PREPARED BY: DATE PREPARED: PHONE: Kathy Tenopir April 06, 2018 471-0058

LB 729

Revision: 01

FISCAL NOTE

Due to amendments adopted through 3-28-18

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)								
	FY 201	8-19	FY 2019-20					
_	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE				
GENERAL FUNDS	See Below		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.

LB729 amends the State Tort Claims Act by allowing claims of "misrepresentation" and "deceit" when there are allegations that the Department of Health and Human Services failed to warn, notify, or inform of a ward's mental and behavioral history, educational history, or medical history, including any history as a victim or perpetrator of sexual abuse in cases of adoption or placement LB729 would increase the State's liability exposure.

DAS indicates that the provisions of LB729 create a General Fund fiscal impact but, the exact impact is unknown. Increase costs would include the cost for processing such claims, potential litigation costs and the cost of paying substantiated claims.

The Attorney General did not respond to a request for a fiscal impact statement.

The Department of Health and Human Services did not respond to a request for a fiscal impact statement.

ADMIN	NISTRATIVE SERVICES	STATE BUDGET DIVISION: REVIEW OF	AGENCY & POLT. SUB. RESPONSE			
LB: 729	AM: 2160	AGENCY/POLT. SUB: Departm	ent of Administrative Services (065)			
REVIEWED BY: Joe Wilcox		DATE: 03/09/2018	PHONE: (402) 471-4178			
COMMENTS: No basis to dispute the Nebraska Department of Administrative Services (DAS) Risk Management Division estimate of potential but Indeterminate General Fund Fiscal Impact to the Agency and the State from AM 2160 to LB 729,						

TOTAL.....

LB (1)	729	AM 2160							FISCAL NOTE			
State Agency OR Political Subdivision Name: (2)			Dept. of Administrative Services (DAS) - Risk Management Division									
Prepar	ed by: (3)	Shereece De	endy-Sanders	S Date	Prepared: ⁽⁴⁾	3/2/2	2018	Phone: ((5) 402-471-4436			
		ESTIMA	ATE PROVI	DED BY ST	TATE AGEN	CY OR	POLITIC	AL SUBDIVIS	SION			
			FY	FY 2018-19 FY 2019-20								
	EXPENDITURES					EXPEND		REVENUE				
GENE	RAL FUN	DS (S	ee Below)			_	(See E	Below)				
CASH	FUNDS											
FEDE	RAL FUN	DS				_						
ОТНЕ	R FUNDS	<u> </u>										
ТОТА	L FUNDS					_						
and be sexual. Over the all medic exposithereforms be deceit result,	ehavioral I abuse in the course egation o cal history ure of \$2 ore, these ill would in in any ca , there is	history, educan cases of add e of the past year of deceit and/or as a victim/p 2,000,000. As e claims were require that the apacity to inclu- the potential	ear, there has the sear, there has repetrator of the stature denied. The State of Notice an error for an incress.	ory, or med acement. ave been sentation invof sexual ate is curre lebraska per or violatio	several clair volving the f abuse in ad ently written ay for subst on of policy/p e number of	ns filed ailure option , thes antiate coroced	ding any he ding any he ding any he to warn of or placer e types of the diams lure, employed aims filed	e State Tort a ward's beh nent. Such f claims are related to mi oyee mistake l each year	nform of a ward's mental victim or perpetrator of Claims Act based upon havioral, educational, or claims had a potential especifically excluded; isrepresentation and/or e/misconduct, etc. As a and an increase in the essing such claims, any			
assoc		ation costs, ar							s these types of claims			
This b	oill creates	s a General fu	nd fiscal im	pact, how	ever the exa	act fisc	cal impact	is unknown.				
Person	al Service		BREAKDOY	WN BY MA	JOR OBJEC	<u> FS OF</u>	<u>EXPENDI</u>	<u>TURE</u>				
		TION TITLE	N	UMBER O	F POSITION <u>19-20</u>	IS	2018 EXPEND		2019-20 EXPENDITURES			
						_			-			
Benefi	ts					_						
_	_											
Capita	l outlay											
Aid												
Canita	l improver	ments										