

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2016-17</b>		<b>FY 2017-18</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	54,888		52,888	
CASH FUNDS	201,780		201,780	
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>256,668</b>		<b>254,668</b>	

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

This bill establishes the Home Care Consumer Bill of Rights Act. The act requires a provider of home care is required to disclose specific information and provide a copy of the Act to the consumer. The consumer has a right to participate in the planning of services, to sufficient information to make informed decisions and information in advance on any proposed changes of services, be informed about the cost of the care. Additionally the consumer has the right to receive a prompt responses from the entity in which a complaint is filed. Violations of the disclosure provisions are subject to a civil penalty of \$100 for each violation up to a maximum of \$1,000. The consumer may contact the Consumer Protection Division in the office of the Attorney General, the State Unit on Aging, the long-term care ombudsman, the protection and advocacy system or other state and local agencies responsible for or interested in the rights of home care consumers.

The Department of Health and Human Services estimates a high number of complaints that would be received by their agency. It is unlikely to reach this level. An additional resource development position may be needed. The costs would be \$54,888 in FY 17 and \$52,888 in FY 18. The Consumer Protection Division in the office of the Attorney General is another place where complaints can be filed. An additional attorney and legal assistant will be needed. The cost will be \$201,780 in FY 17 and FY 18 paid from cash funds.

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES			
LB: 698	AM:	AGENCY/POLT. SUB: HHS	
REVIEWED BY: Elton Larson		DATE: 1/14/16	PHONE: 471-4173
COMMENTS: HHS analysis and estimate of fiscal impact appears reasonable.			

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

2016

LB<sup>(1)</sup> 698

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> Attorney General

Prepared by: <sup>(3)</sup> Stempson Date Prepared: <sup>(4)</sup> 1-20-16 Phone: <sup>(5)</sup> 471-2687

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2016-17		FY 2017-18	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	<u>201,780</u>	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>201,780</u>	_____	_____	_____

Explanation of Estimate:

The Attorney General's office would need to increase the appropriation of the Consumer Settlement Cash Fund by \$201,780 to allow for an additional Attorney as well as a Legal Assistant. We are not requesting new funding, but an increase to our cash fund appropriation only including PSL.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2016-17 EXPENDITURES</u>	<u>2017-18 EXPENDITURES</u>
	<u>16-17</u>	<u>17-18</u>		
Attorney	<u>1.0</u>	_____	<u>85,000.</u>	_____
Legal Assistant	<u>1.0</u>	_____	<u>45,000.</u>	_____
Benefits.....	_____	_____	<u>50,780.</u>	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	<u>15,000.</u>	_____
Capital outlay.....	_____	_____	<u>6,000.</u>	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	<u>201,780.</u>	_____

*Handwritten signature and date: 1-20-16*

**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) 1-15-16

Phone: (5) 471-6351

	<u>FY 2016-2017</u>		<u>FY 2017-2018</u>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
<b>GENERAL FUNDS</b>	\$220,228		\$471,769	
<b>CASH FUNDS</b>				
<b>FEDERAL FUNDS</b>				
<b>OTHER FUNDS</b>				
<b>TOTAL FUNDS</b>	\$220,228		\$471,769	

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

**Explanation of Estimate:**

To meet the informational literature requirements in LB 698, the Department of Health and Human Services (DHHS) would require a Resource Development worker. The cost would be \$64,049 GF for FY17 and \$64,049 GF for SFY18 in Program 266.

To comply with the requirements of section 5 (2) DHHS would need one Unit Manager and one contractor in FY17 and FY18 to begin setting up the program, including writing rules and regulations for the grievance procedures, provide education training for staff, providers and clients, organize statewide service and many other duties, at an estimated cost of \$153,179 GF (Contractor at \$50,000 and unit Manager at \$103,179.) Additionally, three Aging Services Ombudsman staff would be needed in FY18 to begin providing program service at an estimated cost of \$251,541 GF.

The total fiscal impact to the Department of Health and Human Services in SFY17 will be \$220,228 GF and in FY18 \$471,769 GF.

Complete program operation with full staffing would not be reached until FY19. The complete program with full staff will include one Resource Developer, one Unit Manager, and nine Aging Services Ombudsman at an estimated \$923,850 GF.

**MAJOR OBJECTS OF EXPENDITURE**

PERSONAL SERVICES:	POSITION TITLE	NUMBER OF POSITIONS		2016-2017	2017-2018
		16-17	17-18	EXPENDITURES	EXPENDITURES
	DHHS Resource Developer	1	1	\$35,472	\$35,472
	DHHS Office Manager	1	1	\$52,462	\$52,462
	Aging Services Ombudsman		3		\$126,372
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	Benefits.....			\$26,449	\$70,078
	Operating.....			\$102,845	\$181,385
	Travel.....			\$3,000	\$6,000
	Capital Outlay.....				
	Aid.....				
	Capital Improvements.....				
	<b>TOTAL.....</b>			<b>\$220,228</b>	<b>\$471,769</b>