

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 23, 2013

TO: Honorable Richard Peña Raymond, Chair, House Committee on Human Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1058 by Turner, Sylvester (Relating to complaints about medication or medical care provided to foster children.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1058, As Introduced: a negative impact of (\$4,973,822) through the biennium ending August 31, 2015.

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

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	(\$2,788,649)
2015	(\$2,185,173)
2016	(\$2,185,173)
2017	(\$2,185,173)
2018	(\$2,185,173)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund 1	Probable Savings/(Cost) from GR Match For Medicaid 758	Probable Savings/(Cost) from Federal Funds 555	Change in Number of State Employees from FY 2013
2014	(\$2,763,893)	(\$24,756)	(\$377,503)	2.0
2015	(\$2,169,698)	(\$15,475)	(\$294,819)	2.0
2016	(\$2,169,698)	(\$15,475)	(\$294,819)	2.0
2017	(\$2,169,698)	(\$15,475)	(\$294,819)	2.0
2018	(\$2,169,698)	(\$15,475)	(\$294,819)	2.0

Fiscal Analysis

The bill would amend the Family Code to require the Department of Family and Protective

Services (DFPS) to develop a process to review and address each complaint about medication or medical care provided to foster children and to include the complaint in the child's health passport.

DFPS is also required to create a central file of complaints and at least once a year, submit an aggregate report of the information contained in the central file to certain parties.

Complaints filed with DFPS about the child's medication or medical care are to be included in a summary of the medical care that is provided to the court at each hearing under Chapter 263, Family Code.

Not later than December 1, 2013, DFPS shall develop the complaint process required by Section 266.0031(a), Family Code and the central file required by Section 266.0031(b).

The bill would take effect September 1, 2013.

Methodology

In order to comply with the provisions of the bill, DFPS reports that the agency would contract with medical and behavioral health providers to review and evaluate the validity of the medical complaints at an average fee of \$98 per hour. During fiscal year 2012, DFPS indicated that there were 47,137 children in DFPS legal responsibility. Assuming complaints would be received for 10% (or 4,714) and that an average complaint requires 5 hours to review and respond, the estimated cost per fiscal year for review of complaints would be \$2,309,860 in All Funds.

DFPS also estimates IT costs of \$671,018 in All Funds in fiscal year 2014 in order to provide medical and behavioral health providers with external access to information systems to evaluate the health care related complaints, and FTE costs of \$185,274 in fiscal year 2014 and \$170,132 in fiscal year 2015 and each fiscal year going forward for 2.0 FTEs at DFPS to manage the complaint processing and the contracts with the medical and behavioral health providers. Costs include 0.02 FTEs for oversight at the Health and Human Services Commission.

Total cost would be \$3,166,152 in fiscal year 2014 and \$2,479,992 in fiscal year 2015 and each fiscal year going forward in All Funds.

Technology

DFPS estimates costs of \$671,018 in All Funds in fiscal year 2014 in order to provide medical and behavioral health providers with external access to systems. These costs are included above.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 530 Family and Protective Services, Department of

LBB Staff: UP, CL, MB, SJ, VJC