



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2023 Biennium

Bill # HB0691

Title: Community crisis for people who have developmental disabilities

Primary Sponsor: Lenz, Dennis R

Status: As Introduced

- | | | |
|-----------------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------|
| <input type="checkbox"/> Significant Local Gov Impact | <input type="checkbox"/> Needs to be included in HB 2 | <input checked="" type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2022 Difference</u>	<u>FY 2023 Difference</u>	<u>FY 2024 Difference</u>	<u>FY 2025 Difference</u>
Expenditures:				
General Fund	\$238,693	\$238,363	\$238,363	\$238,363
State Special Revenue	\$0	\$0	\$0	\$0
Federal Special Revenue	\$238,693	\$238,363	\$238,363	\$238,363
Other	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
State Special Revenue	\$0	\$0	\$0	\$0
Federal Special Revenue	\$238,693	\$238,363	\$238,363	\$238,363
Other	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>(\$238,693)</u>	<u>(\$238,363)</u>	<u>(\$238,363)</u>	<u>(\$238,363)</u>

Description of fiscal impact: HB 691 directs the Department of Public Health and Human Services (DPHHS) 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. DPHHS 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 has escalated into 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, DPHHS anticipates conducting 30 individual four-day sessions with one Board-Certified Behavior Analyst (BCBA) trainer at approximately \$72.00 per hour, resulting in a cost of \$69,120 (30 x 4 days x 8hrs x 72.00).
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 112 hours of direct crisis service by BCBA per individual. DPHHS assumes intermediate response services will be provided to approximately 30 individuals, resulting in a cost of \$241,920 (112 x \$72.00 x 30 = \$241,920).
8. The CRP will establish an advanced 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 six advance service response slots to provide placement outside of the person's current community placement in an alternate residential setting. Six advance placement slots include costs of \$750 per month per slot to hold each slot, 20 hours of BCBA per month per slot (\$72.00 per hour), and a weekly psychiatric consultation fee at an estimated cost of \$180 per consultation. Total amount for six advanced service slots is estimated at approximately \$166,000 per year. Once the CRP is providing direct services at the advanced level to an eligible individual, these services are reimbursed under the 0208 waiver.
9. If the Center for Medicare and Medicaid Services (CMS) approves a match for these services, DPHHS anticipates it will be at 50/50 reimbursement.
10. DPHHS assumes 11 pages of associated rulemaking in the passage of this bill at \$60 per page. (11 x \$60 = \$660).

	<u>FY 2022 Difference</u>	<u>FY 2023 Difference</u>	<u>FY 2024 Difference</u>	<u>FY 2025 Difference</u>
<u>Fiscal Impact:</u>				
FTE	0.00	0.00	0.00	0.00
<u>Expenditures:</u>				
Personal Services	\$0	\$0	\$0	\$0
Operating Expenses	\$660	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0
Benefits	\$476,725	\$476,725	\$476,725	\$476,725
Transfers	\$0	\$0	\$0	\$0
TOTAL Expenditures	\$477,385	\$476,725	\$476,725	\$476,725
<u>Funding of Expenditures:</u>				
General Fund (01)	\$238,693	\$238,363	\$238,363	\$238,363
State Special Revenue (02)	\$0	\$0	\$0	\$0
Federal Special Revenue (03)	\$238,693	\$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)	\$238,693	\$238,363	\$238,363	\$238,363
TOTAL Revenues	\$238,693	\$238,363	\$238,363	\$238,363
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$238,693)	(\$238,363)	(\$238,363)	(\$238,363)
State Special Revenue (02)	\$0	\$0	\$0	\$0
Federal Special Revenue (03)	\$0	\$0	\$0	\$0

Technical Notes:

1. The amount listed in New Section 4(a) for the cost allocated to the DPHHS Behavioral Crisis Team (BCT) in the HB2 base budget is based on outdated information from 2018 and is incorrect for 2021. HB 691 lists the 2018 HB 2 cost allocation for the DPHHS Behavioral Crisis Team (BCT) which included 5.0 FTE and \$359,000 per year cost (\$718,000 over the biennium). Since 2018, HB2 allocated expenditures have decreased as the number of FTE for the Behavioral Crisis Team has been reduced from 5.0 FTE to 3.0 FTE, resulting in a reduction in annual costs from \$359,000 per year to \$231,000 per year. One FTE was removed during FY 2018 as it was a temporary modified FTE position without funding that was not refilled when the incumbent left; and one FTE was removed during the 2019 Legislative session for HB 2 FY2020 – FY 2021 biennium.
2. Per technical note #1, New Section 4(a) should be updated with current HB2 base information to read: *\$231,000 in federal special revenue money and \$231,000 in general fund money built into the base budget in the House Bill No. 2 appropriation for the developmental services division for the 2023 biennium and representing the amount of money allocated for the behavior consultation team in the 2021 biennium; and*

3. Per technical note #1, New Section 6 should be updated with current HB2 base information to read: *If both House Bill No. 2 and [this act] are passed and approved and [this act] contains an appropriation from the federal special revenue fund and the general fund to DPHHS of public health and human services totaling \$718,000 or more for the biennium beginning July 1, 2021, then the House Bill No. 2 appropriation for the developmental services division of DPHHS of public health and human services must be reduced by the following amounts in each year of the biennium: \$115,500 federal special revenue and \$115,500 general fund.*
4. The language in New Section 1, (4) appears to require all crisis response services to be delivered by a BCBA, including the advanced level of response. It will be challenging for a provider to have access to that many hours of BCBA due to the current limited number of licensed providers, making it difficult to implement this component of the bill.
5. DPHHS will seek approval from the Centers of Medicare and Medicaid Services (CMS) for approval to receive federal matching funds for services.
6. The appropriation in HB 691 is not sufficient for the development of a statewide crisis response program. Consequently, DPHHS will direct services to areas of highest need.



Sponsor's Initials

4-6-21

Date

CA

Budget Director's Initials

4-5-21

Date