

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**April 21, 2003**

**TO:** Honorable Ray Allen, Chair, House Committee on Corrections

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB2929** by Lewis (Relating to the assessment of the mental health of certain newly confined or imprisoned persons.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB2929, As Introduced: a negative impact of (\$2,331,858) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

House Bill 2929 would add Sections 501.064 and 507.033 to the Government Code and add Section 351.0135 to the Local Government Code to require a licensed social worker or another licensed professional with comparable expertise and training in performing mental health evaluations to assess the mental health of an inmate as soon as practicable after the inmate's arrival at the institutional division, state jail felony facility, or county jail.

The person who assesses an inmate's mental health under this section is entitled to access to and shall consider the inmate's presentence or postsentence investigation report and any other information indicating the inmate's mental, emotional, family, educational, and community history.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$1,165,929)
2005	(\$1,165,929)
2006	(\$1,165,929)
2007	(\$1,165,929)
2008	(\$1,165,929)

**All Funds, Five-Year Impact:**

Fiscal Year	Probable (Cost) from <i>GENERAL REVENUE FUND</i> 1	Change in Number of State Employees from FY 2003
2004	(\$1,165,929)	35.0
2005	(\$1,165,929)	35.0
2006	(\$1,165,929)	35.0
2007	(\$1,165,929)	35.0
2008	(\$1,165,929)	35.0

**Fiscal Analysis**

The Department of Criminal Justice (TDCJ) estimates that since the bill specifies that assessments

should be conducted by licensed social workers (or their licensed equivalents), they would incur a cost estimated to be range from \$1.2 million to \$1.7 million per year to employ 35 full time equivalents. The range reflects a choice of provider, from clinical social workers at an annual salary of \$25,932 to mental health liaisons at an estimated annual salary of \$38,802. These figures include the costs of benefits, but do not reflect other operating costs that TDCJ may incur for equipment, supplies, training or travel. Under usual economic conditions, the costs to implement the bill could be absorbed within agency resources and are not considered significant. The costs are identified here for informational purposes.

### **Methodology**

Annual salary of a licensed social worker:  $\$25,932 \times 35 \text{ FTEs} = \$907,620$  per year.

Annual cost of employee benefits:  $\$25,932 \times 0.2846 \times 35 \text{ FTEs} = \$258,309$  per year.

### **Technology**

There would be no technology impact to TDCJ from the bill.

### **Local Government Impact**

For the purpose of analysis of the local government impact, it is assumed that every inmate booked into the county jail would receive a mental health assessment. Sheriff's offices contacted, with the exception of Collin County, indicated the costs would be significant.

The Collin County Sheriff's Office, which books 15,000 inmates per year, already contracts with a medical service to evaluate each of the inmates booked. The contract rate is \$21 per hour. Each inmate is evaluated within 24 hours of booking. Because this service is already available, unless the county jail were to hire a full time position or to contract with a 24-hour service for evaluations, there would be no fiscal impact.

The Dallas County Sheriff's Office reports that the county jail books 120,000 inmates per year. The jail medical staff is trained to provide a mental health assessment on an as needed basis (defendant displays behavior that would be indicative of or makes a claim of mental health problems). If the county jail were to provide an evaluation of each inmate booked, the Sheriff's Office estimates it would require at least 15 full-time-equivalents to have staff available for each shift to conduct the evaluations, with two to three staff during peak arrest periods. The county estimates a need for a separate area in which to conduct the evaluations and indicates there is not existing space available. The sheriff's office states the cost would be significant.

Harris County reports that 110,000 inmates were booked into the county jails in 2002. The county estimates it would require 25 licensed social workers to implement the provisions of the bill. The cost for salaries, benefits, office furniture and supplies for additional staff would total \$1.6 million annually.

The county sheriff in Fort Bend County estimates implementation of the bill would require three to four additional employees, for an annual increase of \$150,000 to \$200,000 in costs. The Fort Bend County Jail books approximately 12,000 inmates annually.

The Moore County Jail books 2,100 inmates annually (175 per month). The sheriff states that this would not be a sufficient number of inmates to justify hiring a full-time position to conduct mental health evaluations and that in the small rural area of Moore County, there are not existing sources from which to obtain contract services. Any method of meeting the requirements of the bill are estimated by the sheriff to be significant.

If a county jail does not already have staff or does not already contract for staff who meet the qualifications for providing a mental health assessment, the county would incur the costs of either a full-time staff person or for a contract provider for implementation. According to the Texas Department of Mental Health and Mental Retardation, the average cost for a mental health evaluation

is \$30 per assessment. The fiscal impact would vary by county depending on the number of persons sentenced to county jail time and the availability of service providers; however, it is anticipated that the negative fiscal impact would be significant for the majority of counties.

**Source Agencies:** 655 Department of Mental Health and Mental Retardation, 696 Department of Criminal Justice

**LBB Staff:** JK, JO, WK, KF, DLBa, MB