

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 4, 2021

TO: Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB2037 by Menéndez (Relating to the definition of exploitation for purposes of investigating reports of exploitation against certain elderly persons and persons with disabilities.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB2037, As Introduced : a negative impact of (\$1,959,800) through the biennium ending August 31, 2023.

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:

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2022	(\$1,064,577)
2023	(\$895,223)
2024	(\$897,159)
2025	(\$899,150)
2026	(\$901,207)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from General Revenue Fund</i>	<i>Change in Number of State Employees from FY 2021</i>
2022	(\$1,064,577)	11.0
2023	(\$895,223)	11.0
2024	(\$897,159)	11.0
2025	(\$899,150)	11.0
2026	(\$901,207)	11.0

Fiscal Analysis

The bill would amend Human Resources Code to require the executive commissioner of the Health and Human Services Commission to adopt a definition for exploitation that does not exclude from the definition as an act of exploitation the provision of a monetary or property loan made to a provider by an individual receiving services from that provider.

Methodology

According to information provided by the Health and Human Services Commission (HHSC), not excluding certain criteria from the definition for “exploitation” would result in an increase of intake reports and investigations for Provider Investigations and Employee Misconduct Registry cases as family members may be investigated should they enter into a monetary or property loan with an individual receiving services.

This analysis assumes there would be a 32 percent increase of intake reports due to the change in definition. According to information provided by HHSC, 7.0 Investigator IV full-time equivalents (FTEs), 1.0 Family and Protective Services Supervisor II FTE, 2.0 Program Specialist IV FTEs and 1.0 Administrative Assistant I FTE would be needed to conduct investigations, manage investigators and providing administrative support. The total estimated cost in General Revenue to hire 11.0 FTEs would be \$1.0 million in fiscal year 2022 and \$0.9 million in fiscal years 2023 through 2026.

It is assumed any other costs associated with implementing the provisions of the bill could be absorbed using existing resources.

Technology

This analysis assumes there would be FTE-related technology costs including seat management services and basic data storage. The total estimated cost in General Revenue would be \$55,789 in fiscal year 2022 and \$31,063 in fiscal years 2023 through 2026.

Local Government Impact

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

Source Agencies: 529 Hlth & Human Svcs Comm, 530 Family & Protective Services

LBB Staff: JMc, AKI, JLI