

Department of Planning and Budget

2011 Fiscal Impact Statement

1. Bill Number: SB1451

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Deeds

3. Committee: Finance

4. Title: Licensure of behavioral health services; posting of information

5. Summary: This bill amends the Code to add notification responsibilities to Department of Behavioral Health and Developmental Services (DBHDS) and providers in relation to the licensing of children's residential facilities. This bill requires DBHDS to post on its website copies of any licensing reports related to inspections or investigations related to children's residential facilities. It also requires DBHDS to notify the local community services board, local DSS, and two media outlets where the facility is located when the facility is given a Provisional License. DBHDS is also required to notify the parents or guardians of the residents of the child residential facility that is given a Provisional license. The bill also requires licensees to post their current license and most recent licensing report on their website, make copies available in their waiting room, and maintain the reports for six years.

6. Fiscal Impact Estimates: Preliminary

6a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2011	\$0	0.00	GF
2012	\$50,000	0.00	GF
2013	\$ 2,400	0.00	GF
2014	\$ 2,400	0.00	GF
2015	\$ 2,400	0.00	GF
2016	\$ 2,400	0.00	GF

7. Budget Amendment Necessary: Yes. Item 304.

8. Fiscal Implications: This bill requires DBHDS to post inspection and investigations reports on its website within seven days of issuance of the report and maintain this information for six years. To comply, DBHDS would need additional resources to upgrade its existing licensing system. It is estimated that 565 hours of analysis, design, development, testing and initial set up would be required at a cost of \$50,000. On-going maintenance and fees is estimated at \$200 per month, or \$2,400 per year.

Compliance with other requirements of the bill are problematic in terms of the 72-hour turnaround time to post on the DBHDS website a "Provisional License" as result of

documenting violations at the facility and to notify parents and guardians of the residents. Licensing staff documentation of violations, Licensing Director in-depth review, and DBHDS Commissioner approval of a "Provisional License" take much longer than 72 hours. In addition, DBHDS does not maintain a list of resident names and associated parents and guardians. To obtain and verify the accuracy of resident and parent and guardian names and addresses and provide notification to parents and guardians cannot be completed within 72 hours of documentation of violations. There is no available data to determine the amount of staff or resources needed to accomplish these requirements.

This bill would also add significant responsibilities and administrative duties to 378 children's residential group homes and facilities. They would be required to post information on their websites and make the information available in their waiting rooms. Many of these facilities do not currently have websites. An estimate of resources these facilities would need to comply with this bill is unknown.

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

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cc: Secretary of Health and Human Resources