Liz Hruska March 20, 2017 402-471-0053

LB 606

Revision: 00 FISCAL NOTE LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)						
	FY 201	7-18	FY 2018-19			
_	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE		
GENERAL FUNDS	55,674		61,962			
CASH FUNDS						
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL FUNDS	55,674		61,962			

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

This bill establishes the Voluntary Care Act. The act allows health care facilities or medical professionals to enter into contracts with the Department of Health and Human Services (DHHS), local health departments, hospitals or other health care entity designated by DHHS to provide voluntary health care services within their scope of licensure to low-income individuals. The professionals or facilities with such contracts would be an agent of the State. For purposes of liability, the facilities or professionals would be covered under the State Contract Claims Act, State Miscellaneous Claims Act or the State Claims Act. For every hour of volunteer health care provided, licensed medical professionals may receive one hour of continuing education credit for a maximum of eight hours per licensing period.

Various requirements of the bill would require additional work on the part of Department staff. The Department's fiscal note indicates the need for a program specialist to draft the rules and regulations, perform contract work, track continuing education and handle the recording of adverse incidents. The estimate appears to be reasonable.

Florida has had a volunteer provider program since 1992. The state is approximately ten time larger than Nebraska. The amount of health-related goods and services donated in FY 2015-16 was \$298 million. Nebraska is smaller and it would take a period of time before the program reached its peak of provider participation, but it's likely that the value of good and services would far exceed the costs to the State to implement the program.

State claim payments may increase under this bill. The similar program in Florida program has paid out \$1.2 million since 1992. Because Florida's population is significantly higher than Nebraska's, the amount of additional claims that might be paid is likely to be much less and would likely occur beyond the FY 2018-19 biennium. An analysis from the Risk Manager within the Department of Administrative Services is needed.

LB: 606 AM: AGENCY/POLT. SUB: Dept. of Health and Human Services (DHHS)			
REVIEWED E	3Y: Elton Larson	DATE: 2/22/2017	PHONE: (402) 471-4173

LB₍₁₎ <u>0606</u>

FISCAL NOTE

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

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

Prepared by: (3) Pat Weber	Date Prepared:(4) 1-19-17 <u>FY 2017-2018</u>		Phone: (5) 471-6351 FY 2018-2019		
_	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE	
GENERAL FUNDS	\$62,169		\$82,893		
CASH FUNDS					
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL FUNDS	\$62,169	\$0	\$82,893	\$0	

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

Explanation of Estimate:

LB 606 would adopt the Volunteer Care Act, which would consider a health care provider that executes a contract with a governmental contractor (DHHS, local health departments, etc.) to deliver volunteer health care services to low income patients an agent of the state and thus provided liability protection. Licensed medical professionals would be eligible for one hour of continuing education for one hour of volunteer service under the Volunteer Care Act.

The Department would require 1.00 FTE DHHS Program Specialist in order to support drafting and promulgation of rules and regulations, track contracts with governmental contractors to deliver volunteer services under the Act, educate providers and clients on the Act, coordinate with DHHS Licensure on continuing education credit and recording of adverse incidents, and perform other duties related to the quality assurance program and annual report to the Legislature that LB 606 would establish.

LB 606 would require the Department to provide an online listing of health care providers and medical professionals volunteering pursuant to a contract under the Act. Updates to the Department website would be performed with existing resources.

It is not yet known what impact the immunity from liability in any action arising out of the health care services provided to a patient under the Act would have to the Department. LB 606 appears to be modeled on Florida's Volunteer Health Care Provider Program (VHCPP), which was established in 1992. Florida's program also shields volunteer providers from liability. Florida law requires publication of claims filed under the VHCPP with the Florida Department of Financial Services Division of Risk Management. Since program inception, ten claims have been closed and \$1,228,846.58 paid. If similar claims were subject to Nebraska's blanket bond, the Department assumes any fiscal impact would take place beyond the two year scope of this note.

MAJOF	R OBJECTS OF EXPEND	ITURE		
PERSONAL SERVICES:				
	NUMBER O	POSITIONS	2017-2018	2018-2019
POSITION TITLE	17-18	1819	EXPENDITURES	EXPENDITURES
DHHS Program Specialist	0.75	1.00	\$34,782	\$46,376
Benefits			\$11,892	\$15,856
Operating			\$15,496	\$20,661
				ψ20,00
Travel				φ20,00
				φ20,00
Travel Capital Outlay Aid				φ20,001
Capital Outlay				ψ20,001