

PREPARED BY: Liz Hruska  
 DATE PREPARED: February 17, 2022  
 PHONE: 402-471-0053

**LB 1260**

Revision: 00

**FISCAL NOTE**  
 LEGISLATIVE FISCAL ANALYST ESTIMATE

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2022-23</b>		<b>FY 2023-24</b>	
	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 add a representative to the Advisory Council on Public Guardianship. The Public Guardian is required to develop an application and process to prioritize the needs of individuals seeking guardianship and conservatorship services from the Public Guardian. The bill authorizes representatives of a hospital, nursing facility or other facility providing care for an applicant for services of the Public Guardian to apply for those services. The Public Guardian would make recommendations to the court on the applications. The court is required to ascertain if alternatives to public guardianship or conservatorship are available.

The Supreme Court indicates the need for an application coordinator. The cost would be \$85,760 in FY 2023 and FY 2024. The cost appears reasonable due to the increased workload. The Department of Health and Human Services identified a cost for an additional Adult Protective Services (APS) staff. The department would need to update their internal processes and train staff. Current APS staff would need to complete the applications required in the bill for individuals in need of guardianships or conservatorships. This would increase current workload, but the extent of the increase is difficult to determine. The bill authorizes hospital and nursing facility staff to submit the applications which likely would reduce the workload of APS. The degree of reduction, however, is undeterminable.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>		
<b>LB: 1260</b>	<b>AM:</b>	<b>AGENCY/POLT. SUB: Nebraska Supreme Court (05)</b>
REVIEWED BY: Joe Wilcox	DATE: 02/17/2022	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Supreme Court estimate of potential Fiscal Impact to the Courts from LB 1260.		

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>		
<b>LB: 1260</b>	<b>AM:</b>	<b>AGENCY/POLT. SUB: Department of Health and Human Services (25)</b>
REVIEWED BY: Joe Wilcox	DATE: 02/17/2022	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Department of Health and Human Services (DHHS) estimate of potential Fiscal Impact to the Agency from LB 1260.		

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

**2022**

**LB<sup>(1)</sup> 1260**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> 05 Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 2/16/2022 Phone: <sup>(5)</sup> 402-326-9215

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2022-23</u>		<u>FY 2023-24</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>99,337</u>	<u>                    </u>	<u>93,109</u>	<u>                    </u>
CASH FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
FEDERAL FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
OTHER FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<b>TOTAL FUNDS</b>	<b><u>99,937</u></b>	<b><u>                    </u></b>	<b><u>93,109</u></b>	<b><u>                    </u></b>

**Explanation of Estimate:**

It is estimated that an additional position would be required to develop and administer, on an on-going basis, the application process established in Section 4.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2022-23</u>	<u>2023-24</u>
	<u>22-23</u>	<u>23-24</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Application Coordinator	<u>1</u>	<u>1</u>	<u>53,000</u>	<u>51,500</u>
Benefits.....			<u>35,837</u>	<u>35,609</u>
Operating.....			<u>10,000</u>	<u>5,500</u>
Travel.....			<u>500</u>	<u>500</u>
Capital outlay.....			<u>                    </u>	<u>                    </u>
Aid.....			<u>                    </u>	<u>                    </u>
Capital improvements.....			<u>                    </u>	<u>                    </u>
<b>TOTAL.....</b>			<b><u>99,337</u></b>	<b><u>93,109</u></b>

**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 2-14-2022

Phone: (5) 471-6719

	<u>FY 2022-2023</u>		<u>FY 2023-2024</u>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
<b>GENERAL FUNDS</b>	\$ 59,558		\$ 79,412	
<b>CASH FUNDS</b>				
<b>FEDERAL FUNDS</b>				
<b>OTHER FUNDS</b>				
<b>TOTAL FUNDS</b>	\$ 59,558		\$ 79,412	

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

**Explanation of Estimate:**

LB1260 will require the Department of Health and Human Services Adult and Protective Safety (APS) staff to complete an application for each client in which a guardianship or conservatorship is requested. LB1260 could increase the number of client referrals to APS, which could result in additional applications to complete. The Department will need to hire a Child and Family Services Specialist by October 2022 to process new applications. The staff costs of \$59,558 in FY2023 and \$79,412 in FY2024 will be paid with general funds.

**MAJOR OBJECTS OF EXPENDITURE**

PERSONAL SERVICES:	POSITION TITLE	NUMBER OF POSITIONS		2022-2023	2023-2024
		22-23	23-24	EXPENDITURES	EXPENDITURES
	Child and Family Services Specialist	0.8	1	\$ 36,560	\$ 48,747
	Benefits.....			\$ 9,681	\$ 12,908
	Operating.....			\$ 13,317	\$ 17,757
	Travel.....				
	Capital Outlay.....				
	Aid.....				
	Capital Improvements.....				
	<b>TOTAL.....</b>			<b>\$ 59,558</b>	<b>\$ 79,412</b>