

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2017-18		FY 2018-19	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See Below		See Below	

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

This bill address joint-sibling placement. The bill requires the Department of Health and Human Services to file a written report documenting the efforts to locate and place siblings together and the reasons a joint-sibling placement is not possible. Siblings of children placed in out-of-home care may file a motion for joint placement, visitation or ongoing interaction.

Current law requires reasonable efforts to place a siblings in the same foster care placement or adoptive home unless the joint placement is contrary to the safety and well-being of any of the children. Because of the reasonable efforts requirement, documentation would already exist. The bill would require that it be provided to the court. This provision may require some additional work, but can be handled within the existing agency resources.

The provision that allows any sibling to intervene at any point in the proceedings seeking joint placement, sibling visitation or ongoing interaction would result in increased costs. As of January 2017, 786 children in out-of-home placements were not with their siblings. Opening up the legal proceedings to allow the siblings to intervene would increase the legal work that needs to be done on those cases. The Department of Health and Human Services also indicates that it could result in delays in permanency. All hearings, continuances and appeals would have to be resolved before cases could be closed. The department estimates half of the cases would have a sibling intervene and the average delay in permanency would be six months. The estimated cost using these assumptions is \$2.8 million in FY 2017-18 and \$3.0 million in FY 2018-19. As stated previously, costs would increase, however the number of siblings who would intervene is difficult to predict and the impact on permanency would be variable. The fiscal impact cannot be determined at this time.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES		
LB: 411	AM:	AGENCY/POLT. SUB: Supreme Court
REVIEWED BY: Elton Larson	DATE: 2/22/2017	PHONE: 402) 471-4173
COMMENTS: No basis to disagree with agency assessment of fiscal impact.		

Please complete ALL (5) blanks in the first three lines.

2017

LB⁽¹⁾ 411

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Supreme Court

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 2/21/17 Phone: ⁽⁵⁾ 1-4138

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2017-18</u>		<u>FY 2018-19</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

Minimal impact on court operations and workload.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2017-18</u>	<u>2018-19</u>
	<u>17-18</u>	<u>18-19</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) Karen Gatherer

Date Prepared:(4) 1-17-17

Phone: (5) 471-6351

	FY 2017-2018		FY 2018-2019	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	2,800,565		3,040,874	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$2,800,565		\$3,040,874	

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

LB 0411 would require the Department of Health and Human Services (DHHS) to file a written sibling placement report and send a notice to all of the siblings that are known to the department of the child's placement change.

LB 0411 also allows a sibling of a child under the jurisdiction of the court the right to intervene at any point in the proceedings for the purpose of seeking joint-sibling placement, sibling visitation, or ongoing interaction with their sibling. As of January, 9, 2017 there were 786 state wards not placed with all their siblings that would have the right to intervene in the proceedings of placement should LB 0411 passes. This would result in additional hearings, continuances and appeals which would delay a child's permanency as the child cannot achieve permanency until the appeal is finalized. The appeal process could also lead to the state ward case being open an additional six (6) to twelve (12) months, increasing the total number of cases DHHS has open at any one time. It is anticipated that at least 50% of the children would intervene with a sibling's placement.

The current case load requirement for children in out of home care is 1:16 children per case worker. The result of approximately 393 additional cases being open for an additional six (6) months would require twelve (12) additional Children and Family Services Specialists, two (2) Children and Family Services Specialist Supervisors and two (2) Case Aides. Expenditures for these additional workers would total \$720,929 GF for SFY18 (with at starting date of October 01, 2017) and \$961,238 GF SFY19.

In addition, DHHS is responsible for paying a contractor administration and maintenance fees for these state wards while in foster care. Administration fees for state wards are approximately \$28.17 per day. At an expense of \$28.17 per day for 393 state wards the additional administration costs for 180 days would be \$1,992,746 for SFY 18 and \$1,992,746 SFY 19.

Approximately 377 (96%) of the state wards will be eligible for an adoption subsidy. Approximately 4% of the 393 state wards (16) will not be eligible for an adoption subsidy. The adoption subsidy is nearly equal to the foster care maintenance fee, so the average foster care maintenance fee of approximately \$30.17 per day will be required to be paid for an additional 180 days for a total expenditure of \$86,890 for SFY 18 and \$86,890 for SFY 19..

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:	POSITION TITLE	NUMBER OF POSITIONS		2017-2018	2018-2019
		17-18	18--19	EXPENDITURES	EXPENDITURES
	Children and Family Services Specialists	12	12	\$334,695	\$446,260
	Children and Family Services Specialists Supervisor	2	2	\$74,958	\$99,944
	Case Aide	2	2	\$36,504	\$48,672

Benefits.....	\$95,081	\$126,774
Operating.....	\$179,691	\$239,588
Travel.....		
Capital Outlay.....		
Aid.....	\$2,079,636	\$2,079,636
Capital Improvements.....		
TOTAL.....	\$2,800,565	\$3,040,874