

PREPARED BY: Mikayla Findlay
 DATE PREPARED: January 17, 2024
 PHONE: 402-471-0062

LB 1288

Revision: 00

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2024-25		FY 2025-26	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See below		See below	

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

This bill allows recognition of commitment orders, emergency protective custody (EPC), on the basis of mental health and/or sex offences for any person domiciled within Indian country. The Department of Health and Human Services (DHHS) offers estimated rates for one month of EPC services for one individual, \$45,987 for a community-based hospital and \$29,460 at the Lincoln Regional Center, however the fiscal impact is indeterminable due to no estimate for number of people to which these new provisions would apply.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 1288	AM:	AGENCY/POLT. SUB: Nebraska Supreme Court (005)	
REVIEWED BY: Joe Wilcox	DATE: 01/30/2024	PHONE: (402) 471-4178	
COMMENTS: No disagreement with the Nebraska Supreme Court estimate of Minor Fiscal Impact to the Agency from LB 1288, with No additional resources required.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 1288	AM:	AGENCY/POLT. SUB: Nebraska Department of Health and Human Services (025)	
REVIEWED BY: Joe Wilcox	DATE: 01/29/2024	PHONE: (402) 471-4178	
COMMENTS: Do not disagree with the Nebraska Department of Health and Human Services (DHHS) estimate of Potential, but Indeterminate Fiscal Impact to the Agency from LB 1288.			

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 1-29-2024

Phone: (5) 471-6719

	<u>FY 2024-2025</u>		<u>FY 2025-2026</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See Below	See Below	See Below	See Below

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

Explanation of Estimate:

LB1288 provides for the recognition of tribal commitment orders due to mental health and/or dangerous sex offenses and for the transportation of persons civilly committed under tribal law.

This bill designates any person domiciled within Indian country to be a covered subject concerning mental health involuntary commitment or placement under emergency protective custody.

Cost if a single person is committed for 30 days (assuming fiscal year 2024-2025 rates paid for 7 days of acute care and 23 days subacute care):

- Community-based hospital
 - \$45,987
- Lincoln Regional Center (LRC)
 - \$29,460
 - Plus, any amount needed to compensate jails due to the prevention of admission of other persons in need of facility services.

The Department does not have an estimate for the number of individuals this could affect because emergency protective custody is not currently an option within tribes. Also, there is not an estimate on how long a tribal person would be expected to remain at any hospital since dismissal requires external approval.

LB1288 leaves the payment parameters for these services, and for the transportation services by law enforcement, undefined. Likewise, this bill does not state if any Tribe will be responsible for any portion of the cost of care.

If Tribal orders are required to be included in the reporting database, the Electronic Commitment Reporting Application (ECRA) will need to be updated. Changes to the ECRA database to allow for Tribal Court courts/personnel to enter data is estimated at less than \$5,000.

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:	NUMBER OF POSITIONS		2024-2025	2025-2026
	24-25	25-26	EXPENDITURES	EXPENDITURES
POSITION TITLE				

Benefits.....

Operating.....
Travel.....
Capital Outlay.....
Aid.....
Capital Improvements.....
TOTAL.....

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

2024

LB⁽¹⁾ 1288

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ 05 Supreme Court

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 1/27/2024 Phone: ⁽⁵⁾ 402-326-9215

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2024-25</u>		<u>FY 2025-26</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

Minor fiscal impact for judicial education. No additional resources required.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2024-25</u>	<u>2025-26</u>
	<u>24-25</u>	<u>25-26</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____