

Fiscal Estimate - 2009 Session

Original
 Updated
 Corrected
 Supplemental

| | |
|------------------------------------|---|
| LRB Number 09-4523/2 | Introduction Number AB-0887 |
|------------------------------------|---|

Description

The period for which a person who has been convicted, sanctioned, or adjudicated delinquent for committing certain serious crimes is prohibited from being licensed, certified, or contracted with to provide child care, from being employed or contracted as a caregiver of a child care provider, or from being permitted to reside at a premises where child care is provided, permitting a person who is not permanently barred from residing at such a premises to demonstrate that he or she is not a threat to the safety of the children receiving care at the premises, and granting rule-making authority

Fiscal Effect

State:

- | | | |
|---|---|--|
| <input type="checkbox"/> No State Fiscal Effect | <input type="checkbox"/> Increase Existing Revenues | <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> Indeterminate | <input type="checkbox"/> Decrease Existing Revenues | |
| <input type="checkbox"/> Increase Existing Appropriations | | <input type="checkbox"/> Decrease Costs |
| <input type="checkbox"/> Decrease Existing Appropriations | | |
| <input type="checkbox"/> Create New Appropriations | | |

Local:

- | | | |
|---|--|---|
| <input type="checkbox"/> No Local Government Costs | | |
| <input type="checkbox"/> Indeterminate | | |
| 1. <input checked="" type="checkbox"/> Increase Costs | 3. <input type="checkbox"/> Increase Revenue | 5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts |
| <input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory | <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | |
| 2. <input type="checkbox"/> Decrease Costs | 4. <input type="checkbox"/> Decrease Revenue | |
| <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | |

Fund Sources Affected

Affected Ch. 20 Appropriations

GPR FED PRO PRS SEG SEGS

Agency/Prepared By

Authorized Signature

Date

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3/23/2010

Fiscal Estimate Narratives

DCF 3/23/2010

| | | | | | |
|--|------------------|---------------------|----------------|---------------|-----------------|
| LRB Number | 09-4523/2 | Introduction Number | AB-0887 | Estimate Type | Original |
| Description The period for which a person who has been convicted, sanctioned, or adjudicated delinquent for committing certain serious crimes is prohibited from being licensed, certified, or contracted with to provide child care, from being employed or contracted as a caregiver of a child care provider, or from being permitted to reside at a premises where child care is provided, permitting a person who is not permanently barred from residing at such a premises to demonstrate that he or she is not a threat to the safety of the children receiving care at the premises, and granting rule-making authority | | | | | |

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person who has been convicted, sanctioned, or adjudicated delinquent on or after his or her twelfth birthday for committing certain offenses is permanently barred from being licensed, certified or contracted with to provide child care, from being employed or contracted as a child care caregiver, or from being a nonclient resident of a premises where child care is provided.

This bill would reduce the period from a permanent bar to five years after the person was convicted, sanctioned or adjudicated for which a person who has committed a serious property crime, a background check violation, or public assistance fraud from being licensed, certified or contracted with to provide child care, from being employed or contracted as a child care caregiver, or from being a nonclient resident of a premises where child care is provided. It is assumed that the additional effort needed to review background checks under the above specified provisions can be absorbed within current operations of the Department and counties. Therefore there is no estimated fiscal effect to this provision of the bill.

In addition, this bill permits a person who has not been permanently barred from showing that he or she has been rehabilitated to reside at a premises where child care is provided if he or she can demonstrate clear and convincing evidence in accordance with procedures established by DCF by rule that her or she is not a threat to the safety of the children receiving care at the child care provider. Moreover, a person who fails to demonstrate that he or she has is not a threat to the safety of children may appeal the decision in the same manner as a person who fails to demonstrate that he or she has been rehabilitated.

The Department does not currently have a review process in place to determine whether an individual member is a threat to the safety of children. It is envisioned that the process and procedures would be similar to current process for rehabilitation review. However, because the outcome is determining whether a person is a threat to the safety of children versus whether the person has been rehabilitated, a different set of criteria would need to be developed. A new panel will need to be established, which could include various experts from the community in different fields such as Mental Health, AODA, Law Enforcement, Corrections, Children Protective Services, Child Care Professionals, as well as other experts as necessary to assess threats to children. Annual costs to administer this panel is estimated at \$10,000 per year. The number of appeals that will be made under this review process is unknown.

In addition, DCF estimates the need for 3.0 FTE with annual costs of \$314,400 to administer this type of review (serve on the review panel, review materials and make decisions on the threat level of individual) and process appeals. The staff is composed of the following:

- Program Associate (1.00 FTE) to manage the processing of review requests, data entry, gathering and copying needed materials, scheduling and communication
- Program and Planning Analyst (1.00 FTE) to develop and implement administrative rules and program policies, and to coordinate and lead the review panel
- Attorney (1.00 FTE) to represent DCF in the decision making and appeals process.

One time costs associated with the bill include development of a new IT system data system to capture information and interface the system with the current caregiver background check process and costs associated with this type of project. This work is estimated to need 6 months of programming at the current rate of \$88/hour for a one-time cost of \$92,500.

Costs at the local level will also increase as counties will need to establish a similar review and appeal process to determine whether an individual member who wishes to reside at a premises providing child care

is a threat to the safety of children receiving care there. The local fiscal impact cannot be determined.

Long-Range Fiscal Implications

AB 887 staffing

| AB 887 | | | | | | | | |
|-------------|------------------------------|-------------------------|-----------------------------------|---------------------------------------|---------------|--------------------------|----------------|--------------|
| | | | | | | | | |
| | | | | | | Fringe Rate = | 47.06% | |
| | | | | | | S&S per FTE = | \$ 30,100 | |
| | | | | | | Furlough Factor = | 64.00 | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| FTE | Classification | OSER Minimum | DCF Average Salary | Expected Hourly Salary | Salary | Fringe | S&S | Total |
| 1.00 | Operations Program Associate | \$ 15.106 | \$ 16.706 | \$ 16.706 | \$ 33,679 | \$ 15,849 | \$ 30,100 | \$ 79,629 |
| 1.00 | Program & Policy Analyst | \$ 16.902 | \$ 23.899 | \$ 23.899 | \$ 48,180 | \$ 22,674 | \$ 30,100 | \$ 100,954 |
| 1.00 | Attorney | \$ 23.676 | \$ 47.211 | \$ 35.000 | \$ 70,560 | \$ 33,206 | \$ 30,100 | \$ 133,866 |
| 3.00 | | | | Totals | \$ 152,420 | \$ 71,729 | \$ 90,300 | \$ 314,448 |

Fiscal Estimate Worksheet - 2009 Session

Detailed Estimate of Annual Fiscal Effect

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| I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): One time costs associated with the bill include development of a new IT system data system to capture information and interface the system with the current caregiver background check process and costs associated with this type of project. This work is estimated to need 6 months of programming at the current rate of \$88/hour for a one-time cost of \$92,500. | | |
| II. Annualized Costs: | | |
| | Annualized Fiscal Impact on funds from: | |
| | Increased Costs Decreased Costs | |
| A. State Costs by Category | | |
| State Operations - Salaries and Fringes | \$314,400 | \$ |
| (FTE Position Changes) | (3.0 FTE) | |
| State Operations - Other Costs | 10,000 | |
| Local Assistance | | |
| Aids to Individuals or Organizations | | |
| TOTAL State Costs by Category | \$324,400 | \$ |
| B. State Costs by Source of Funds | | |
| GPR | | |
| FED | 324,400 | |
| 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 | | |
| | State | Local |
| NET CHANGE IN COSTS | \$324,400 | \$ |
| NET CHANGE IN REVENUE | \$ | \$ |

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Date

3/23/2010