

## Fiscal Estimate - 2005 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>05-2177/5</b>	<b>Introduction Number</b> <b>AB-296</b>
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**Subject**  
 Apply county liability shield to placements in intermediate care facilities for the mentally retarded (ICFMRs)

**Fiscal Effect**

**State:**

No State Fiscal Effect  
 Indeterminate  
      Increase Existing Appropriations     
  Increase Existing Revenues     
  Increase Costs - May be possible to absorb within agency's budget  
      Decrease Existing Appropriations     
  Decrease Existing Revenues     
   
  Yes       No  
      Create New Appropriations     
  Decrease Costs

**Local:**

No Local Government Costs  
 Indeterminate

1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	

<b>Fund Sources Affected</b>	<b>Affected Ch. 20 Appropriations</b>
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

<b>Agency/Prepared By</b> DHFS/ Erin Warner (608) 266-9363	<b>Authorized Signature</b> Andy Forsaith (608) 266-7684	<b>Date</b> 4/25/2005
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## Fiscal Estimate Narratives

DHFS 4/26/2005

LRB Number	<b>05-2177/5</b>	Introduction Number	<b>AB-296</b>	Estimate Type	<b>Original</b>
<b>Subject</b>					
Apply county liability shield to placements in intermediate care facilities for the mentally retarded (ICFMRs)					

### Assumptions Used in Arriving at Fiscal Estimate

Under current law, beginning January 1, 2005, with certain exceptions, no person may place an individual with a developmental disability in an intermediate care facility for the mentally retarded (ICF-MR) unless a court finds that the placement is the most integrated setting that is appropriate for the needs of the individual. Current law contains a similar bar to admissions to nursing homes.

This bill would add an additional exception to the bar to ICF-MR and nursing home admissions for people with developmental disabilities. The bill would allow such admissions if a court finds that the county of residence of the individual would not reasonably be able to provide community based care for the individual within the limits of available state and federal funds and required county match funds.

The bill would not increase or decrease current costs or revenues for the Department or for county human services departments, social services departments, s. 51.437 boards, or s. 51.432 boards.

However, the bill would enable counties to avoid potential costs in the future. As of February 1, 2005, there were 3,523 people with developmental disabilities living in the community who were on community care waiting lists. These individuals can petition the court for protective placements. Under the current law "most integrated setting" standard, it is possible that the court could order community placements for waitlist individuals, which counties would be obligated to fund with county property tax revenue. If community placements were ordered for all waitlist individuals, it is estimated that the total cost to counties for the placements would be \$44,531,000 per year. This estimate assumes that the average placement would cost \$29,967 per year. In addition, it is assumed that approximately 58% of the cost would be funded with federal Medicaid funds, and counties would fund the remainder of the costs. The bill would enable counties to avoid these costs by limiting their financial liability for community placements to available state and federal funding and required county match funds.

### Long-Range Fiscal Implications

## Fiscal Estimate Worksheet - 2005 Session

Detailed Estimate of Annual Fiscal Effect

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<b>LRB Number</b> 05-2177/5		<b>Introduction Number</b> AB-296	
<b>Subject</b>			
Apply county liability shield to placements in intermediate care facilities for the mentally retarded (ICFMRs)			
<b>I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):</b>			
<b>II. Annualized Costs:</b>		<b>Annualized Fiscal Impact on funds from:</b>	
		Increased Costs	Decreased Costs
<b>A. State Costs by Category</b>			
State Operations - Salaries and Fringes		\$	
(FTE Position Changes)			
State Operations - Other Costs			
Local Assistance			
Aids to Individuals or Organizations			
<b>TOTAL State Costs by Category</b>		<b>\$</b>	<b>\$</b>
<b>B. State Costs by Source of Funds</b>			
GPR			
FED			
PRO/PRS			
SEG/SEG-S			
<b>III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</b>			
		Increased Rev	Decreased Rev
GPR Taxes		\$	\$
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
<b>TOTAL State Revenues</b>		<b>\$</b>	<b>\$</b>
<b>NET ANNUALIZED FISCAL IMPACT</b>			
		State	Local
NET CHANGE IN COSTS		\$	\$0
NET CHANGE IN REVENUE		\$	\$
<b>Agency/Prepared By</b>		<b>Authorized Signature</b>	<b>Date</b>
DHFS/ Erin Warner (608) 266-9363		Andy Forsaith (608) 266-7684	4/25/2005