

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 486** HLS 17RS 1094
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 14, 2017 8:34 AM	Author: JOHNSON
Dept./Agy.: Children & Family Services	Analyst: Patrice Thomas
Subject: State Central Registry Background Checks and Appeals	

CHILDREN/ABUSE EG INCREASE GF EX See Note Page 1 of 2
 Provides relative to the state central registry for child abuse and neglect

Proposed law requires the Dept. of Children & Family Services (DCFS) to maintain a State Repository of all reports of abuse and neglect. Within the State Repository, the department is required to maintain a State Central Registry (SCR) of justified reports of abuse and neglect. Proposed law provides for an administrative appeals process for individuals placed on the SCR. Under proposed law, DCFS shall not release an individual's name currently on the SCR until that individual's appeals are exhausted. Proposed law mandates that any new individuals shall not be placed on the SCR until that individual's appeals are exhausted. Proposed law authorizes DCFS to charge a fee of \$25 to search the SCR. Proposed law prohibits any owner, operator, current or prospective employee, or volunteer from being employed at a child care facility, juvenile facility, child-placing agency, maternity home, or residential home if their name is on the registry after January 1, 2010. Proposed law becomes effective when DCFS promulgates rules.

EXPENDITURES	2017-18	2018-19	2019-20	2020-21	2021-22	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						

REVENUES	2017-18	2018-19	2019-20	2020-21	2021-22	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						

EXPENDITURE EXPLANATION

This measure is anticipated to result in a significant increase in state expenditures by an indeterminable amount within Division of Administrative Law and the Dept. of Children and Family Services (DCFS) as a result of the following requirements: (1) conducting State Central Registry (SCR) background checks on current and potential employees of all child care facilities, juvenile facilities, child-placing agencies, maternity homes, and residential homes by September 30, 2018; and (2) implementing a new administrative appeals process for individuals that have their names placed on the SCR.

Department of Children and Family Services (DCFS) - The SCR is a current database maintained by DCFS of justified reports of child abuse and neglect. Names on the SCR are generally not released outside the department. Therefore, to comply with the new federal background check requirements, the proposed legislation authorizes DCFS to implement a new administrative appeals process for individuals whose name is on the SCR. Information provided by DCFS indicates this measure will require 14 additional positions - Program Specialists (2), Child Welfare Consultants (8), a Child Welfare Manager (1), an Administrative Support Specialist (1), and three Attorneys (2). Also, the department projects 18 temporary positions during the first six months of FY 19 - Program Specialists (12), Child Welfare Consultants (5) and an Attorney (1). The department bases this projection on conducting approximately 18,000 SCR background checks on existing employees of childcare providers, an estimated 5% of the 198,000 individuals currently on the SCR requesting an administrative appeal, and an estimated 9,100 new individuals added annually to the registry after the implementation of this measure. The appropriate level of additional staff and associated personnel cost required will ultimately depend on the number of background checks and administrative appeals requested annually, and additional activities required of DCFS as a result of this measure.

Note: Increased expenditures as a result of workload within LA Department of Education (LDE) associated with background checks of childcare providers are analyzed in HB 557.

REVENUE EXPLANATION

The proposed legislation is anticipated to increase self-generated revenues by indeterminable amount depending on the number of SCR background check requested each year. The proposed legislation authorizes DCFS to charge a \$25 fee to search the SCR background check.

Senate
 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux
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Staff Director

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CONTINUED EXPLANATION from page one:

CONTINUED EXPENDITURE EXPLANATION

Division of Administrative Law (DAL) - The appropriate level of additional attorneys and support staff required will ultimately dependent on the number of administrative appeals requested annually. The proposed legislation is anticipated to significantly increase administrative hearings within DAL. The DAL has indicated the need for additional staff; however the agency has not indicated the level of staffing that would be required under this measure. Staffing costs are projected to be \$133,000 for an attorney (\$88,000 salary and related benefits) and/or \$56,300 for support staff (\$35,500 salary and related benefits). DAL anticipated level of staffing is one attorney for every 340 hearings and one support staff for every 570 hearings.

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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