



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2021 Biennium

Bill # HB0069

Title: Establish requirements for DD crisis response services

Primary Sponsor: Kelker, Kathy

Status: As Amended

- Significant Local Gov Impact
 Needs to be included in HB 2
 Technical Concerns
 Included in the Executive Budget
 Significant Long-Term Impacts
 Dedicated Revenue Form Attached

FISCAL SUMMARY

	<u>FY 2020 Difference</u>	<u>FY 2021 Difference</u>	<u>FY 2022 Difference</u>	<u>FY 2023 Difference</u>
Expenditures:				
General Fund	\$238,737	\$238,363	\$238,363	\$238,363
State Special Revenue	\$26	\$0	\$0	\$0
Federal Special Revenue	\$238,622	\$238,363	\$238,363	\$238,363
Revenue:				
General Fund	\$0	\$0	\$0	\$0
State Special Revenue	\$0	\$0	\$0	\$0
Federal Special Revenue	\$232,335	\$238,363	\$238,363	\$238,363
Net Impact-General Fund Balance:	<u>(\$238,737)</u>	<u>(\$238,363)</u>	<u>(\$238,363)</u>	<u>(\$238,363)</u>

Description of fiscal impact: HB 69 directs the Department of Public Health and Human Services (the department) to establish a crisis response program for providers of community developmental disabilities services and for families of people with developmental disabilities.

FISCAL ANALYSIS

Assumptions:

1. The department will solicit requests for proposals to establish a Crisis Response Program (CRP).
2. The CRP will consist of preventative, intermediate and advance level of response to persons in the community as well as a provision to meet the needs of a person in crisis outside of his/her community placement in an alternate residential setting.
3. To be eligible for CRP services, individuals and families in the preventative response level are not required to be enrolled or eligible for the 0208 waiver services. Individuals being served at the intermediate and advanced levels of response must be eligible for 0208 waiver services. If not enrolled in the 0208 waiver, the individual will be screened for an emergency selection.

4. The CRP will establish a preventative response level to deliver providers and families with training in methods for identifying a crisis in its initial stage before the situation escalates in a crisis. In addition to being coached on identifying potential crisis situations, providers and families will be trained in developing and writing behavior support protocols and skills, managing such protocols, and preventing future crisis requiring a higher level of intervention.
5. For preventative services, the department anticipates conducting 35 individual four-day sessions with one Board-Certified Behavior Analyst (BCBA) trainer.
6. The CRP will also establish an intermediate response level, which will provide in-home/community support for the individual and those who are supporting the individual.
7. The intermediate response level will provide approximately 116 hours of direct crisis service by Board-Certified Behavior Analysts (BCBA) per individual. The department assumes providing intermediate response services to approximately 30 individuals ($116 \times \$58.75 \times 30 = \$193,900$).
8. If the Center for Medicare and Medicaid Services (CMS) approves a match for these services, the department anticipates it will be at 50/50 reimbursement.
9. The CRP will establish an advance level of response that will provide crisis support services to individuals experiencing a crisis situation where services must be provided outside the individual's current community placement. The CRP will establish and hold 8 advance service response slots to provide placement outside of the person's current community placement in an alternate residential setting. Holding 8 advance placement slots includes \$750 per month per slot, 20 hours of BCBA per month per slot, and included is a psychiatric consultation fee of four to five hours monthly (see table on page 3). Once the CRP is providing direct services at the advanced level to an eligible individual these services are reimbursed under the 0208 waiver.
10. The department assumes 11 pages of associated rulemaking in the passage of this bill at \$60 per page. ($11 \times \$60 = \660) Rule making expenditures are funded with 56.6% General Funds, 4% State Special, and 39.4% Federal Funds.

	<u>FY 2020 Difference</u>	<u>FY 2021 Difference</u>	<u>FY 2022 Difference</u>	<u>FY 2023 Difference</u>
<u>Fiscal Impact:</u>				
<u>Expenditures:</u>				
Operating Expenses	\$660	\$0	\$0	\$0
Benefits	\$476,725	\$476,725	\$476,725	\$476,725
TOTAL Expenditures	\$477,385	\$476,725	\$476,725	\$476,725
<u>Funding of Expenditures:</u>				
General Fund (01)	\$238,737	\$238,363	\$238,363	\$238,363
State Special Revenue (02)	\$26	\$0	\$0	\$0
Federal Special Revenue (03)	\$238,622	\$238,363	\$238,363	\$238,363
TOTAL Funding of Exp.	\$477,385	\$476,725	\$476,725	\$476,725
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	\$0	\$0	\$0	\$0
Federal Special Revenue (03)	\$238,622	\$238,363	\$238,363	\$238,363
TOTAL Revenues	\$238,622	\$238,363	\$238,363	\$238,363
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$238,737)	(\$238,363)	(\$238,363)	(\$238,363)
State Special Revenue (02)	(\$26)	\$0	\$0	\$0
Federal Special Revenue (03)	\$0	\$0	\$0	\$0

Technical Notes:

1. The department will seek approval from the Centers of Medicare and Medicaid Services (CMS) for approval in order to receive federal matching funds for services.
2. The coordination language in Section 6 is unclear as to what services are intended to be reduced or eliminated should the coordination contingency in Section 6 be met.
3. The appropriation in the bill is not sufficient for the development of a statewide crisis response program. Consequently, the department will provide services in the areas of highest need.

		TL	1/20/19
<i>Sponsor's Initials</i>	<i>Date</i>	<i>Budget Director's Initials</i>	<i>Date</i>