

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5853 SB	<b>Title:</b> Behav crisis services/minors
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## Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Department of Health	0	0	0	0	0	35,000	0	0	13,000
<b>Total \$</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>35,000</b>	<b>0</b>	<b>0</b>	<b>13,000</b>

## 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 Health Care Authority	Fiscal note not available											
Department of Health	.3	0	0	134,000	.5	5,000	5,000	176,000	.2	0	0	66,000
<b>Total \$</b>	<b>0.3</b>	<b>0</b>	<b>0</b>	<b>134,000</b>	<b>0.5</b>	<b>5,000</b>	<b>5,000</b>	<b>176,000</b>	<b>0.2</b>	<b>0</b>	<b>0</b>	<b>66,000</b>

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Washington State Health Care Authority	Fiscal note not available								
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>

## Estimated Capital Budget Breakout

NONE

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# Individual State Agency Fiscal Note

Revised

<b>Bill Number:</b> 5853 SB	<b>Title:</b> Behav crisis services/minors	<b>Agency:</b> 303-Department of Health
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
General Fund-Private/Local 001-7				32,000	8,000
Health Professions Account-State 02G-1				2,000	4,000
Medical Test Site Licensure Account-State 202-1				1,000	1,000
<b>Total \$</b>				35,000	13,000

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.5	0.3	0.5	0.2
<b>Account</b>					
General Fund-State 001-1	0	0	0	5,000	0
General Fund-Private/Local 001-7	0	134,000	134,000	160,000	44,000
Health Professions Account-State 02G-1	0	0	0	11,000	22,000
<b>Total \$</b>	0	134,000	134,000	176,000	66,000

### 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: 01/04/2024
Agency Preparation: Donna Compton	Phone: 360-236-4538	Date: 01/23/2024
Agency Approval: Amy Burkel	Phone: 3602363000	Date: 01/23/2024
OFM Review: Arnel Blancas	Phone: (360) 000-0000	Date: 01/26/2024

## 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 fiscal note has been revised to include costs associated with Office of Information Technology (OIT) changes in the Healthcare Enforcement and Licensing Modernization Solution (HELMS) to applications for Behavioral Health facilities to identify services provided for adults vs minors.

The bill adds the ability for a crisis relief center to serve minors. Second Substitute Senate Bill 5120 (chapter 433, Laws of 2023) specifically excluded minors from service.

Section 1, 2 and 3: The bill adds the word “minors” and requires that adults and minors be served in separate facilities.

### 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 that a business-licensing program be self-supporting and sufficient revenue be collected through fees to fund expenditures. The department does not anticipate the need to increase Construction Review, Pharmacy Commission, Behavioral Health Agencies, or Medical Test Site licensing fees to support the changes proposed in this bill. However, the department anticipates raising Behavior Health Agency licensing fees and Construction Review fees over the next year to maintain a healthy fund balance. The department will monitor the program fund balance and adjust fees over a six (6) year period to ensure that fees are sufficient to cover all program expenditures.

#### Construction Review

Based on the department’s experience with crisis stabilization units the department anticipates 4 new 23-hour crisis relief centers for minors that will require construction review approval. The construction review program charges fees based on WAC 246-314-990 (Construction Review Fees) and anticipates an average fee of \$7,000 per application.

FY 2026 – \$28,000 (4 Applications) (GF-L)

#### Behavioral Health Agencies

The department anticipates 4 new 23-hour crisis relief centers for minors and will charge a fee based on WAC 246-341-0365 (Agency Licensure and Certification – Fee Requirements) and anticipates \$1,000 per application. The design, local permitting, zoning, and construction process can last 9-18 months; therefore, the department expects all applicants will be eligible for licensure in fiscal year 2027 after the review process is complete.

FY 2027 – \$4,000 (4 Applications) (GF-L)

FY 2028 – \$4,000 (4 Renewals) (GF-L)

FY 2029 – \$4,000 (4 Renewals) (GF-L)

FY 2030 – \$4,000 (4 Renewals) (GF-L)

#### Pharmacy Commission

The Pharmacy Commission (commission) anticipates all 23-hour crisis relief centers for minors will apply to become licensed as a health care entity to give them the authority to purchase, possess, administer, and dispense controlled substances. The commission will charge fees based on WAC 246-945-990 (Pharmaceutical Licensing Fees and Renewal Cycle) and anticipates \$540 per application. The design, local, permitting zoning and construction process can last 9-18 months; therefore, the department expects all applicants will be eligible for licensure in fiscal year 2027 after the review process is complete.

FY 2027 – \$2,000 (4 Applications) (02G)  
FY 2028 – \$2,000 (4 Renewals) (02G)  
FY 2029 – \$2,000 (4 Renewals) (02G)  
FY 2030 – \$2,000 (4 Renewals) (02G)

#### Medical Test Sites

The department anticipates all 23-hour crisis relief centers for minors will apply as a medical test site with waived service to give them the authority to conduct limited medical tests on-site. The department will charge fees based on WAC 246-338-990 (Fees) and anticipates \$190 per application. Medical test site licenses have a two-year period and are renewed on June 30th every odd year. Licenses issued for less than the two-year period are prorated. The design, local, permitting zoning and construction process can last 9-18 months; therefore, the department expects all applicants will be eligible for licensure in fiscal year 2027 after the review process is complete.

FY 2027 – \$1,000 (4 Applications) (202)  
FY 2028 – \$0 (0 Applications and 0 Renewals) (202)  
FY 2029 – \$1,000 (4 Applications) (202)  
FY 2030 – \$0 (0 Applications and 0 Renewals) (202)

#### Total Revenue

FY 2026 – \$28,000 (GF-L)  
FY 2027 – \$4,000 (GF-L), \$2,000 (02G) and \$1,000 (202)  
FY 2028 – \$4,000 (GF-L) and \$2,000 (02G)  
FY 2029 – \$4,000 (GF-L), \$2,000 (02G) and \$1,000 (202)  
FY 2030 – \$4,000 (GF-L) and \$2,000 (02G)

## 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 1, 2, and 3: The department will develop and adopt rules to Chapter 246-341 WAC. The department 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. Based on the department's experience with rules, the department anticipates rulemaking to be complex. Complex rulemaking will require a rules project coordinator to support subject matter experts and ensure timely completion of rulemaking. This rule package is extended to identify specific groups who have previously had access barrier to engagement with the department as well as giving the department the ability to expand community engagement and conduct additional workshops and listening sessions. This process will include six meetings with interested parties as well as one formal rules hearing, all held virtually, and will take approximately 18 months to complete. The department 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 \$9,000.

FY 2025 costs will be 0.3 FTE and \$58,000 (GF-L)  
FY 2026 costs will be 0.2 FTE and \$29,000 (GF-L)

### Construction Review

Section 1, 2, and 3: Prior to licensure as a 23-hour crisis relief center for minors, the applicant must apply for construction review services. Each of the projects are inclusive of design, permitting, zoning, construction, stocking, and final close-out. The department expects each of the 4 projects to take 9-18 months depending on the complexity of each project. Costs include staff, associated expenses (including goods and services, intra-agency, and indirect charges).

FY 2026 costs will be 0.3 FTE and \$49,000 (GF-L).

FY 2027 costs will be 0.1 FTE and \$25,000 (GF-L).

### Inspection & Investigation

Section 1, 2, and 3: The department is expecting 4 new facilities.

Inspection - The department will conduct initial facility inspections and review facility inspections once within a three-year period for compliance with the minimum operating and patient care standards. The department assumes an average inspection to take 10 hours per license per new facility.

Investigations - Based on experiences with behavioral health facilities, the department is estimating receiving two complaints a year with one investigation per year. Since the department has begun the regulation of behavioral health agencies, the department has learned that the investigations of these facilities can easily become complicated with many safety risks. The investigations need to be conscientious to the safety of patients, facility staff, and the department's staff conducting the investigation.?

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 facility?complained about, and help assess whether an investigation is needed. The investigator obtains information about the complaint and the respondent, then?prepares a report detailing the findings. After investigation, the disciplining authority decides whether to pursue legal action. Staff attorneys, paralegals, assistant attorney general, 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.?Also, the Office of the Attorney General will represent the department at hearings and may provide advice throughout the enforcement process.

FY 2027 costs will be 0.1 FTE and \$11,000 (GF-L)

FY 2028 costs and ongoing will be 0.1 FTE and \$10,000 (GF-L)

### Office of Information Technology

Section 1, 2 and 3: OIT Staff will be required to modify the existing BHA application in the Healthcare Enforcement and Licensing Modernization Solution (HELMS) to identify if the facility services adults or minors. Configuration in HELMS will also require 113 additional hours from the integration vendor at a rate of \$270 per hour, for a total of \$31,000 in FY 2025.

FY 2025 costs will be 0.2 FTE and \$76,000 (GF-L)

FY 2026 costs will be 0.2 FTE and \$34,000 (GF-L)

FY 2027 and ongoing costs will be 0.1 FTE and \$12,000 (GF-L)

### Pharmacy Commission

Section 1, 2, and 3: The commission will conduct initial facility inspections and review facility inspections once within a two-year period for compliance with the minimum operating and patient care standards. Based on experience with health care entities, the commission is estimating authorizing one investigation per year. After investigation, the disciplining

authority decides whether to pursue legal action. Staff attorneys, paralegals, assistant attorney general 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. Also, the Office of the Attorney General will represent the department at the hearing and may provide advice throughout the enforcement process.

FY 2027 costs and ongoing will be 0.1 FTE and \$11,000 (02G).

**Emergency Medical Services**

Section 1, 2, and 3: The department will update state guidelines for Emergency Medical Services (EMS) transport to alternative destinations to include minors at crisis relief centers. The work will include holding three stakeholder meetings to gather input, revising the guidelines, updating publications and websites, as well as communication with stakeholders through committee meetings.

FY 2026 costs will be \$5,000 (GF-S)

Total costs to implement this bill:

- FY 2025 costs will be 0.5 FTE and \$134,000 (GF-L)
- FY 2026 costs will be 0.6 FTE and \$5,000 (GF-S) and \$112,000 (GF-L)
- FY 2027 costs will be 0.3 FTE and \$48,000 (GF-L) and \$11,000 (02G)
- FY 2028 costs and ongoing will be 0.2 FTE and \$22,000 (GF-L) and \$11,000 (02G)

**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	0	0	5,000	0
001-7	General Fund	Private/Local	0	134,000	134,000	160,000	44,000
02G-1	Health Professions Account	State	0	0	0	11,000	22,000
<b>Total \$</b>			0	134,000	134,000	176,000	66,000

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.5	0.3	0.5	0.2
A-Salaries and Wages		52,000	52,000	95,000	36,000
B-Employee Benefits		18,000	18,000	32,000	12,000
C-Professional Service Contracts		31,000	31,000	1,000	
E-Goods and Other Services		28,000	28,000	39,000	12,000
T-Intra-Agency Reimbursements		5,000	5,000	9,000	6,000
9-					
<b>Total \$</b>	0	134,000	134,000	176,000	66,000

**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
ARCHITECT 2	102,540				0.2	
HEALTH SERVICES CONSULTANT 4	86,208		0.3	0.2	0.2	0.1
IT APPLICATION DEVELOPMENT JOURNEY	104,028		0.1	0.1	0.1	
WMS02	118,932		0.1	0.1	0.1	0.1
<b>Total FTEs</b>			0.5	0.3	0.5	0.2

**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.*

Sections 1, 2, and 3: The department is currently developing rules, in Chapter 246-341 WAC, to implement 2SSB 5120 (chapter 433, Laws of 2023). Once those rules go into effect, the Facilities Program will do a complex rulemaking project to modify the rules to support crisis relief center services for minors.





# Ten-Year Analysis

<b>Bill Number</b> 5853 SB	<b>Title</b> Behav crisis services/minors	<b>Agency</b> 303 Department of Health
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Estimates

**No Cash Receipts**
                 
  **Partially Indeterminate Cash Receipts**
                 
  **Indeterminate Cash Receipts**

## Estimated Cash Receipts

Name of Tax or Fee	Acct Code	Fiscal Year 2024	Fiscal Year 2025	Fiscal Year 2026	Fiscal Year 2027	Fiscal Year 2028	Fiscal Year 2029	Fiscal Year 2030	Fiscal Year 2031	Fiscal Year 2032	Fiscal Year 2033	2024-33 TOTAL
Expanded crisis relief centers for minors	001			28,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	56,000
Expanded crisis relief centers for minors	02G				2,000	2,000	2,000	2,000	2,000	2,000	2,000	14,000
Expanded crisis relief centers for minors	202				1,000		1,000		1,000		1,000	4,000
<b>Total</b>				<b>28,000</b>	<b>7,000</b>	<b>6,000</b>	<b>7,000</b>	<b>6,000</b>	<b>7,000</b>	<b>6,000</b>	<b>7,000</b>	<b>74,000</b>

**Biennial Totals**
35,000
13,000
13,000
13,000
74,000

## Narrative Explanation (Required for Indeterminate Cash Receipts)

Current law, RCW 43.70.250 (License fees for professions, occupations, and businesses) requires that a business-licensing program be self-supporting and sufficient revenue be collected through fees to fund expenditures. The department does not anticipate the need to increase Construction Review, Pharmacy Commission, Behavior Health Agencies, or Medical Test Site licensing fees to support the changes proposed in this bill. However, the department anticipates raising Behavior Health Agency licensing fees and Construction Review fees over the next year to maintain a healthy fund balance. The department will monitor the program fund balance and adjust fees over a six (6) year period to ensure that fees are sufficient to cover all program expenditures.

**Construction Review**  
 Based on the department's experience with crisis stabilization units the department anticipates 4 new 23-hour crisis relief centers for minors that will require construction review approval. The construction review program charges fees based on WAC 246-314-990 (Construction Review Fees) and anticipates an average fee of \$7,000 per application.

FY 2026 – \$28,000 (4 Applications) (GF-L)



# Ten-Year Analysis

Bill Number	Title	Agency
5853 SB	Behav crisis services/minors	303 Department of Health

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp> .

## Narrative Explanation (Required for Indeterminate Cash Receipts)

### Behavioral Health Agencies

The department anticipates 4 new 23-hour crisis relief centers for minors and will charge a fee based on WAC 246-341-0365 (Agency Licensure and Certification – Fee Requirements) and anticipates \$1,000 per application. The design, local permitting, zoning, and construction process can last 9-18 months; therefore, the department expects all applicants will be eligible for licensure in fiscal year 2027 after the review process is complete.

FY 2027 – \$4,000 (4 Applications) (GF-L)

FY 2028 – \$4,000 (4 Renewals) (GF-L)

FY 2029 – \$4,000 (4 Renewals) (GF-L)

FY 2030 – \$4,000 (4 Renewals) (GF-L)

### Pharmacy Commission

The Pharmacy Commission (commission) anticipates all 23-hour crisis relief centers for minors will apply to become licensed as a health care entity to give them the authority to purchase, possess, administer, and dispense controlled substances. The commission will charge fees based on WAC 246-945-990 (Pharmaceutical Licensure, Fees and Renewal Cycle) and anticipates \$540 per application. The design, local, permitting zoning and construction process can last 9-18 months; therefore, the department expects all applicants will be eligible for licensure in fiscal year 2027 after the review process is complete.

FY 2027 – \$2,000 (4 Applications) (02G)

FY 2028 – \$2,000 (4 Renewals) (02G)

FY 2029 – \$2,000 (4 Renewals) (02G)

FY 2030 – \$2,000 (4 Renewals) (02G)

### Medical Test Sites

The department anticipates all 23-hour crisis relief centers for minors will apply as a medical test site with waived service to give them the authority to conduct limited medical tests on-site. The department will charge fees based on WAC 246-338-990 (Fees) and anticipates \$190 per application. Medical test site licenses have a two-year period and are renewed on June 30th every odd year. Licenses issued for less than the two-year period are prorated. The design, local, permitting zoning and construction process can last 9-18 months; therefore, the department expects all applicants will be eligible for licensure in fiscal year 2027 after the review process is complete.

FY 2027 – \$1,000 (4 Applications) (202)

FY 2028 – \$0 (0 Applications and 0 Renewals) (202)



# Ten-Year Analysis

<b>Bill Number</b> 5853 SB	<b>Title</b> Behav crisis services/minors	<b>Agency</b> 303 Department of Health
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

## Narrative Explanation (Required for Indeterminate Cash Receipts)

FY 2029 – \$1,000 (4 Applications) (202) FY 2030 – \$0 (0 Applications and 0 Renewals) (202)  Total Revenue FY 2026 – \$28,000 (GF-L) FY 2027 – \$4,000 (GF-L), \$2,000 (02G) and \$1,000 (202) FY 2028 – \$4,000 (GF-L) and \$2,000 (02G) FY 2029 – \$4,000 (GF-L), \$2,000 (02G) and \$1,000 (202) FY 2030 – \$4,000 (GF-L) and \$2,000 (02G)
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Agency Approval: Amy Burkel	Phone: 3602363000	Date: 1/23/2024 12:38:48 pm
OFM Review:	Phone:	Date: