

Multiple Agency Fiscal Note Summary

Bill Number: 5980 SB	Title: Nursing & boarding homes
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Estimated Cash Receipts

Agency Name	2007-09		2009-11		2011-13	
	GF- State	Total	GF- State	Total	GF- State	Total
Department of Social and Health Services	0	212,000	0	206,000	0	206,000
Total \$	0	212,000	0	206,000	0	206,000

Local Gov. Courts *						
Local Gov. Other **						
Local Gov. Total						

Estimated Expenditures

Agency Name	2007-09			2009-11			2011-13		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Department of Social and Health Services	2.0	212,000	424,000	2.0	206,000	412,000	2.0	206,000	412,000
Department of Corrections	.0	75,000	75,000	.0	0	0	.0	0	0
Total	2.0	\$287,000	\$499,000	2.0	\$206,000	\$412,000	2.0	\$206,000	\$412,000

Local Gov. Courts *									
Local Gov. Other **									
Local Gov. Total									

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Prepared by: Eric Mandt, OFM	Phone: 360-902-0543	Date Published: Final 2/22/2007
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID: 16484

Individual State Agency Fiscal Note

Bill Number: 5980 SB	Title: Nursing & boarding homes	Agency: 300-Dept of Social and Health Services
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND	FY 2008	FY 2009	2007-09	2009-11	2011-13
General Fund-Federal 001-2	109,000	103,000	212,000	206,000	206,000
Total \$	109,000	103,000	212,000	206,000	206,000

Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	2.0	2.0	2.0	2.0	2.0
Fund					
General Fund-State 001-1	109,000	103,000	212,000	206,000	206,000
General Fund-Federal 001-2	109,000	103,000	212,000	206,000	206,000
Total \$	218,000	206,000	424,000	412,000	412,000

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Rhoda Donkin	Phone: (360)786-7465	Date: 02/12/2007
Agency Preparation: Melissa Clarey	Phone: 360-902-7831	Date: 02/12/2007
Agency Approval: Judy Fitzgerald	Phone: 360-902-8225	Date: 02/16/2007
OFM Review: Eric Mandt	Phone: 360-902-0543	Date: 02/22/2007

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

The bill directs the Department of Corrections (DOC) to notify a licensed boarding home or nursing home that an offender is going to be discharged from total or partial confinement or is currently under supervision or community custody and is seeking admission to a facility.

If a nursing home or boarding home is not notified prior to admission that a resident was required to register as a sex offender; was convicted of a sex offense; was convicted for felony arson or reckless burning by reason of insanity or was found incompetent to stand trial for the above offenses that resident may be immediately transferred or discharged from a boarding home or nursing home. A resident transferred or discharged due to these reason has the right to request a hearing. The hearing must be held within five business days of the transfer or discharge.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Title XIX

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

To implement this bill, the department will need:

- 1.0 FTE for a Program Manager, WMS Band 2, for Residential Care Services to:
- Coordinate hearings that residents are entitled to;
 - Respond to complaint investigations;
 - Travel to facilities to conduct investigations;
 - Follow-up with residents, family members, law enforcement, department staff and facility staff; and
 - Prepare and issue reports.
- 1.0 FTE for a Program Manager, WMS Band 2, for Home and Community Services to coordinate the placement of clients discharged or transferred from nursing homes and boarding homes.
- All costs are on-going at the second year level.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	2.0	2.0	2.0	2.0	2.0
A-Salaries and Wages	136,000	136,000	272,000	272,000	272,000
B-Employee Benefits	32,000	32,000	64,000	64,000	64,000
C-Personal Service Contracts					
E-Goods and Services	24,000	24,000	48,000	48,000	48,000
G-Travel	8,000	8,000	16,000	16,000	16,000
J-Capital Outlays	16,000	4,000	20,000	8,000	8,000
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-TZ	2,000	2,000	4,000	4,000	4,000
Total:	\$218,000	\$206,000	\$424,000	\$412,000	\$412,000

III. B - Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2008	FY 2009	2007-09	2009-11	2011-13
Program Manager WMS Band 2	67,872	2.0	2.0	2.0	2.0	2.0
Total FTE's		2.0	2.0	2.0	2.0	2.0

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

2007-09 Biennium

SB 5980 Notifying NH & BH of Offender Status of Residents or Persons Seeking Admission

	FY08	FY09	07/09 BI
FTE	2.0	2.0	2.0
GF-S	109,000	103,000	212,000
GF-F	109,000	103,000	212,000
Total	218,000	206,000	424,000

FY08

	FTEs	Monthly	Salaries A	Benefits B	Goods/serv E	Lease/Energy ED	Travel G	Equip J	ISSD T	Total
WMS 2 Program Manager (RCS)	1.0	5,656	68,000	16,000	8,000	4,000	4,000	8,000	1,000	109,000
WMS 2 Program Manager (HCS)	1.0	5,656	68,000	16,000	8,000	4,000	4,000	8,000	1,000	109,000
Total	2.0		136,000	32,000	16,000	8,000	8,000	16,000	2,000	218,000

FY09

	FTEs	Monthly	Salaries A	Benefits B	Goods/serv E	Lease/Energy ED	Travel G	Equip J	ISSD T	Total
WMS 2 Program Manager (RCS)	1.0	5,656	68,000	16,000	8,000	4,000	4,000	2,000	1,000	103,000
WMS 2 Program Manager (HCS)	1.0	5,656	68,000	16,000	8,000	4,000	4,000	2,000	1,000	103,000
Total	2.0		136,000	32,000	16,000	8,000	8,000	4,000	2,000	206,000

One-time funding for first year equipment costs for new staff. 16,000

Assumptions

WMS 2 Program Manager (RCS)	Coordinate hearings that residents are entitled to under law changes. New hearings would occur as a result of residents' new rights. Respond to complaint investigations regarding discharge/transfer of residents. Travel to facilities to conduct investigations. Interview residents, resident family members, law enforcement, DSHS staff, and facility staff. Write document findings. Consult with supervisor. Issue reports.
WMS 2 Program Manager (HCS)	Coordinate the placement of clients discharged from nursing homes and boarding homes as a result of the bill.

Individual State Agency Fiscal Note

Bill Number: 5980 SB	Title: Nursing & boarding homes	Agency: 310-Department of Corrections
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND					
Total \$					

Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
Fund					
General Fund-State 001-1	75,000	0	75,000	0	0
Total \$	75,000	0	75,000	0	0

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

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- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Rhoda Donkin	Phone: (360)786-7465	Date: 02/12/2007
Agency Preparation: Clela Steelhammer	Phone: 360-725-8267	Date: 02/12/2007
Agency Approval: Randi Warick	Phone: 360 -725-8270	Date: 02/22/2007
OFM Review: Brian Enslow	Phone: 360-902-0539	Date: 02/22/2007

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Section 1 – Amends RCW 72.09.340 by requiring the Department to notify a boarding or nursing home when an offender is seeking admission to the facility by when released from total or partial confinement or is currently under supervision and was convicted of a sex offense, reckless burning or arson.

Section 2 – Amends the registration statute (RCW 9A.44.130) to require offenders that plan to reside in a boarding or nursing home that are required to register must notify the sheriff for the county in which the boarding or nursing home is located. The sheriff must promptly notify the administrator of the boarding or nursing home. Directs the administrator to disclose to all management staff and all caregivers when a convicted sex offender is residing in a home.

Section 3 – Adds a new section to RCW 70.129 that requires if it learned that a boarding or nursing home has a current or prospective resident that has been convicted of a sex offense, reckless burning or arson, than the department responsible for licensing the provider, must notify the administrator. Also has new language that states a boarding or nursing home may refuse admittance to a person who is required to register, convicted of arson, reckless burning, is a sexually violent predator, a sexual psychopath, or any person found not guilty by reason of insanity for a sex offense, arson, or reckless burning.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The Department is required to notify administrators of nursing homes or boarding homes when an offender is released from a Department facility or is on community custody or supervision, if the offender was convicted of a sex offense, reckless burning, or arson.

The Department will have include this requirement to the offender supervision plan which will require OMNI modifications estimated to be \$75,000 for analysis, programming and testing.

The Department assumes no fiscal impact for the notification, other than the information technology requirements.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Personal Service Contracts	75,000		75,000		
E-Goods and Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
Total:	\$75,000	\$0	\$75,000	\$0	\$0

III. C - Expenditures By Program (optional)

Program	FY 2008	FY 2009	2007-09	2009-11	2011-13
Administrative Services Division (100)	75,000		75,000		
Total \$	75,000		75,000		

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

LOCAL GOVERNMENT FISCAL NOTE

Department of Community, Trade and Economic Development

Bill Number: 5980 SB	Title: Nursing & boarding homes
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Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- ☐ Cities:
- ☒ Counties: County sheriff's offices
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

Part II: Estimates

- ☒ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☐ Key variables cannot be estimated with certainty at this time:

Part III: Preparation and Approval

Fiscal Note Analyst: Darleen Muhly	Phone: (360) 725 5030	Date: 02/12/2007
Leg. Committee Contact: Rhoda Donkin	Phone: (360)786-7465	Date: 02/12/2007
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 02/21/2007
OFM Review: Eric Mandt	Phone: 360-902-0543	Date: 02/22/2007

Part IV: Analysis

A. SUMMARY OF BILL

Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.

This bill would require licensed nursing or boarding homes to be notified of certain convictions of persons seeking admission into that home

Section 1 would require the Department of Corrections to notify these homes of an offender convicted of a sex, reckless burning, or arson offense, about to be discharged from confinement or currently under supervision or community custody, who is seeking admission to that facility.

Section 2 would require sex or kidnapping offenders who reside, plan to reside, or are moving out of any of these homes to notify the county sheriff of their status. The county sheriff is then required to notify the administrator of the home, and that administrator must notify all management staff and caregivers in the home. The administrator must also notify the sheriff when an offender moves out.

Section 3 requires DSHS to notify the home if they learn that a current or prospective resident has been convicted of a sex, reckless burning, or arson offense. It also requires the current or prospective resident to notify the home of their offender status. The home may immediately discharge or transfer the resident if the facility was not notified prior to admission of the resident.

Section 4 amends the provisions governing when a long term care facility can transfer or discharge a patient to include the provisions in section 3.

Sections 5 and 6 entitle the transferred or discharged resident to an administrative hearing regarding the decision, and absolve the home of any liability for transferring or discharging the resident.

B. SUMMARY OF EXPENDITURE IMPACTS

Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.

According to the Department of Corrections (DOC), sex offenders are already required to notify the county sheriff in the county that they reside. This bill would require the sheriff to take the additional step of notifying the administrator of the nursing or boarding home.

According to DOC, there are currently approximately 3,300 supervised sex offenders statewide. DOC has no data regarding the number of offenders who reside or plan to reside in nursing homes but assumes that the percentage would be very small. For the purposes of this note, LGFN will assume that 2 percent would reside or enter nursing homes. Based on this percentage, county sheriffs would be required to notify nursing home administrators regarding 66 offenders, an average of less than two offenders per county. Based on these small numbers, the fiscal impact to counties would be negligible.

SOURCES:

Department of Corrections

C. SUMMARY OF REVENUE IMPACTS

Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.

No revenue impact is expected as a result of this legislation.