

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 2009 HB	<b>Title:</b> Missing persons/dental recs.
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## Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts						
Loc School dist-SPI						
Local Gov. Other	No fiscal impact					
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Washington State Patrol	.5	136,278	136,278	136,278	1.0	242,764	242,764	242,764	1.0	242,764	242,764	242,764
Department of Health	.1	0	0	29,000	1.0	0	0	258,000	1.1	0	0	286,000
<b>Total \$</b>	<b>0.6</b>	<b>136,278</b>	<b>136,278</b>	<b>165,278</b>	<b>2.0</b>	<b>242,764</b>	<b>242,764</b>	<b>500,764</b>	<b>2.1</b>	<b>242,764</b>	<b>242,764</b>	<b>528,764</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	No fiscal impact								
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Department of Health	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	No fiscal impact								
Local Gov. Total									

# Estimated Capital Budget Breakout

NONE

<b>Prepared by:</b> Breann Boggs, OFM	<b>Phone:</b> (360) 485-5716	<b>Date Published:</b> Final 1/11/2024
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# Individual State Agency Fiscal Note

Revised

<b>Bill Number:</b> 2009 HB	<b>Title:</b> Missing persons/dental recs.	<b>Agency:</b> 225-Washington State Patrol
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	1.0	0.5	1.0	1.0
<b>Account</b>					
General Fund-State      001-1	0	136,278	136,278	242,764	242,764
<b>Total \$</b>	0	136,278	136,278	242,764	242,764

### 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: Corey Patton	Phone: 360-786-7388	Date: 01/03/2024
Agency Preparation: Yvonne Ellison	Phone: 360-596-4042	Date: 01/09/2024
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 01/09/2024
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 01/10/2024

## Part II: Narrative Explanation

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

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

The proposed legislation will have fiscal impact to the Washington State Patrol (WSP).

New Section 2(1) requires the Washington State Dental Quality Assurance Commission (commission) to work in consultation with the WSP to develop a process for licensed dentists to collect and submit information on patients that consent to the release of their dental records to the WSP's Dental Identification System if they become the subject of a missing person investigation.

New Section 2(3)(d) requires licensed dentists to periodically submit information identifying any patients who have valid signed consent forms to the WSP.

Section 3(2) requires the WSP and the commission to develop the process for licensed dentists to submit the information identifying patients that have consented to the release of their dental records by November 1, 2024, subject to the availability of funding appropriated for this purpose.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

NONE

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

The WSP Missing Person's Unit (MUPU) is responsible for maintaining the WSP's Dental Identification System. We expect that the MUPU will have one-time costs related to working with the commission to develop the necessary procedures, as well as ongoing costs for the increased information management related to the patient consent forms. It is not yet known what the full impact of the proposed legislation will be to the MUPU's workload, but it could be significant as it could potentially include every dental patient in the state. At a minimum, we expect the following costs.

One-Time in FY25:

40 hours of the MUPU Program Manager's time to work with the commission on the development of the required procedures at an estimated cost of \$3,391 including indirect costs.

Ongoing:

One Program Specialist 2 FTE to handle the increased information management requirements at a cost of \$132,887 in fiscal year 2025 and \$121,382 per fiscal year ongoing including indirect costs.

We base estimated salary expenditures on current levels for the positions requested per published salary schedules, plus any applicable incentive or assignment pay. We compute estimated benefits expenditures based on federal or state mandated rates plus state provided amounts for health insurance and workers' compensation insurance. We assume that any increases in these rates or amounts will be covered by legislation establishing the increase.

We compute estimated support expenditures such as supplies & materials, communications, computer costs (hardware and software), vehicle and vehicle operating costs, among others, using average costs to support agency FTEs. We adjust the

estimated support costs to reflect the needs of individual divisions or positions within the agency.

We base our estimate for agency indirect costs on the approved federal indirect cost rate of 33.41 percent. We apply this indirect cost rate percentage to all categories of expenditure with only two exceptions: capital equipment and expenditures after \$25,000 of each projected contract. Indirect costs include, but are not limited to, computer and telecommunications support, payroll processing, vendor payments, general accounting, procurement administration, inventory control, and human resource management.

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	136,278	136,278	242,764	242,764
<b>Total \$</b>			0	136,278	136,278	242,764	242,764

#### III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		1.0	0.5	1.0	1.0
A-Salaries and Wages		58,806	58,806	113,760	113,760
B-Employee Benefits		25,128	25,128	49,024	49,024
C-Professional Service Contracts					
E-Goods and Other Services		6,652	6,652	11,048	11,048
G-Travel		2,400	2,400	4,800	4,800
J-Capital Outlays		11,825	11,825	3,650	3,650
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Agency Indirect		31,467	31,467	60,482	60,482
<b>Total \$</b>	0	136,278	136,278	242,764	242,764

#### III. C - Operating FTE 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 2024	FY 2025	2023-25	2025-27	2027-29
Program Specialist 2	56,880		1.0	0.5	1.0	1.0
<b>Total FTEs</b>			1.0	0.5	1.0	1.0

#### III. D - Expenditures By Program (optional)

NONE

### Part IV: Capital Budget Impact

#### IV. A - Capital Budget Expenditures

NONE

#### IV. B - Expenditures by Object Or Purpose

NONE

#### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2009 HB	<b>Title:</b> Missing persons/dental recs.	<b>Agency:</b> 303-Department of Health
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.2	0.1	1.0	1.1
<b>Account</b>					
Health Professions Account-State 02G-1	0	29,000	29,000	258,000	286,000
<b>Total \$</b>	0	29,000	29,000	258,000	286,000

### 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: Corey Patton	Phone: 360-786-7388	Date: 01/03/2024
Agency Preparation: Donna Compton	Phone: 360-236-4538	Date: 01/09/2024
Agency Approval: Amy Burkel	Phone: 3602363000	Date: 01/09/2024
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 01/11/2024

## Part II: Narrative Explanation

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

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

This bill requires dentists to obtain a valid signed consent form from patients and allows investigating agencies and authorized individuals to use during missing person investigations.

Section 2: A new section is added to chapter 18.32 RCW (Dental Quality Assurance Commission) requiring adoption of rules for use of dental records in missing person investigations.

Section 3(2): Adds a section stating by November 1, 2024 the Dental Quality Assurance Commission (commission) will consult with the Washington State Patrol (WSP) to develop a process by which persons licensed to practice dentistry may submit information to the WSP who have consented to the release of their dental records in the event they become the subject of a missing person investigation. Costs will be minimal and will involve only one to three meetings with WSP.

Section 4: Amends RCW 68.50.320 (Procedures for investigating missing persons – Availability of files) allowing the investigating agency the ability to utilize the missing persons dental records if they have already consented through a valid signed consent form and requires the missing persons dentist or dentists provide if there is a record of the missing person's valid signed consent form authorizing the release of their dental records.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

Current law RCW 43.70.250 (License fees for professions, occupations, and businesses) requires the department to charge a fee to generate sufficient revenue to fully support the costs of administering its dental quality assurance commission licensing activities. The department does not anticipate the need to increase licensing fees to support the changes proposed in this bill. The department will monitor all program fund balances and adjust fees over a six (6) year period to ensure that fees are sufficient to cover all program expenditures.

As of July 1, 2023, the commission has a sufficient fund balance of roughly \$2,000,000 therefore the department does not anticipate raising fees to cover the costs to implement this bill.

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

#### Rulemaking

Section 2: The commission will develop and adopt rules to add a new chapter to WAC 246-817 (Dental Quality Assurance Commission) regarding use of dental records in missing person investigations. The commission anticipates utilizing a team of subject matter experts to implement this bill. This team will consist of the program manager and a community engagement specialist to identify underreached communities and engage them in the rulemaking process. This process will include two meetings with interested parties as well as one formal rules hearing, all held virtually, and will take approximately 12 months to complete. The commission anticipates providing the rules hearing announcement and materials in both English and Spanish and providing ASL and Spanish interpretation services at the rules hearing.

Costs include staff, associated expenses (including goods and services, travel, intra-agency, and indirect charges), and Office of Attorney General support in the amount of \$4,000.



FY 2025 one-time costs will be 0.2 FTE and \$29,000.

Discipline

Section 4: Based on the department’s experience in general complaints for not doing a consent form, the department is estimating 40 complaints per year or roughly two to three complaints a month.

The department assumes the following:

- Approximately 30 complaints based on violations discovered during investigations of unrelated matters. In every dental investigation, all of a complainant’s dental records are provided. The department estimates that investigators will discover that a licensee has failed to document the required consent in approximately 30 dental complaints per year.
- Approximately 5 complaints per year from State Patrol employees discovering noncompliance with the proposed requirement in the course of conducting missing person investigations.
- Approximately 5 complaints per year from employees of dental practices reporting their employer’s failure to comply with this requirement.

The complaint response process includes five steps: 1) intake, 2) assessment, 3) investigation, 4) case disposition, and 5) adjudication. Staff review the complaint, identify the history of the person complained about, and help assess whether an investigation is needed. In more than half the cases, investigation is needed. The investigator obtains information about the complaint and the respondent and prepares a report detailing the findings. After investigation, the disciplining authority decides whether to pursue legal action. Staff attorneys, paralegals, and other staff work to develop the legal documents and charge the violation. Most cases are settled, and the staff attorney manages that process. If the respondent asks for a hearing, staff must schedule the hearing, and the health law judge considers all legal motions, presides over the hearing, and drafts the final order.

Cost estimates for the complaint response process associated with this bill were calculated using the department’s Disciplinary Workload Model.

FY 2026 costs will be 0.8 FTE and \$115,000  
 FY 2027 and ongoing, costs will be 1.1 FTE and \$143,000 each year

Costs to implement this bill:

FY 2025 - 0.2 FTE and \$29,000 (02G-1)  
 FY 2026 - 0.8 FTE and \$115,000 (02G-1)  
 FY 2027 and ongoing – 1.1 FTE and \$143,000 (02G-1)

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
02G-1	Health Professions Account	State	0	29,000	29,000	258,000	286,000
<b>Total \$</b>			0	29,000	29,000	258,000	286,000

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.2	0.1	1.0	1.1
A-Salaries and Wages		13,000	13,000	139,000	162,000
B-Employee Benefits		5,000	5,000	53,000	62,000
C-Professional Service Contracts		1,000	1,000		
E-Goods and Other Services		9,000	9,000	54,000	48,000
T-Intra-Agency Reimbursements		1,000	1,000	12,000	14,000
9-					
<b>Total \$</b>	0	29,000	29,000	258,000	286,000

**III. C - Operating FTE 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 2024	FY 2025	2023-25	2025-27	2027-29
Fiscal Analyst 2	53,000				0.2	0.2
HEALTH CARE INVESTIGATOR 3	82,056				0.2	0.2
HEALTH SERVICES CONSULTAN 1	58,104				0.2	0.2
HEALTH SERVICES CONSULTAN 3	78,120				0.1	0.1
HEALTH SERVICES CONSULTAN 4	86,208		0.1	0.1		
Health Svcs Conslt 1	53,000				0.1	0.1
HEARINGS EXAMINER 3	100,008				0.2	0.2
LEGAL ASSISTANT 3	58,104				0.1	0.1
MANAGEMENT ANALYST 4	86,208		0.1	0.1		
<b>Total FTEs</b>			0.2	0.1	1.0	1.1

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

Section 2: The department will adopt rules in Title 246-817 WAC (Dental Quality Assurance Commission) as necessary to implement this bill.

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

**Bill Number:** 2009 HB

**Title:** Missing persons/dental recs.

## Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- Cities:
- Counties:
- 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:

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

None

## Part III: Preparation and Approval

Fiscal Note Analyst: Alice Zillah	Phone: 360-725-5035	Date: 01/05/2024
Leg. Committee Contact: Corey Patton	Phone: 360-786-7388	Date: 01/03/2024
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 01/05/2024
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 01/11/2024

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

*Description of the bill with an emphasis on how it impacts local government.*

The legislation would require dentists to offer patients at the time of receiving dental care the opportunity to consent to the release of their dental records if they later become the subject of a missing person investigation.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

*Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.*

The legislation would have no expenditure impacts for local governments.

### **C. SUMMARY OF REVENUE IMPACTS**

*Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.*

The legislation would have no revenue impacts for local governments.