

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

February 21, 2005

TO: Honorable Suzanna Gratia Hupp, Chair, House Committee on Human Services

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB339 by Naishtat (Relating to the administration of psychoactive medication to foster children.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB339, As Introduced: a negative impact of (\$132,042) through the biennium ending August 31, 2007.

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

The bill would require written consent from an authorized person, or a court order, in order for a psychoactive medication to be prescribed to a child between the ages of 6 and 16. The bill would require a court order in order for a psychoactive medication to be prescribed to a child under age 6, or over age 16 if the child refuses to consent to the medication. The bill would require persons authorized to consent (parents, foster parents or caseworkers) to be trained by the Department of Family and Protective Services on the administration of psychoactive drugs.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2006	(\$116,492)
2007	(\$15,550)
2008	(\$15,550)
2009	(\$15,550)
2010	(\$15,550)

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Probable (Cost) from <i>GR MATCH FOR</i> <i>MEDICAID</i> 758	Probable (Cost) from <i>FEDERAL FUNDS</i> 555
2006	(\$114,984)	(\$1,508)	(\$72,508)
2007	(\$15,550)	\$0	(\$17,450)
2008	(\$15,550)	\$0	(\$17,450)
2009	(\$15,550)	\$0	(\$17,450)
2010	(\$15,550)	\$0	(\$17,450)

Fiscal Analysis

The Department of Family and Protective Services indicates there would be costs associated with training of caseworkers and parents in the administration of psychoactive medication. Training is already provided to foster parents. The department also indicates data fields would need to be added to the automated data system to capture, store and display information if the bill were to be implemented

Methodology

One time costs for training caseworker staff are included in fiscal year 2006, and it is assumed training on psychoactive medications will be incorporated into training for new caseworkers starting in fiscal year 2007. Training costs for parents determined by the court to be authorized as the consentor are included in fiscal years 2006 through 2010, assuming training sessions are conducted in each region and each quarter.

Technology

The bill would implement a one time cost of \$81,000 to add data fields to the department's computer system in fiscal year 2006.

Local Government Impact

Costs to local courts to implement the provisions of the bill would depend upon the number of foster children determined to require psychoactive medications by the Department of Family and Protective Services. There could also be additional costs to those courts if there is disagreement about the necessity of the medications, if the foster child is at least 16 years of age and refuses to take the medications, or if there is a request for a second medical opinion.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 530 Department of Family and Protective Services

LBB Staff: JOB, CL, PP, BW, KJG