

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2007-08		FY 2008-09	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS		1,375,000		
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See below	1,375,000	See below	

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

This bill establishes the In-home Personal Care Services Act. This bill would require in-home personal service agencies and anyone offering in-home personal services to be licensed by the Department of Health and Human Services beginning January 1, 2008. The licensing fee is \$250. The department is authorized to conduct inspections and investigations. The licensed entities are required to perform criminal history checks and check driving records of each in-home personal care service worker. The bill restricts in-home personal services workers from performing health procedures which require the exercise of nursing judgment or medical judgment.

A total of 5,500 individuals and agencies billed the Department of Health and Human Services Finance and Support for services covered by the licensure requirement in the bill. The \$250 fee would generate \$1,375,000 (5,500 agencies/individuals X \$250). The agency would need four additional staff: two staff assistants and two surveyor/consultants. The cost would be \$172,270 in FY 08 and \$204,370 in FY 09 from cash funds.

Section 71-1,132.30 allows clients to self-direct in-home personal service workers to conduct certain activities otherwise regulated under the Nurse Practice Act. This bill does not repeal this provision of law but appears to be in conflict. Section 3, subsection 7 restricts in-home personal service workers from engaging in activities that would require nursing judgment. If people are not allowed to self-direct care, these services will have to be provided by licensed medical professionals such as nurses. Some people currently residing in their homes will require care in 24-hour facilities. The projected cost is \$11,270,400 (\$5,444,000 GF and \$5,827,400 FF) in FY 08 and \$11,609,542 (\$5,606,911 GF and \$6,001,601 FF) in FY 09.