

Multiple Agency Fiscal Note Summary

Bill Number: 6345 P S SB	Title: Chemical dependency
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Estimated Cash Receipts

Agency Name	2013-15		2015-17		2017-19	
	GF- State	Total	GF- State	Total	GF- State	Total
Department of Social and Health Services	0	26,000	0	52,000	0	52,000
Total \$	0	26,000	0	52,000	0	52,000

Estimated Expenditures

Agency Name	2013-15			2015-17			2017-19		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Department of Social and Health Services	.0	11,000	37,000	.0	22,000	74,000	.0	22,000	74,000
Total	0.0	\$11,000	\$37,000	0.0	\$22,000	\$74,000	0.0	\$22,000	\$74,000

Estimated Capital Budget Impact

NONE

Prepared by: Richard Pannkuk, OFM	Phone: (360) 902-0539	Date Published: Final 2/19/2014
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID: 37554

FNS029 Multi Agency rollup

Individual State Agency Fiscal Note

Bill Number: 6345 P S SB	Title: Chemical dependency	Agency: 300-Dept of Social and Health Services
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Part I: Estimates

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No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2014	FY 2015	2013-15	2015-17	2017-19
General Fund-Federal 001-2		26,000	26,000	52,000	52,000
Total \$		26,000	26,000	52,000	52,000

Estimated Expenditures from:

	FY 2014	FY 2015	2013-15	2015-17	2017-19
Account					
General Fund-State 001-1	0	11,000	11,000	22,000	22,000
General Fund-Federal 001-2	0	26,000	26,000	52,000	52,000
Total \$	0	37,000	37,000	74,000	74,000

Estimated Capital Budget Impact:

NONE

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: Kevin Black	Phone: (360) 786-7747	Date: 02/06/2014
Agency Preparation: Martha Brenna	Phone: 3609028194	Date: 02/18/2014
Agency Approval: Ken Brown	Phone: 360-902-7583	Date: 02/18/2014
OFM Review: Richard Pannkuk	Phone: (360) 902-0539	Date: 02/19/2014

Request # 146345PSSB-2

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 creates a pilot program in Snohomish County where persons can be referred to chemical dependency treatment prior to formal charges for a crime. Police officers are given the ability to deliver persons, either juvenile or adult, arrested for criminal activity to a chemical dependency provider for evaluation within three hours.

Section 2 establishes the pilot program in Snohomish County that allows arresting officers to take an individual, as an alternative to jail/detention, to an approved chemical dependency provider for treatment and the individual must be examined within 3 hours; or to an emergency medical service if a treatment program is not available and the individual must be examined within 3 hours; or release the individual upon agreement to participate in outpatient treatment.

Section 3 requires Snohomish County to evaluate the effects of the pilot program and shall submit a report to the legislature.

Section 4 amends RCW 13.40.042 to allow the detention of juveniles who may be suffering from chemical dependency.

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.

Federal 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 calculate the potential number of individuals that could be served within three hours for evaluation, Washington State Patrol arrest records for FY 2013 were consulted and cross checked with DSHS clients. Individuals arrested for non-felony crimes who were, at the same time arrested for a drug charge (which might be a felony) totaled 18,556. Then felony drug crimes were also excluded leaving 9,193 individuals. Of those identified, 1,602 were also identified in the substance abuse system. Of the 1,602 individuals 1,339 are adults and 263 are youth. The total adults identified specific to Snohomish County are 277. These individuals meet the criteria for non-felony crime, non-DUI crime, who would also be DSHS substance abuse clients. Snohomish County individuals are used for the costs associated with section 2.

Section 2 - If it is assumed that the officer takes all of the identified individuals for evaluation and the cost of the evaluation is \$115.17 (the Medicaid rate for a chemical dependency assessment) then the total would be $(166 + 158) \times 115.17 = \$37,315$ (166 Snohomish adults = \$19,118; 158 Statewide Youth = \$18,196).

Section 4 describes youth – it is not clear what type of facility to which youth would be taken – it could be a

chemical dependency agency. In this case, youth would only need to be seen within three hours if brought to a facility or program identified by agreement of the prosecutor and law enforcement.

However, for both adults and youth, the officer has the choice to release the individual or take the persons to jail/detention.

The following percentages are determined by examining data in ACES, ProviderOne, and Treatment and Assessment Report Generation Tool (Target).

Of the 158 youth, 100% youth are Medicaid eligible with 50% State match.

Of the 166 adults, 79% considered newly eligible under ACA and are 100% federally funded; 17% or 48 adults are traditional Medicaid eligible with a 50% match; 4% or 48 are Presumptive SSI at 75% federal with a 25% state match; and no clients are assumed to be state only clients.

Please see the attachment for detailed costs.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services		37,000	37,000	74,000	74,000
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total:	\$0	\$37,000	\$37,000	\$74,000	\$74,000

III. C - Expenditures By Program (optional)

Program	FY 2014	FY 2015	2013-15	2015-17	2017-19
Alcohol and Substance Abuse (070)		37,000	37,000	74,000	74,000
Total \$		37,000	37,000	74,000	74,000

Part IV: Capital Budget Impact

NONE

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.

6345 PSSB Cost Detail

EVALUATION COST ASSUMPTIONS

Total Assumed Population:	540
Rate:	\$ 115.17

Assumptions: 30% taken to Jail/Detention
 10% released on agreement to voluntary participation in outpatient treatment
 60% Diverted

Adults - Snohomish County					
		166			
			GF-State	Medicaid	Total Funds
Diversion	60.00%				
ADATSA/DL	79.00%	131		15,087	15,087
Medicaid	17.40%	29	1,670	1,670	3,340
Non Medicaid	0.00%	-	0		0
Presumptive SSI	3.60%	6	173	518	691
Total By Fund:			1,843	17,275	19,118

Youth - Statewide					
		158			
			GF-State	Medicaid	Total Funds
Diversion	60.00%				
Medicaid	100.00%	158	9,098	9,098	18,196
Non Medicaid	0.00%	0	0		0
Total By Fund:			9,098	9,098	18,196

Total Adults and Youth	10,941	26,373	37,314
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FISCAL NOTE TOTAL (rounded):	\$ 11,000	\$ 26,000	\$ 37,000
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LOCAL GOVERNMENT FISCAL NOTE

Department of Community, Trade and Economic Development

Bill Number: 6345 P S SB	Title: Chemical dependency
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Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- ☐ Cities:
- ☐ Counties:
- ☐ Special Districts:
- ☒ Specific jurisdictions only: The bill establishes a pilot program in Spokane County.
- ☐ Variance occurs due to:

Part II: Estimates

- ☒ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☒ Legislation provides local option: Provides law enforcement the option to take an individual to chemical dependency treatment or emergency medical service under certain circumstances.
- ☐ Key variables cannot be estimated with certainty at this time:

Part III: Preparation and Approval

Fiscal Note Analyst: Alice Zillah	Phone: 360-725-5035	Date: 02/13/2014
Leg. Committee Contact: Kevin Black	Phone: (360) 786-7747	Date: 02/06/2014
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 02/13/2014
OFM Review: Richard Pannkuk	Phone: (360) 902-0539	Date: 02/13/2014

Part IV: Analysis

A. SUMMARY OF BILL

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

CHANGES BETWEEN THIS VERSION AND PREVIOUS VERSION OF THE BILL:

The proposed substitute limits the changes of the bill in regards to how law enforcement may respond to a person with chemical dependency to a pilot program in Snohomish County. It still allows for an officer's discretion in these situations, and thus does not mandate any cost impacts.

SUMMARY OF THE BILL:

Section 1 establishes legislative findings and intent in regards to individuals involved in the juvenile justice and criminal justice systems with substance abuse issues.

Sec. 2 creates a new section in RCW 10.31 RCW to establish a pilot program in Snohomish County. When a police officer has reasonable cause to believe that an individual has committed a nonfelony, non-serious crime, has not committed a DUI offense, and is known to suffer from chemical dependency, the arresting officer may take the individual to an approved chemical dependency treatment provider for treatment. The officer may also take the individual to an emergency medical service if no approved treatment program is readily available. The officer may also refer the individual to a chemical dependency professional for initial detention, or release the individual upon agreement to voluntary participation in outpatient treatment. The police officer shall be guided by standards mutually agreed upon with the prosecuting authority, and shall submit a written report to the prosecuting attorney within 10 days.

Sec. 3 directs Snohomish County shall evaluate the effects of the pilot program and submit a report to the legislature. The report must summarize the effectiveness of the pilot program and include: How often the chemical dependency diversion was used, the kind of treatment the person engaged in, how often treatment was completed, the number of prosecutions, any cost savings to the county or state, any cost shifting from the county or state onto other systems, and the recidivism rate of offenders involved in the pilot program. The report is due July 1, 2015, and every other year until July 1, 2019.

Sec. 4 amends RCW 13.40.042 to include chemical dependency in the factors that a police officer may consider in deciding whether to arrest a juvenile offender or take him or her to an evaluation and treatment center or alternative facility.

Sec. 5 amends RCW 13.40.080. If an assessment identifies chemical dependency needs, a youth may access up to thirty hours of counseling.

Sec. 6 establishes Sections 2 and 3 of this act expire July 31, 2019.

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.

The legislation provides a local option for Snohomish County law enforcement when arresting certain individuals. As such, it does not result in expenditure requirements for city and county law enforcement agencies.

Law enforcement agencies that elected to follow this option would have some expenses, however, and might also see decreases in jail bed costs. In deciding whether to refer an arrested individual to treatment, the police officer shall be guided by standards mutually agreed upon with the prosecuting authority. The work of developing these standards and communicating about them would require staff time from prosecuting attorneys and police chiefs and sheriffs.

Referring an individual to treatment instead of holding them in jail until they were released on bail or personal recognizance would result in cost savings for the jails. The average daily jail bed cost is \$88, according to the Local Government Fiscal Note Program 2013 survey of city, county and inter-jurisdictional jails.

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.

The legislation would have no revenue impact for local government.

SOURCES:

Local Government Fiscal Note 2013 jail costs survey