

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2020-21		FY 2021-22	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
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 provides a definition of and duties and responsibilities for the Youth Rehabilitation and Treatment Centers (YRTC). Each youth rehabilitation and treatment center shall provide: (a) Safe and sanitary space for sleeping, hygiene, education, programming, treatment, recreation, and visitation for each juvenile; (b) Health care and medical services; (c) Appropriate physical separation and segregation of juveniles based on gender; (d) Sufficient staffing to comply with state and federal law and protect the safety and security of each juvenile; (e) Training that is specific to the population being served at the youth rehabilitation and treatment center; (f) A facility administrator for each youth rehabilitation and treatment center who has the sole responsibility for administration of a single youth rehabilitation and treatment center; (g) An evaluation process for the development of an individualized treatment plan within fourteen days of admission to the youth rehabilitation and treatment center; (h) An age-appropriate and developmentally-appropriate education program for each juvenile that can award relevant and necessary credits toward high school graduation that will be accepted by the juvenile's home school district; (i) A case management and coordination process, designed to assure appropriate reintegration of the juvenile to his or her family, school, and community; (j) Compliance with the requirements stated within Title XIX and Title IV-E of the federal Social Security Act, as such act existed on 30 January 1, 2020, the Special Education Act, or other funding guidelines as appropriate; (k) Research-based or evidence-based programming for all juveniles that includes a strong academic program as well as classes in health education, living skills, vocational training, behavior management and modification, money management, family and parent responsibilities, substance abuse awareness, physical education, job skills training, and job placement assistance; and (l) Research-based or evidence-based treatment services for behavioral impairments, severe emotional disturbances, sex offender behaviors, other mental health or psychiatric disorders, drug and alcohol addiction, victims of physical or sexual abuse, and any other treatment indicated by the juvenile's individualized treatment plan.

The language in the bill defines the duties and responsibilities of the YRTCs. The language reflects activities, operations and structure of the current system for which the agency is funded. The Department of Health and Human Services indicated they would need to construct additional buildings at the YRTC in Geneva due to the language requiring "appropriate physical separation and segregation of juveniles based on gender." This appears to be an overly broad interpretation of that language. Currently there are juveniles of both genders located on the YRTC Kearney campus. The youth are physically separated, although they are on the same campus. There may occasionally be youth of different genders within the sight and sound of each other such as passing in a hallway in the school building. Staff are always present and there isn't any direct interaction. It does not appear that these infrequent, staff-monitored occasions would violate the provision for separation and segregation of the genders. There is no fiscal impact.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 1140 AM:	AGENCY/POLT. SUB: Department of Health and Human Services (DHHS)	
REVIEWED BY: Elton Larson	DATE: 2/3/2020	PHONE: (402) 471-4173
COMMENTS: A program statement would need to be completed and approved before any construction could occur.		

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 1-24-2020

Phone: (5) 471-6719

	<u>FY 2020-2021</u>		<u>FY 2021-2022</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$12,000,000			
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$12,000,000		\$0	

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

Explanation of Estimate:

This bill states that each YRTC shall be a separate placement and shall provide safe and sanitary space for sleeping, hygiene, education, programming, treatment, recreation and visitation. The Department shall provide health care and medical services, physical separation and segregation of juveniles based on gender, staffing to comply with state and federal law, training specific to the juvenile population, a facility administrator for each YRTC, an evaluation process and treatment plan, age appropriate education, case management for appropriate re-integration, compliance with federal and state laws, and evidence-based programming and treatment services. The YRTC's shall electronically submit a report of its activities for the preceding fiscal year to the Clerk of the Legislature on or before July 15th of each year.

Geneva only has the LaFlesche building in operation to accommodate female youth transitioning out of the program. To bring the rest of the Geneva campus to a fully operational level will require a physical structure build. Based on construction costs for buildings similar to LaFlesche, DHHS estimates the cost to bring the Geneva facility to full capacity to be \$12,000,000.

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:	POSITION TITLE	NUMBER OF POSITIONS		2020-2021	2021-2022
		20-21	21-22	EXPENDITURES	EXPENDITURES
Benefits.....					
Operating.....					
Travel.....					
Capital Outlay.....					
Aid.....					
Capital Improvements.....				\$12,000,000	\$0
TOTAL.....				\$12,000,000	\$0