

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 5, 2007

TO: Honorable Jerry Madden, Chair, House Committee on Corrections

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

IN RE: HB1770 by Noriega, Rick (Relating to housing and medical care for pregnant inmates, or female inmates who have an infant, confined in a facility operated by or under contract with the Texas Department of Criminal Justice.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1770, As Introduced: a negative impact of (\$5,201,360) through the biennium ending August 31, 2009.
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General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	(\$3,266,960)
2009	(\$1,934,400)
2010	(\$1,934,400)
2011	(\$1,934,400)
2012	(\$1,936,960)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND 1
2008	(\$3,266,960)
2009	(\$1,934,400)
2010	(\$1,934,400)
2011	(\$1,934,400)
2012	(\$1,936,960)

Fiscal Analysis

The bill would amend the Government Code by requiring the Texas Department of Criminal Justice (TDCJ) to adopt a policy to provide 150 beds for pregnant inmates and female inmates who have an infant at the Carole Young Medical Facility. The bill states that TDCJ shall transfer a pregnant inmate before giving birth, to the Carole Young Medical Facility where a pregnant inmate shall receive comfortable accommodations and satisfactory medical care. The bill states that TDCJ shall provide for an inmate who gives birth to an infant while confined in a correctional facility to be housed with the infant at the Carole Young Medical Facility until one day after the date of the child's first birthday. The bill provides that a child younger than 18 months old may remain with the child's mother at the Carole Young Medical Facility, if the mother is to be released on parole or mandatory supervision not later than 90 days after the child's first birthday. The bill further states that the department shall remove an infant from the Carole Young Medical Facility, if the department determines that the inmate (mother) is physically, mentally, or emotionally unfit to care for the infant. The bill has provisions for the process of removing the infant and specifies family members who would be designated to properly care for the infant. Also, the bill provides for nursing mothers and accommodations for the inmate and infant to be housed together for a specified time period.

Methodology

TDCJ has determined the costs to implement the program which would include renovation costs for the existing facility, associated costs for displaced offenders, and operating/consumables costs. According to Correctional Managed Health Care (CMHC), the fiscal impact to the correctional health care program would depend on decisions yet to be determined for the infant medical care. CMHC states that if infant medical care is provided externally and financed through Medicaid or private insurance, emergency care costs, as well as transportation costs may be through offsite providers. TDCJ estimates that facility renovation costs would be approximately \$2.0 million to enlarge the rooms to accommodate a mother with the infant and would include improvements for ventilation. Capacity in existing housing areas would be reduced from 214 to 150 inmates. Costs for the displaced 64 offenders would result in a fiscal impact of \$936,960 in fiscal year 2008 and \$934,400 each subsequent year until 2012 (leap year). Program operating costs, including consumable expenditures, are estimated to be approximately \$1.0 million annually. Assumptions include renovations that would begin on September 1, 2007 with beds becoming operational on June 1, 2008.

Not included in the cost is the fiscal impact of the infant care program. According to Correctional Managed Health Care (CMHC), the fiscal impact to the correctional health care program would depend on decisions yet to be determined for the infant medical care.

In this analysis it is assumed that the intent of the bill did not include building additional capacity. TDCJ estimated that if the intent of the bill includes building additional capacity, the estimated cost of a new building at the Carole Young Medical Facility would be approximately \$6.0 million.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 530 Family and Protective Services, Department of, 696 Department of Criminal Justice

LBB Staff: JOB, ES, GG, SDO