



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2023 Biennium

Bill #	HB0691
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Title:	Community crisis for people who have developmental disabilities
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Primary Sponsor:	Lenz, Dennis R
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Status:	As Amended
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|---|--|--|
| <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

	FY 2022 Difference	FY 2023 Difference	FY 2024 Difference	FY 2025 Difference
Expenditures:				
General Fund	\$179,830	\$179,500	\$179,500	\$179,500
State Special Revenue	\$0	\$0	\$0	\$0
Federal Special Revenue	\$179,830	\$179,500	\$179,500	\$179,500
Revenue:				
General Fund	\$0	\$0	\$0	\$0
State Special Revenue	\$0	\$0	\$0	\$0
Federal Special Revenue	\$179,830	\$179,500	\$179,500	\$179,500
Net Impact-General Fund Balance:	(\$179,830)	(\$179,500)	(\$179,500)	(\$179,500)

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. As amended, the bill has a lower appropriation amount and removes references to “new” funding in the bill.

FISCAL ANALYSIS

Assumptions:

1. DPHHS will solicit requests for proposals to establish a Crisis Response Program (CRP).
2. DPHHS will seek input from national experts in developing a specific CRP and will incorporate recommendations into the final proposal. For purposes of this fiscal note, the following assumptions are used

- to outline a three tiered CRP that 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 22 individual four-day sessions with one Board-Certified Behavior Analyst (BCBA) trainer at approximately \$72.00 per hour, resulting in a cost of \$50,688 (22 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 Board-Certified Behavior Analysts (BCBA) per individual. DPHHS assumes intermediate response services will be provided to approximately 24 individuals, resulting in a cost of \$193,536 (112 x \$72.00 x 24).
 8. 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 four advance service response slots to provide placement outside of the person's current community placement in an alternate residential setting. Four advance placement slots includes 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 four advanced service slots is estimated at approximately \$114,000 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</u> <u>Difference</u>	<u>FY 2023</u> <u>Difference</u>	<u>FY 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>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	\$359,000	\$359,000	\$359,000	\$359,000
Transfers	\$0	\$0	\$0	\$0
TOTAL Expenditures	\$359,660	\$359,000	\$359,000	\$359,000
<u>Funding of Expenditures:</u>				
General Fund (01)	\$179,830	\$179,500	\$179,500	\$179,500
State Special Revenue (02)	\$0	\$0	\$0	\$0
Federal Special Revenue (03)	\$179,830	\$179,500	\$179,500	\$179,500
TOTAL Funding of Exp.	\$359,660	\$359,000	\$359,000	\$359,000
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	\$0	\$0	\$0	\$0
Federal Special Revenue (03)	\$179,830	\$179,500	\$179,500	\$179,500
TOTAL Revenues	\$179,830	\$179,500	\$179,500	\$179,500


Net Impact to Fund Balance (Revenue minus Funding of Expenditures):

General Fund (01)	(\$179,830)	(\$179,500)	(\$179,500)	(\$179,500)
State Special Revenue (02)	\$0	\$0	\$0	\$0
Federal Special Revenue (03)	\$0	\$0	\$0	\$0

Technical Notes:

1. New Section 4(1) specifies that the appropriation amount in New Section 3 of the bill is intended to consist of money built into the HB 2 base budget and represent the amount allocated for the DPHHS Behavioral Crisis Team (BCT) in the 2021 biennium. The appropriation amount listed in New Section 3 and New Section 4(1) for the costs allocated to the DPHHS Behavioral Crisis Team (BCT) in the HB 2 base budget is based on outdated information from 2018 and is incorrect for 2021. HB 691 lists the 2018 HB2 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 SFY 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 SFY2020 –SFY2021 biennium.
2. HB 691 as amended, would require a reduction in other DPHHS Developmental Services Division (DSD) budget and services equal to \$128,000 per year (\$359,000 - \$231,000). HB691 removes \$359,000 from the DSD HB 2 appropriation in New Section 6, but DSD currently has \$231,000 in the current HB2 allocation for Behavioral Crisis Teams (BCT) per New Section 4(1).

3. For the bill to be consistent with the intent and language in New Section 4(1) and per technical note #1, New Section 3 should be updated with current HB2 base information to read: *(1) There is appropriated \$231,000 from the federal special revenue fund and \$231,000 from the general fund to DPHHS of public health and human services for the biennium beginning July 1, 2021.*
4. For the bill to be consistent with the intent and language in New Section 4(1) and 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.*
5. 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 services due to the current limited amount of licensed providers, making it difficult to implement this component of the bill.
6. DPHHS will need to seek approval from the Centers of Medicare and Medicaid Services (CMS) for approval to receive federal matching funds for services.
7. The appropriation in HB 691 as amended 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

4-12-21

Date

KA

Budget Director's Initials

4-9-21

Date