

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 25, 2023

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB4696** by Noble (Relating to the reporting and investigation of certain allegations of abuse, neglect, and exploitation, the making and investigation of complaints alleging violations of certain health facility licensing requirements, and the content of the employee misconduct registry.), **As Passed 2nd House**

Estimated Two-year Net Impact to General Revenue Related Funds for HB4696, As Passed 2nd House : a negative impact of (\$272,686) through the biennium ending August 31, 2025.

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>
2024	(\$248,064)
2025	(\$24,622)
2026	\$0
2027	\$0
2028	\$0

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from General Revenue Fund</i>	<i>Probable Savings/(Cost) from GR Match For Medicaid</i>	<i>Probable Savings/(Cost) from Federal Funds</i>
	1	758	555
2024	(\$244,352)	(\$3,712)	(\$19,807)
2025	(\$24,253)	(\$369)	(\$1,967)
2026	\$0	\$0	\$0
2027	\$0	\$0	\$0
2028	\$0	\$0	\$0

Fiscal Analysis

The bill would transfer investigations of abuse, neglect, or exploitation of certain children receiving services or residents of certain facilities from the Department of Family and Protective Services (DFPS) to the Health and Human Services Commission (HHSC).

The bill would require the transfer of funding and resources from DFPS to HHSC to perform the functions required and amended by the bill no later than December 1, 2024.

The bill would take effect September 1, 2023

Methodology

It is assumed the transfer of funding and resources from DFPS to HHSC would have no net cost to General Revenue and are not reflected in the table above. It is assumed the transfer from DFPS to HHSC would take place beginning in fiscal year 2024, and include an estimated \$610,814 in All Funds in fiscal year 2024 and \$579,644 in All Funds in fiscal year 2025, including employee benefits. Amounts stated are primarily associated with the transfer of personnel, including 6.0 Protective Services Intake Specialist V full-time-equivalents (FTEs) per fiscal year to respond to calls related to the reporting of abuse and neglect, and 0.2 Program Specialist V FTEs per fiscal year for indirect agency functions. Amounts transferred or received in All Funds may vary based on actual transfers made between the agencies pursuant to Section 24 of the bill, or according to federal matching rates available to the state agencies to discontinue or perform the functions required by the bill.

According to DFPS, there would be one-time costs and personnel to account for the transfer of certain investigations required by the bill. These costs are primarily related to technology and are described in the section below.

It is assumed that HHSC can perform all other functions of the bill with existing resources.

Technology

Total technology costs are estimated to be \$267,871 in fiscal year 2024 and \$26,589 in fiscal year 2025. According to DFPS, there would be additional one-time costs to update the Information Management Protecting Adults and Children in Texas (IMPACT) and Statewide Intake (SWI) applications to account for the transfer of certain investigations required by the bill, and to transfer documentation. Costs reported are primarily related to updates to IMPACT.

Local Government Impact

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

Source Agencies: 529 Health and Human Services Commission, 530 Family and Protective Services, Department of

LBB Staff: JMc, SD, NPe, ER, SB