

PREPARED BY: Liz Hruska
DATE PREPARED: March 11, 2022
PHONE: 402-471-0053

LB 752

Revision: 01

Revised based on amendments adopted through 3/3/22.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2022-23		FY 2023-24	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$79,552		\$99,326	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$79,552		\$99,326	

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

This bill creates the twelve-member Alzheimer’s Disease and Other Dementia Advisory Council. The council will be staffed by the Department of Health and Human Services. The purpose of the council would be to examine the needs of individuals with Alzheimer’s and other dementia; the services available, and the ability of health care providers to meet the current and future needs of those with Alzheimer’s and other dementia. The council is required to submit a state plan to the Legislature and Governor within 18 months of the effective date of the legislation and update the report every four years thereafter. On or before every October 1, after the initial plan is submitted, the council is required to provide status report on the state plan implementation.

The department estimates a program specialist at a cost of \$79,552 in FY 2023 and \$99,326 in FY 2024. All costs would be from General Funds.

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

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

Prepared by: (3) John Meals

Date Prepared 3-10-2022

Phone: (5) 471-6719

	<u>FY 2022-2023</u>		<u>FY 2023-2024</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$ 79,552		\$99,326	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$ 79,552		\$ 99,326	

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

Explanation of Estimate:

Section 1 of LB752 proposes to adopt the Licensed Professional Counselors Interstate Compact. The formation of the compact will be complete upon the adoption of ten (10) State governments. After that time, the compact’s executive committee may vote to require annual dues from member states and assess fees to licensee members. According to the American Counseling Association’s website, the compact will be formed by September 2023.

If the compact’s executive committee decides that annual dues for member states cannot be recouped from licensees, there would be a fiscal impact on the Department of Health and Human Services (DHHS). The costs should be minimal based upon annual fees assessed by other similar compacts. DHHS will incur additional costs for training and travel to meet compact membership requirements for one (1) delegate. These costs may be reimbursed by the compact, if applicable. However, DHHS does not expect any cost by the end of State Fiscal Year 2023-2024.

This section will require DHHS to perform additional tasks, such as data reporting to the compact and handling the addition of fingerprinting requirements. The cost of these tasks will be absorbed by existing staff. The applicant will bear the cost of the fingerprinting, currently set at \$45.25 by the Nebraska State Patrol. Current licensees require a criminal background check only.

Therefore, it is estimated that there will be no fiscal impact to DHHS for the upcoming biennium related to Section 1.

Section 2 of LB752 adopts the Occupational Therapy Practice Interstate Compact for licensing. The formation of the compact will be complete upon adoption of the compact by ten (10) state governments. As of February 8, 2022, the tenth state adopted the interstate compact, so the compact is now enacted. Currently, the compact is targeting 2024 for states to begin participation. At that time, the compact may vote to require annual dues and other fees and costs for member states, resulting in a fiscal impact upon the license holders in the State of Nebraska. If that occurs, it will be after the end of the next biennium, which ends in June of 2024. Therefore, DHHS does not expect to incur any costs by the end of State Fiscal Year 2024.

Sections 5 through 7 of LB752 require Health Care Practitioners to obtain informed written consent from patients before performing services related to stem cell-based therapy. These sections also require DHHS to enforce all laws related to providing services related to stem cell-based therapy under the Uniform Credentialing Act.

There will also be a fiscal impact to DHHS to enforce compliance with these sections of LB752. However, enforcement is expected to have a minimal impact on the Department.

These sections of LB752 are being added to the existing Uniform Credentialing Act; therefore, any enforcement costs would be considered credentialing base costs under Nebraska § 38-152 and funded through Program 178 – Professional and Occupational Credentialing Cash fund per Nebraska § 38-157.

Section 21 of LB752 redefines respiratory care, which would increase the services allowed to be performed by respiratory care practitioners. DHHS could incur possible costs to update the Medicaid Management Information System (MMIS) to accommodate the changes outlined in this section. DHHS would absorb these costs to update MMIS in their current budget.

Sections 27 to 33 of LB752 creates a new council: Alzheimer’s Disease and Other Dementia Advisory Council.

- The council will include twelve (12) voting members appointed by the Governor. These voting members generally have public members directly or indirectly impacted by Alzheimer’s disease or dementia, medical professionals working in this area, advocates, and a representative of an area agency on aging.
- The council will also consist of five (5) non-voting members, including the directors of the Department of Public Health and Medicaid and Long-Term Care (or designee), State Unit on Aging representative, Workforce Development board designee, and the Long-Term Care ombudsman or designee.
- Members will serve a four (4) year term.
- Meetings will be held quarterly.
- DHHS and Leg Research office is directed to provide staff support.

Administrative time staffing the committee and providing research, report materials, etc., would be involved. One (1) full-time DHHS employee (starting October 1, 2022) is required to provide the shared staff support.

All other sections of LB752 are primarily for adding language to various statutes to include professional counselors holding a privilege to practice in Nebraska under the Licensed Professional Counselors Interstate Compact. These sections have no direct fiscal impact on DHHS.

DHHS will be required to complete two minor rule and regulation changes. DHHS will absorb the estimated cost listed below to complete this regulation changes.

Title	Hour(s)	Hourly Cost	Absorbed Cost
<i>Director</i>	2	\$ 76	\$ 152
<i>Deputy Director</i>	2	\$ 55	\$ 110
<i>Administrator I</i>	2	\$ 31	\$ 62
<i>Program Specialist</i>	4	\$ 23	\$ 92
<i>Program Analyst</i>	8	\$ 23	\$ 184
<i>Attorney III</i>	20	\$ 35	\$ 700
Total Costs			\$ 1300

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES: POSITION TITLE	NUMBER OF POSITIONS		2022-2023	2023-2024
	22-23	23-24	EXPENDITURES	EXPENDITURES
Program Specialist	0.75	1	\$35,128	\$46,837
Benefits.....			\$10,928	\$14,571
Operating.....			\$33,496	\$37,918
Travel.....				
Capital Outlay.....				
Aid.....				
Capital Improvements.....				
TOTAL.....			\$79,552	\$99,326