

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 27, 2023

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB1677 by Perry (relating to the establishment and administration of Health and Human Services Commission programs providing mental health services to certain individuals in this state.),
Conference Committee Report

Estimated Two-year Net Impact to General Revenue Related Funds for SB1677, Conference Committee Report : a negative impact of (\$696,019) 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	(\$354,509)
2025	(\$341,510)
2026	(\$341,777)
2027	(\$342,047)
2028	(\$342,320)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from General Revenue Fund 1</i>	<i>Change in Number of State Employees from FY 2023</i>
2024	(\$354,509)	3.0
2025	(\$341,510)	3.0
2026	(\$341,777)	3.0
2027	(\$342,047)	3.0
2028	(\$342,320)	3.0

Fiscal Analysis

The bill would amend requirements for how the Health and Human Services Commission (HHSC) distributes funding for certain community mental health grant programs.

The bill would require HHSC to the extent money is appropriated for that purpose, to cooperate with local mental health authorities (LMHAs) located primarily in rural areas of the state to contract with nonprofit organizations or governmental entities to establish or expand behavioral health centers or jail diversion centers in the authorities' local service areas.

The bill would require the State Auditor's Office (SAO) to conduct an audit of the inmates in county jails who are waiting for a forensic hospital bed for the provision of competency restoration service and submit a report on the audit by December 1, 2024.

Methodology

It is assumed that any costs related to the amended requirements for certain community mental health grant programs could be absorbed using existing resources.

The analysis assumes HHSC would require 3.0 additional full-time equivalents (FTEs), including a Program Specialist V, a Program Specialist VI, and a Contract Specialist V to coordinate with LMHAs and administer the contracts with nonprofits and governmental entities. Costs for FTEs, including salary, benefits, technology, furniture, and supplies would total \$0.4 million in fiscal year 2024 and \$0.3 million in subsequent fiscal years.

The cost estimate includes only the cost to administer the program and does not include funding required to provide contracts to nonprofit organizations or governmental entities. HHSC would require appropriations beyond the administrative costs to actually implement the contracts, but the cost for the program would depend on the preferred scale including the number of behavioral health centers or jail diversions centers that would be supported. Community mental health grant programs at HHSC received appropriations ranging from \$5.0 million to \$25.0 million for grants each fiscal year of the 2022-23 biennium. According to HHSC, the Mental Health Grant Program for Justice-Involved Individuals, which supports similar though not identical services as those outlined in the bill, provides about \$0.9 million on average per grantee each fiscal year.

It is assumed that any costs relates to the required audit by SAO could be absorbed using existing resources.

Technology

FTE-related technology costs would be less than \$0.1 million each fiscal year.

Local Government Impact

LMHAs located primarily in rural areas of the state could experience a fiscal impact due to the required cooperation with HHSC.

Source Agencies: 308 State Auditor's Office, 529 Health and Human Services Commission

LBB Staff: JMc, AF, NPe, ER, NDA