/120]) as hearing extension requests are common and are factored in to the 120-day or longer time period. With an average of 25 percent less time to research and hear a case, DSS estimates that the agency will need 25 percent more staff, or one new Hearing Officer, in order to meet the requirements of this legislation.

Using an average salary of \$73,800 for a CPS Hearing Officer, salaries and benefits are estimated to be \$103,791 annually. Nonpersonal services, which include rent, telephone, computer, and travel costs, total \$14,367 in FY 2019 and \$9,205 each year thereafter.

Total funding for this proposal would be an overall cost increase of \$118,158 (\$59,079 general fund and \$59,079 nongeneral funds) for the first year and \$112,996 (\$56,498 general fund and \$56,498 nongeneral funds) each year thereafter.

9. Specific Agency or Political Subdivisions Affected: Department of Social Services, local departments of social services

10. Technical Amendment Necessary: No.

11. Other Comments: None.