PREPARED BY: DATE PREPARED: PHONE: Doug Nichols January 24, 2020 402-471-0052

**LB 963** 

Revision: 00

## **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 EXPENDITUI			REVENUE		
GENERAL FUNDS	442,500 - 1,770,000		442,500 - 1,770,000			
CASH FUNDS						
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL FUNDS	442,500 - 1,770,000		442,500 - 1,770,000			

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

This bill would change provisions relating to workers' compensation for injuries to first responders and frontline state employees. It would to provide a means of demonstrating a prima facie case of personal injury. The bill would provide duties for the Critical Incident Stress Management Program (CISM) and the Department of Health and Human Services (HHS). Finally, it would require HHS to reimburse for the cost of resilience training at a rate set by the CISM.

HHS estimates there are about 17,700 first responders subject to resilience training reimbursement. The agency notes that it is not clear if frontline state employees are intended to be included in resilience training reimbursement. The bill requires the CISM team to establish a reimbursement rate. Because no rate has been established, HHS assumes a range of \$25-\$100 for resilience training reimbursement. HHS estimates a range of \$442,500 - \$1,770,000.

HHS also will have additional costs in developing resilience training guidelines. The agency estimates the cost at \$3,680 and they plan to absorb this cost. See the agency response attached for additional details not included in this fiscal note.

DAS Risk Management (DAS) notes that this bill provides another method to establish a mental injury or illness caused by employment conditions, and it also expands who can determine a mental injury or illness. DAS notes that because of this, it is foreseeable that there may be additional claims and payments, but this amount is not known. See the agency response attached for additional details not included in this fiscal note.

The Workers' Compensation Court and the Nebraska State Patrol estimate no fiscal impact from this bill.

The City of Imperial estimates costs of \$25,000 in FY21 and \$6,000 in FY22. These costs would be for an initial mental health evaluation, plus developing resilience training guidelines and providing such training to first responders.

The City of Lincoln estimates a minimal fiscal impact.

The Lancaster County Sheriff's Office estimates a cost of \$2,800 for all of their deputies to attend a one day training session. They note that this cost does not include the cost of an instructor, which they estimate could double the \$2,800 amount.

Sarpy County estimates no fiscal impact from this bill.

ADMIN	NISTRATIVE SERVIC	ES STATE BUDGET DIVISION: REVIEW OF	FAGENCY & POLT. SUB. RESPONSE
LB: 963	AM:	AGENCY/POLT. SUB: Department o	f Health and Human Services (025)
REVIEWED	BY: Joe Wilcox	DATE: 1/23/2020	PHONE: (402) 471-4178
	0 0 ,	fiscal note presents a broad range of potentia Services (DHHS) estimate of potential Fiscal	,

ADMII	NISTRATIVE SERVIC	ES STATE BUDGET DIVISION: REVIEW OF	AGENCY & POLT. SUB. RESPONSE
LB: 963	AM:	AGENCY/POLT. SUB: Department of	Administrative Services (065)
REVIEWED	BY: Joe Wilcox	DATE: 1/22/2020	PHONE: (402) 471-4178
	S: No basis to dispute t to the Agency from L	the Department of Administrative Services (DA	AS) estimate of potential, but Indeterminate

ADMIN	NISTRATIVE SERVIC	ES STATE BUDGET DIVISION: REVIEW OF	AGENCY & POLT. SUB. RESPONSE
LB: 963	AM:	AGENCY/POLT. SUB: Nebraska Worl	kers Compensation Court (037)
REVIEWED	BY: Joe Wilcox	DATE: 1/16/2020	PHONE: (402) 471-4178
COMMENTS from LB 963.		the Nebraska Workers Compensation Court e	stimate of No Fiscal impact to the Agency

ADMIN	NISTRATIVE SERVIC	ES STATE BUDGET DIVISION: REVIEW OF	FAGENCY & POLT. SUB. RESPONSE
LB: 963	AM:	AGENCY/POLT. SUB: Nebraska Stat	te Patrol (064)
REVIEWED	BY: Joe Wilcox	DATE: 1/23/2020	PHONE: (402) 471-4178
COMMENTS	3: No basis to dispute t	he Nebraska State Patrol estimate of No Fisc	cal impact to the Agency from LB 963.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE					
LB: 963	AM:	AGENCY/POLT. SUB: City of Imper	rial		
REVIEWED I	BY: Joe Wilcox	DATE: 1/16/2020	PHONE: (402) 471-4178		
COMMENTS: No basis to dispute the City of Imperial estimate of potential Fiscal Impact to the City from LB 963.					

ADM	IINISTRATIVE SERV	ICES STATE BUDGET DIVISION: REVIEW OF A	GENCY & POLT. SUB. RESPONSE		
LB: 963	AM:	AGENCY/POLT. SUB: City of Lincoln			
REVIEWED	D BY: Joe Wilcox	DATE: 01/23/2020	PHONE: (402) 471-4178		
COMMENT	COMMENTS: No basis to dispute the City of Lincoln estimate of No Fiscal Impact to the City from LB 963.				

ADMIN	NISTRATIVE SERVIC	ES STATE BUDGET DIVISION: REVIEW O	F AGENCY & POLT. SUB. RESPONSE		
LB: 963	AM:	AGENCY/POLT. SUB: Lancaster	County Sheriff's Office		
REVIEWED	REVIEWED BY: Joe Wilcox DATE: 1/16/2020 PHONE: (402) 471-4178				
COMMENTS: No basis to dispute the Lancaster County Sheriff's Office estimate of potential Fiscal Impact to the Lancaster County Sheriff from LB 963.					

## LB<sub>(1)</sub> <u>963</u> FISCAL NOTE 2020

State Agency or Political S	ubdivision Name:(2) Depar	tment of Health and Hu	man Services	
Prepared by: (3) Mike Michalsh	ki Date Prepare	ed 1-15-2020	Pho	ne: (5) 471-6719
	FY 2020-2	2021	FY 2021-2	2022
_	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$442,500 -		\$442,500 -	
	\$1,770,000		\$1,770,000	
CASH FUNDS				
EDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$442,500 -		\$442,500 -	
	\$1,770,000		\$1,770,000	

## Explanation of Estimate:

LB 963 establishes qualifications for first responders and frontline state employees in order to be eligible for worker's compensation due to mental injury and/or illness incurred as a result of trauma experienced on the job. One of these requirements is that the employee must have participated in resilience training annually prior to the incident in order to qualify for worker's compensation. Should the employer not provide or reimburse the employee with resilience training, then the Department of Health and Human Services is to reimburse the cost at a rate set by the Critical Incident Stress Management Program (CISM).

The definition given by statute for a first responder is a sheriff, deputy sheriff, police officer, Nebraska State Patrol officer, a volunteer or paid firefighter, or a volunteer or paid emergency medical care worker licensed in Nebraska. There are currently 6,700 emergency medical care workers licensed in Nebraska. The estimated number of law enforcement officers is around 8,000. According to FEMA's 2019 National Fire Department Registry Summary, there are 391 registered fire departments in Nebraska with 96.2% of personnel being volunteer or mostly volunteer. Also, according to statistics, there are approximately 1.5 firefighters per 1,000 persons in Nebraska. Based on a population of 2,000,000 the estimate would be 3,000 firefighters in Nebraska. Therefore, the potential number of first responders subject to resilience training reimbursement are approximately 17,700. It is unclear if LB 963 is intended to include frontline state employees in the reimbursement of training.

LB 963 requires the CISM team to establish the reimbursement rate. Since the reimbursement rate is unknown, this estimate assumes a range of \$25 to \$100 reimbursement for annual resilience training. The range of total impact due to reimbursement is estimated to cost between \$442,500 to \$1,770,000 per year. The source of funding is not indicated by LB 963, therefore the estimated cost is being listed under General Funds. It is anticipated the funding would be included as part of Program 514 – Health Aid.

DHHS will incur additional cost to develop guidelines for resilience training and set an annual limit on the hours or quantity of resilience training required for reimbursement. The CISM program is managed by the CISM Council as well as the Interagency Management Committee. The council and committee are composed of DHHS, State Fire Marshal's office, the Superintendent of Law Enforcement and Public Safety and the Adjutant General as members. LB 963 would require the council and committee to meet several times in order to develop regulations and standards. DHHS would absorb the costs of members representing DHHS.

The estimated cost to develop guidelines, set annual limits on required training and set the reimbursement rate for applicable employees is estimated as the following:

Title	Hours	Hourly Cost	Absorbed	Cost
Director	4	74.28	\$	297
Deputy Director	4	53.48	\$	214
Administrator I	4	30.82	\$	123
Program Specialist	8	22.52	\$	180
Program Analyst	16	21.91	\$	351
Attorney III	30	33.82	\$	1,015
Subtotal Staff Cost	66		\$	2,180
Council and				
Committee				
Meeting cost each			\$	1,500
Total Absorbed				
Costs			\$	3,680

MAJOR OB	JECTS OF EXPEND	TURE		
PERSONAL SERVICES:				
POSITION TITLE	NUMBER OF 20-21	POSITIONS 21-22	2020-2021 EXPENDITURES	2021-2022 EXPENDITURES
Benefits				
Operating				
Travel				
Capital Outlay				
Aid			\$442,500 -	\$442,500 -
			\$1,770,000	\$1,770,000
Capital Improvements				
TOTAL				

<b>LB</b> <sup>(1)</sup> 963					FISCAL NOTE
State Agency OR 1	Political Subdivision Name: (2)	Dept. of Administr Division	ative Services	(DAS) – Risl	k Management
Prepared by: (3)	Allen D. Simpson	Date Prepared: (4)	1/14/2020	Phone: (5)	(402)471-4436
	ESTIMATE PROV	IDED BY STATE AGEN	CY OR POLITIC	CAL SUBDIVIS	ION
	FY	2020-21		FY 2021	-22
	EXPENDITURES		EXPENDI	TURES	REVENUE
GENERAL FUN	DS				
CASH FUNDS					
FEDERAL FUN REVOLVING FUNDS	DS				
TOTAL FUNDS	See Below		See B	elow	
responders who professional: polergy member.  The State's first mental illness, the mental injurinjury or illness only considers expands those.  Additionally, this conditions. By pof who may detailed.	ing not reimbursed by the o have completed the anreacticing physician, physic who could determine means to responders currently has Current law requires the firty or illness were extraord and the employment compinions from physicians, who could determine means bill also creates another providing for another method amount of additional claims.	nual resilience training cian assistant, advance that injury and mental ave the ability to file a irst responder to establinary and unusual, and iditions by medical evice psychologists and phyental injury and mental arway of establishing a mod to establish mental I injury or illness, it is for	The bill would e registered nur illness.  workers' composite that a) the ed b) there is meddence. The worksical therapists a illness.  mental injury or ill injury or mental oreseeable that ot foreseeable,	include the follower, mental headensation claim imployment collical causation kers' compensas to mental injudes that is calliness and by there may be a however.	lowing mental health alth practitioner, or a new for mental injury or inditions that caused between the mental sation court currently ury or illness. This bill hused by employment expanding the scope
Personal Service		<u>VN BY MAJOR OBJECT</u>	S OF EXPENDI	<u>I UKE</u>	
POSIT	TION TITLE N	UMBER OF POSITION <u>20-21</u> <u>21-22</u>	S 2020 EXPEND		2021-22 EXPENDITURES
Benefits					
•					
Capital outlay					
	ments				·
TOTAL					

<b>LB</b> <sup>(1)</sup>	963						FISCAL NOTE			
State Agency OR Political Subdivision Name: (2)				Nebraska Workers' Compensation Court						
Prepared by: (3) Jill Gradwohl Schroeder			Da	Date Prepared: (4) January 16, 2020 Phone		Phone: (5)	402.471.3602			
		ESTIMATE PROV	IDED RY	Z STATE AGE	NCY OR POLITICAL	SURDIVIS	ION			
			7 2020-21		NCT ORT OLITICAL	FY 2021				
		<u>EXPENDITURE</u>		REVENUE	EXPENDITU		REVENUE			
GENE	RAL FUN	IDS								
CASH	FUNDS					<del></del>				
FEDE	RAL FUN	DS				<u></u>				
ОТНЕ	R FUNDS	<u> </u>								
ТОТА	L FUNDS				_	<u></u>				
						_				
Explan	ation of E	Estimate:								
	ensation									
Person	al Service		<u>WN BY N</u>	<u> 1AJOR OBJEC  </u>	rs of expenditu	<u>RE</u>				
1 CISOII			NUMBER	OF POSITION	S 2020-21		2021-22			
			<u>20-21</u>	<u>21-22</u>	<u>EXPENDITU</u>	<u>JRES</u>	<b>EXPENDITURES</b>			
					_					
					_					
_	=									
_	_	ments								
TO	TAL									

LB <sup>(1)</sup> 963					<b>FISCAL NOTE</b>
State Agency OR Political Subdivis	ion Name: (2) Nebr	aska State Pat	trol		
Prepared by: (3) Carol Aversm	nan Da	te Prepared: (4)	1/21/2020	Phone: (5)	
ESTIM	IATE PROVIDED BY	Y STATE AGENO	CY OR POLITIC	AL SUBDIVIS	SION
EYDE	<u>FY 2020-21</u> ENDITURES	REVENUE	EXPENDI	<u>FY 2021</u>	<u>-22</u> REVENUE
GENERAL FUNDS	ENDIT CRES	REVENCE	<u>EXI ENDI</u>	I CRES	REVENUE
CASH FUNDS					·
FEDERAL FUNDS	<del></del>				
OTHER FUNDS					
TOTAL FUNDS					
<b>Explanation of Estimate:</b>					
NO FISCAL IMPACT.					
	BREAKDOWN BY M	IAJOR OBJECTS	OF EXPENDIT	URE	
Personal Services:				<u> </u>	
POSITION TITLE	NUMBER <u>20-21</u>	OF POSITIONS 21-22	2020- <u>EXPENDI</u>		2021-22 EXPENDITURES
TOOITION TITLE	20 21	21 22	<u>EXI LINDI</u>	TORES	<u>EXILIVOIT CICES</u>
Benefits			<del></del>		
Operating					
Travel					
Capital outlay					
Aid					
Capital improvements					

<b>LB</b> <sup>(1)</sup> 963				FISCAL NOTE
State Agency OR Politi	cal Subdivision Name: (2)	City of Imperial		
Prepared by: (3) Jo	Leyland	Date Prepared: (4)	01/15/2020 Phone	: (5) 308-882-4368
	ESTIMATE PROVI	DED BY STATE AGEN	NCY OR POLITICAL SUBDI	VISION
		2020-21 <u>REVENUE</u>	<u>FY 2</u> EXPENDITURES	021-22 <u>REVENUE</u>
GENERAL FUNDS	25000.00	00	6000.00	00
CASH FUNDS		···	· · · · · · · · · · · · · · · · · · ·	
FEDERAL FUNDS	· •			
OTHER FUNDS				
TOTAL FUNDS	25000.00	00	6000.00	00
Explanation of Estim	ate:			

Estimating that all first responders would be required to have an initial mental health evaluation, plus any additional members that are added through the year. In addition, there would be costs to develop resilience training guidelines and provide such training to first responders. Additional years would require training, with only the new responders needing evaluations.

BREAKI	OWN BY MAJ	OR OBJECTS O	F EXPENDITURE	
Personal Services:			·	
DOGUTE ON THE D		POSITIONS	2020-21	2021-22
POSITION TITLE	<u>20-21</u>	<u>21-22</u>	<b>EXPENDITURES</b>	<b>EXPENDITURES</b>
				<u> </u>
Benefits	• 1			·
Operating	••		· .	
Travel	••		5000.00	2000.00
Capital outlay			·	
Aid	<b>,,</b>		20000.00	4000.00
Capital improvements	•••	•		
TOTAL	••		25000.00	6000.00

<b>LB</b> <sup>(1)</sup> 963					FISCAL NOTE	
State Agency OF	R Political Subdivision Name: (2)	City of Lincoln				
Prepared by: (3)	James Van Bruggen	Date Prepared:	1/21/20	Phone: (5)	402-441-8301	
	ESTIMATE PROV	/IDED BY STATE AG	ENCY OR POLITIC	AL SUBDIVIS	ION	
					1001 00	
	<u>EXPENDITURE</u>	<u>Y 2020-21</u> S REVENUE	<u>EXPENDI</u>	<u>FY 2021</u> <u>TURES</u>	<u>REVENUE</u>	
GENERAL FU	NDS					
CASH FUNDS						
FEDERAL FU	NDS		<del></del>			
OTHER FUND	os —					
TOTAL FUND	os					
Explanation of	Estimato					
Explanation of	Estimate.					
	RREAKDO	WN BY MAJOR OBJE	CTS OF EYPENDIT	TIRE		
Personal Service	ces:			<u>I UKE</u>		
POSI	TION TITLE	NUMBER OF POSITION			2021-22 EXPENDITURES	
Benefits						
			-			
	ements					
Capital improv	ements					

LB <sup>(1)</sup> 963						FISCAL NOTE	
State Agency OR Political Subdivis	Lancaster County Sheriff's Office						
Prepared by: (3) Terry Wagner		Date Prepared: (4)		01/15/2020	Phone: (5)	402 441-6500	
ESTIM	DED BY	STATE AGEN	ICY OR POLITICA	L SUBDIVIS	SUBDIVISION		
	FY:	2020-21			FY 2021-	-22	
EXPI	ENDITURES		<u>REVENUE</u>	<b>EXPENDIT</b>		REVENUE	
GENERAL FUNDS	\$2,800			\$2,800	)		
CASH FUNDS							
FEDERAL FUNDS							
OTHER FUNDS							
TOTAL FUNDS	\$2,800			\$2,800	<u> </u>		
instructor which could double							
Personal Services:	<u>BREAKDOW</u>	<u>/N BY M</u>	AJOR OBJECT	S OF EXPENDIT	<u>JRE</u>		
POSITION TITLE	NI	UMBER ( <u>20-21</u>	OF POSITIONS <u>21-22</u>	S 2020-2 <u>EXPENDIT</u>		2021-22 EXPENDITURES	
Benefits			_	<del>-</del>			
Operating							
Travel							
Capital outlay							
Aid							
Capital improvements							

<b>LB</b> <sup>(1)</sup> 963					FISCAL NOTE
State Agency OR Political Subdivision Name: (2)	Sarpy	County			
Prepared by: (3) William E. Conley	Date	Prepared: (4)	1/23/2020	Phone: (5)	402-593-5958
ESTIMATE PROV	IDED BY	STATE AGEN	CY OR POLITI	CAL SUBDIVIS	ION
FY	2020-21			FY 2021	-22
EXPENDITURES	<u> </u>	<u>REVENUE</u>	<b>EXPEND</b>	<u>ITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_				
CASH FUNDS					
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL FUNDS			-		
Evaluation of Estimate.	= ===		-		
Explanation of Estimate:					
<u>BREAKDOV</u> Personal Services:	VN BY MA	JOR OBJECT	S OF EXPENDI	<u>TURE</u>	<del></del>
	UMBER O	F POSITIONS	S 2020	<b>)-21</b>	2021-22
POSITION TITLE	<u>20-21</u>	<u>21-22</u>	<u>EXPEND</u>	ITURES	EXPENDITURES
Benefits			<u> </u>		
Operating					
Travel					
Capital outlay					
Aid					
Capital improvements					