

Fiscal Estimate - 2019 Session

☒ Original
 ☐ Updated
 ☐ Corrected
 ☐ Supplemental

LRB Number 19-0774/1	Introduction Number AB-0083	
Description authorizing creation and implementation of an advance directive registry and granting rule-making authority		
Fiscal Effect State: <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input checked="" type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations </div> <div style="width: 33%;"> <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues </div> <div style="width: 33%;"> <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <div style="display: flex; justify-content: space-around;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </div> <input type="checkbox"/> Decrease Costs </div> </div> Local: <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate <div style="display: flex;"> <div style="width: 50%;"> 1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> <div style="width: 50%;"> 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> </div> </div> <div style="width: 33%;"> 5. Types of Local Government Units Affected <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Towns <input type="checkbox"/> Counties <input type="checkbox"/> School Districts </div> <div> <input type="checkbox"/> Village <input type="checkbox"/> Others <input type="checkbox"/> WTCS Districts </div> <div> <input type="checkbox"/> Cities </div> </div> </div> </div>		
<div style="display: flex; justify-content: space-between;"> <div> Fund Sources Affected <input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS (1)(a) </div> <div> Affected Ch. 20 Appropriations </div> </div>		
Agency/Prepared By DHS/ Veronnica Thompson (608) 267-5147	Authorized Signature Andy Forsaith (608) 266-7684	Date 5/2/2019

Fiscal Estimate Narratives

DHS 5/2/2019

LRB Number	19-0774/1	Introduction Number	AB-0083	Estimate Type	Original
Description authorizing creation and implementation of an advance directive registry and granting rule-making authority					

Assumptions Used in Arriving at Fiscal Estimate

The proposed legislation authorizes the Department of Health Services to develop and implement a registry for power of attorney for health care instruments, declarations to physicians, do-not-resuscitate orders, authorizations for final dispositions, and any other advance directives included by DHS. Currently, no such registry exists at DHS.

If a registry is established, DHS may determine whether to incorporate advance directives previously filed with the county registers in probate. If DHS decides to incorporate these advance directives, DHS must request the documents from registers in probate and the registers in probate must transfer a copy of the documents to DHS. DHS must then notify the subject of the advance directive within 14 days that the advance directive was transferred to DHS and provide information regarding the registry.

DHS is not required to review documents submitted to the registry and determine whether or not a document complies with the statutory requirements applicable to that document.

To meet the requirements of this legislation, DHS would need to develop a database and training materials, conduct user acceptance testing, and conduct outreach to raise awareness of the registry in addition to general project coordination. These activities will result in a one-time cost of \$789,000 GPR. Of these total costs, approximately \$442,000 GPR would be used to develop a database for the registry. An additional \$208,000 GPR would be required to oversee the business and functional development of the database, such as user acceptance testing and developing training materials. The remaining \$140,000 GPR would be expended on outreach and general project coordination. To meet the ongoing demands of the registry, DHS would need to provide routine maintenance and user support, resulting in costs of \$166,600 GPR annually. Of these annual costs, approximately \$130,200 GPR would fund data storage, software upgrades, and equipment, such as servers. The remaining \$36,400 GPR would fund end user technical assistance. All services would be conducted by a third party contractor or external vendor. No additional positions would be required.

In sum, the fiscal effect of the bill would be \$789,000 GPR in one-time costs and \$166,600 GPR in on-going annual costs. The Department is unable to absorb these costs within existing resources.

If DHS decides to incorporate advance directives previously filed with the county registers in probate, there may be costs to counties to transfer copies of these documents. However, because the number of advance directives filed with county registers and the extent to which DHS will request these advance directives is unknown, it is not possible to estimate the cost increase. For this reason, the local impact is indeterminate.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2019 Session

Detailed Estimate of Annual Fiscal Effect

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Description authorizing creation and implementation of an advance directive registry and granting rule-making authority		
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): \$789,000 GPR to fund the registry's initial development costs.		
II. Annualized Costs:	Annualized Fiscal Impact on funds from:	
	Increased Costs	Decreased Costs
A. State Costs by Category		
State Operations - Salaries and Fringes	\$	\$
(FTE Position Changes)		
State Operations - Other Costs	166,600	
Local Assistance		
Aids to Individuals or Organizations		
TOTAL State Costs by Category	\$166,600	\$
B. State Costs by Source of Funds		
GPR	166,600	
FED		
PRO/PRS		
SEG/SEG-S		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, ets.)		
	Increased Rev	Decreased Rev
GPR Taxes	\$	\$
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S		
TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT		
	<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS	\$166,600	\$
NET CHANGE IN REVENUE	\$	\$
Agency/Prepared By Authorized Signature Date		
DHS/ Veronnica Thompson (608) 267-5147	Andy Forsaith (608) 266-7684	5/2/2019