

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: HB829

House of Origin	<input checked="" type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

2. Patron: Sullivan

3. Committee: Health, Welfare, and Institutions

4. Title: Group homes; license application; notice.

5. Summary: Requires persons applying for licensure as a group home with the Department of Behavioral Health and Developmental Services to provide notice to the local governing body, the general public, and residential occupants within one-half mile of the proposed location of the group home. The bill requires that such notices include a statement of intent to operate a group home and the address of the proposed location of the group home. The bill also requires (i) the Department to establish and maintain a process for receiving comments regarding such notices and (ii) the Commissioner of Behavioral Health and Developmental Services to consider all comments received within 30 days of the notice when deciding whether to grant the license application.

6. Budget Amendment Necessary: See Item 8.

7. Fiscal Impact Estimates: Indeterminate, See Item 8.

8. Fiscal Implications: This bill requires applicants for group home services to notify their local governing body, the public, and any residential occupants within half of a mile of the proposed location of the group home. This legislation also requires the Department of Behavioral Health and Developmental Services (DBHDS) to establish a process by which to receive and address comments from the notified parties requires the Commissioner of DBHDS to consider these comments when approving or denying the application for licensure.

Providing additional oversight in this way may require additional staff in either the DBHDS Office of Licensing or Constituent Services. The legislation would require that staff read all public comments, organize the comments, determine if any of comments were valid concerns, and address those concerns if appropriate. DBHDS has stated that a recent application for a high-profile children's residential provider resulted in the DBHDS Office of Licensing receiving approximately 100 complaints from at least 57 unique constituents in addition to formal written complaints from elected officials. Investigating, researching, and responding to these complaints required overtime and impacted the ability of staff to attend to other functions across multiple divisions of the DBHDS Central Office. The Office of

Licensing is currently reviewing 146 initial developmental disability group home applications. Under this legislation, all of those applications would be required to go through this notification and comment process. The number of additional staff that may be needed is indeterminate and dependent on both the number of applications in any given year and the number of complaints or comments filed. The total cost of each additional licensing FTE is approximately \$110,000.

In addition, this legislation may result in the inability of group home providers to open in areas where there is an identified need, which may result in delayed discharge of individuals from state facilities if community settings are not available.

9. Specific Agency or Political Subdivisions Affected: Department of Behavioral Health and Developmental Services, Licensed Providers

10. Technical Amendment Necessary: No.

11. Other Comments: None.