

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2018-19		FY 2019-20	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See Below			
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

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

This bill would change procedures for determining competency to stand trial in counties containing a city of the primary class.

The Department of Health and Human Services (HHS) estimates the following costs associated with this bill:

ITEMS	FY2018-19	FY2019-20	FY2018-19	FY2019-20
	Number of Positions		Expenditures	
Clinical Program Manager	0.75	1.00	43,747	58,329
Licensed Psychologist	0.75	1.00	75,424	100,566
Benefits			37,765	50,354
Operating			61,241	78,295
Community Treatment Costs (20 individuals)			89,842	119,789
TOTAL	0.75	1.00	308,019	407,333

HHS assumes an operate date of September 1, 2018. They state that the addition of outpatient competency restoration (OCR) as a viable treatment alternative comes with costs for care and maintenance of such persons until competency is restored. See the agency response attached for additional details not included in this fiscal note.

The Legislative Fiscal Office (LFO) fiscal analyst understands that those currently found incompetent to stand trial must be committed to a state hospital or facility until treatment is available and provided. Therefore, there would appear to be a cost savings because those persons would not be so committed under this bill, and such persons would receive treatment under this bill versus treatment under current law. Whether this amount offsets the HHS cost estimate of this bill, or costs more or less than the HHS estimate, is unknown at this time.

The Supreme Court estimates a minimal fiscal impact from this bill.

DAS estimates no fiscal impact from this bill.

The City of Lincoln estimates no fiscal impact from this bill.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 1010	AM:	AGENCY/POLT. SUB: Nebraska Supreme Court (005)
REVIEWED BY: Joe Wilcox	DATE: 02/15/2018	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Supreme Court estimate of "Minimal" Fiscal Impact to the Agency from LB1010.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 1010 (065)	AM:	AGENCY/POLT. SUB: Nebraska Department of Administrative Services
REVIEWED BY: Joe Wilcox	DATE: 01/25/2018	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Department of Administrative Services (DAS) estimate of No Fiscal Impact to the Agency from LB 1010.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 1010	AM:	AGENCY/POLT. SUB: City of Lincoln
REVIEWED BY: Joe Wilcox	DATE: 01/19/2018	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the City of Lincoln estimate of No Fiscal Impact to the City from LB 1010.		

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

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

Prepared by: (3) Mike Michalski

Date Prepared 1-19-18

Phone: (5) 471-6719

	<u>FY 2018-2019</u>		<u>FY 2019-2020</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$308,019		\$407,333	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$308,019		\$407,333	

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

Explanation of Estimate:

LB 1010 changes the procedures for determining competency to stand trial in counties containing a city of the primary class.

The addition of outpatient competency restoration (OCR) as a viable treatment alternative comes with costs for the care and maintenance of those individuals until such time competency is restored. Costs associated with this bill include developing/training/contracting for services, coordination with the courts, court reporting, reviewing or making clinical recommendations should a community provider recommend alternative treatment, and for program and administrative staff. An administrative level review is required. Training costs to develop competency skills will need to occur. Community providers generally have an expectation of higher costs associated with serving individuals under a court order, i.e. court appearances, reporting, etc.

There will be costs to implement the requirements of LB 1010. This fiscal note assumes the bill will be effective September 1, 2018. The staff additions necessary are 1 Clinical Program Manager and 1 Psychologist/Licensed. In addition, there would be additional community treatment costs for an estimated 20 individuals. Those costs would be \$89,842 in FY19 and \$119,789 in FY20.

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:	NUMBER OF POSITIONS		2018-2019	2019-2020
	18-19	19-20	EXPENDITURES	EXPENDITURES
POSITION TITLE				
V72460 Clinical Program Manager	.75	1	\$43,747	\$58,329
V74823 Psychologist/Licensed	.75	1	\$75,424	\$100,566
Benefits.....			\$37,765	\$50,354
Operating.....			\$61,241	\$78,295
Travel.....				
Capital Outlay.....				
Aid.....			\$89,842	\$119,789
Capital Improvements.....				
TOTAL.....			\$308,019	\$407,333

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

2018

LB⁽¹⁾ 1010

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ 05 Supreme Court

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 2/15/18 Phone: ⁽⁵⁾ 1-4138

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2018-19</u>		<u>FY 2019-20</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 fiscal impact

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2018-19</u>	<u>2019-20</u>
	<u>18-19</u>	<u>19-20</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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

2018

LB⁽¹⁾ 1010

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Department of Administrative Services

Prepared by: ⁽³⁾ Doug Wilken Date Prepared: ⁽⁴⁾ 1/22/2018 Phone: ⁽⁵⁾ 402-471-4114

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2018-19</u>		<u>FY 2019-20</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Explanation of Estimate:

LB1010 seeks to change provisions relating to incompetency to stand trial. The Department of Administrative Services has no involvement in these processes nor would the costs incurred relating to such processes be paid by the Department of Administrative Services.

There is no fiscal impact to the Department of Administrative Services.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2018-19</u>	<u>2019-20</u>
	<u>18-19</u>	<u>19-20</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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

2018

LB⁽¹⁾ 1010

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ City of Lincoln

Prepared by: ⁽³⁾ James Van Bruggen Date Prepared: ⁽⁴⁾ 1/18/18 Phone: ⁽⁵⁾ 402-441-8325

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2018-19</u>		<u>FY 2019-20</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:

No fiscal impact.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2018-19</u>	<u>2019-20</u>
	<u>18-19</u>	<u>19-20</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____