

Revised based on amendments adopted through 3-26-15

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2015-16		FY 2016-17	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	937,474		1,037,993	
CASH FUNDS				
FEDERAL FUNDS	87,836		86,411	
OTHER FUNDS				
TOTAL FUNDS	1,025,310		1,124,404	

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

This bill expands the scope of the Foster Care Review Office (FCRO) to include children in out-of-home placements under the State Probation Office and trial home visits.

The FCRO indicated that it would need two additional review specialists and staff assistant for the reviews of children out-of-home care under probation and trial home visits. There are currently 600 children in out-of-home care under probation plus an unknown number in trial home visits. Each review specialist handles about 300 reviews each year.

As amended, the bill establishes the Out-of-Home Data Pilot Project and creates the Out-of-Home Data Pilot Project Advisory Committee. The purpose is to demonstrate how an existing state agency data system or systems currently used to account for children and juveniles in out-of-home placements could serve as a foundation for an independent, external oversight data warehouse. The project is to be administered by the Foster Care Review Office. It terminates on January 1, 2017. The Review Office would need a Research Assistant.

The total cost for the FCRO is \$351,343 (\$263,507 GF and \$87,836 FF) in FY 16 and \$345,643 (\$259,232 GF and \$86,411 FF) in FY 17.

Funding history for the Community-based Juvenile Services Aid Program: The FY15 appropriation for aid for the Community-based Juvenile Services Aid Program was \$4.95 million (\$50,000 was reallocated from aid to operations in the 2014 Session). For FY16, aid was increased by \$2 million to \$6.95 million, and for FY17, aid was increased by \$5 million to \$9.95 million. These increases were based on previous legislative action (LB561A, 2013). The Appropriations Committee preliminary budget recommendation includes a reallocation of \$64,216 from aid to operations so the Crime Commission could hire a Fiscal Compliance Analyst to ensure that the funds are properly expended with documentation that supports the expenses. Therefore, the aid appropriation is \$6,885,784 for FY16 and \$9,885,784 for FY17.

The bill, as amended, states that ten percent of the annual General Fund appropriation to the Community-based Juvenile Services Aid Program, excluding administrative budget funds, shall be set aside for the development of a common data set and evaluation of the effectiveness of the Community-based Juvenile Services Aid Program.

The bill allocates the 10% amount as follows:

	FY16	FY17	FY18 & thereafter
Crime Commission	7%	6%	5%
UNO-JJI*	3%	4%	5%

* University of Nebraska at Omaha, Juvenile Justice Institute

The following table shows the state aid amount before the 10% reallocation, the amounts allocated to the Crime Commission and UNO-JJI, and the new aid amount after the reallocation:

	FY16	FY17	FY18 & thereafter
State Aid	\$6,885,784	\$9,885,784	\$9,885,784
Crime Commission	482,005	593,147	494,289
UNO-JJI	206,574	395,431	494,289
New aid amount	6,197,206	8,897,206	8,897,206

The total General Fund appropriation for the Community-based Juvenile Services Aid Program does not change. Rather, the funds are reallocated from aid to operations.

The following table summarizes the impact to the Crime Commission:

	FY2015-16	FY2016-17	FY2015-16	FY2016-17
ITEMS	Number of Positions		Expenditures	
IT Business Systems Analyst	1.00	1.00	46,587	47,705
Benefits			28,618	29,864
Operating			403,800	512,578
Travel			3,000	3,000
TOTAL	1.00	1.00	482,005	593,147

See the attached response of the Crime Commission for details summarized in the above-table.

The following table summarizes the impact to UNO-JJI:

	FY2015-16	FY2016-17	FY2015-16	FY2016-17
ITEMS	Number of Positions		Expenditures	
Director	0.25	0.25	20,620	20,620
Project Coordinator	1.00	1.00	50,000	50,000
Graduate Assistants	1.00	1.00	38,325	38,325
Student Workers	7.50	12.00	48,440	77,500
Evaluators		10.00	0	170,000
Benefits			21,361	23,584
Operating			11,574	4,148
Travel			5,000	0
Aid			11,254	11,254
TOTAL	9.75	24.25	206,574	395,431

See the attached response of UNO for details summarized in the above-table.

This bill amends provisions of LB 25. This bill would change court jurisdiction relating to 17 year olds and young adults.

The following table summarizes the impact to the Department of Health and Human Services:

	FY2015-16	FY2016-17	FY2015-16	FY2016-17
ITEMS	Number of Positions		Expenditures	
Child and Family Services Specialist	1.67	2.00	62,157	74,589
Benefits			13,027	15,633
Operating			34,735	41,682
Aid (court-ordered services)			414,048	496,857
TOTAL	1.67	2.00	523,967	628,761

HHS states that this bill increases the juvenile court's jurisdiction over a person until 21 years old under certain circumstances. This could result in an increase of 37 wards. See the attached response of HHS for additional details.

The Supreme Court estimates \$150,000 per year for increased services to youth up to 21 years old.

Please complete ALL (5) blanks in the first three lines.

2015

LB⁽¹⁾ 265 AM 878

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

NE Commission On Law Enf and Criminal Justice

Prepared by: ⁽³⁾ Bruce Ayers

Date Prepared: ⁽⁴⁾ 3-26-2015

Phone: ⁽⁵⁾ 471-0359

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2015-16</u>		<u>FY 2016-17</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>482,005</u>	<u> </u>	<u>593,147</u>	<u> </u>
CASH FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
FEDERAL FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
OTHER FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL FUNDS	<u>482,005</u>	<u> </u>	<u>593,147</u>	<u> </u>

Explanation of Estimate: LB 265, as amended by AM 878, would allocate \$482,005 in FY 15-16 and \$593,147 in FY 16-17 to develop and maintain a common data set which shall serve as a primary data collection site for any intervention funded with Community-based Juvenile Services Aid.

The funds allocated to the Crime Commission will be used to hire a 1.0 FTE IT Business Systems Analyst who will be responsible for the development of the common dataset. This position will be charged with establishing data needs, data sources, impediments to data contribution, and coordinating data structures and content with UNO.

There are several unknowns at the moment regarding content and format of the intended dataset. This will largely be dependent upon UNO's needs. One example of the potential need is establishing a reliable way to identify unique individuals across systems.

The majority of operating costs are anticipated to be software development. Within the Crime Commission we will need to establish both databases as well as data collection methods. This includes processes to receive data from various sources and data formats.

A key aspect of this initiative will be to gather outcome data on the programs funded by this aid program. This will require standard data at the individual juvenile level for each juvenile in the program. For programs that can provide the required data we will develop an interface to receive data from those programs. We intend to leverage work already done for juvenile diversion programs. We will also need to collect data from a number of sources such as the courts, probation, detention facilities, and others

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2015-16</u>	<u>2016-17</u>
	<u>15-16</u>	<u>16-17</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
I.T. Business Systems Analyst (A07081)	<u>1.0</u>	<u>1.0</u>	<u>46,587</u>	<u>47,705</u>
Benefits.....			<u>28,618</u>	<u>29,864</u>
Operating.....			<u>403,800</u>	<u>512,578</u>
Travel.....			<u>3,000</u>	<u>3,000</u>
Capital outlay.....			<u> </u>	<u> </u>
Aid.....			<u> </u>	<u> </u>
Capital improvements.....			<u> </u>	<u> </u>
TOTAL.....			<u>482,005</u>	<u>593,147</u>

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) Mike Mason

Date Prepared:(4) 4-7-15

Phone: (5) 471-0676

	<u>FY 2015-2016</u>		<u>FY 2016-2017</u>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$523,967		\$628,761	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$523,967		\$628,761	

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

LB 265 AM878 has a fiscal impact on the Department of Health and Human Services – Division of Children and Family Services (DCFS). Sec. 4 (page 6, line 28) of the amendment provides for the extension of the juvenile court’s jurisdiction over a young adult until 21 years of age in certain circumstances. This provision would extend the length of time that these wards continue under the care and custody of DCFS. DCFS would be required to provide case management and pay for court ordered services for these wards.

Based on the current number of wards that meet the eligibility criteria for extending the juvenile court’s jurisdiction, it is estimated that this bill would result in an increase, on average, of 37 wards. This would require DCFS to hire two Child and Family Services Specialists to provide case management services. The cost of these positions is estimated at \$109,919 in SFY16 and \$131,904 in SFY17.

The cost of court-ordered services that this population would incur is estimated at \$414,048 in SFY16 and \$496,857 in SFY17. To estimate this cost, this fiscal note uses a sample of 84 wards (aged 18) for which DHHS paid \$282,000 in court-ordered services from July 1, 2014 through September 30, 2014. From this, a per capita monthly cost of \$1,119 was determined and applied to the estimated 37 wards affected by this amendment.

This amendment (page 21, line 15) also replaces the requirement to establish a data warehouse from the original bill with a requirement to form a committee to estimate the cost of a data warehouse and submit a report to the legislature. Therefore, IT related costs included in the fiscal note for LB0265 are removed for the fiscal note for LB0265 AM0878 and the fiscal impact stated in this fiscal note represents the total fiscal impact for the legislation.

This fiscal note assumes 1) 100% general fund expenditures as these expenses are not expected to qualify for IV-E funding and 2) increased expenditures will begin to be incurred on September 1, 2015.

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:	NUMBER OF POSITIONS		2015-2016	2016-2017
	15-16	16-17	EXPENDITURES	EXPENDITURES
Child and Family Services Specialist	1.67	2	\$62,157	\$74,589
Benefits.....			\$13,027	\$15,633

Operating.....	\$34,735	\$41,682
Travel.....		
Capital Outlay.....		
Aid.....	\$414,048	\$496,857
Capital Improvements.....		
TOTAL.....	\$523,967	\$628,761

Please complete ALL (5) blanks in the first three lines.

2015

LB⁽¹⁾ 265 AM 878

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

University of Nebraska

Prepared by: ⁽³⁾ Michael Justus

Date Prepared: ⁽⁴⁾ March 27, 2015

Phone: ⁽⁵⁾ 402-472-7109

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2015-16		FY 2016-17	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$ 206,574	\$ 206,574	\$ 395,431	\$ 395,431
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$ 206,574	\$ 206,574	\$ 395,431	\$ 395,431

Explanation of Estimate

It appears LB 13 has been amended into LB 265. The fiscal note reflects our estimate from the original bill.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2015-16	2016-17
	15-16	16-17	EXPENDITURES	EXPENDITURES
Director	.25	.25	\$ 20,620	\$ 20,620
Project Coordinator	1.00	1.00	50,000	50,000
Graduate Assistants	1.00	1.00	38,325	38,325
Student Workers	7.5	12.00	48,440	77,500
Evaluators		10.00	--	170,000
Benefits.....			21,361	23,584
Operating.....			11,574	4,148
Travel.....			5,000	
Capital outlay.....				
Aid.....			11,254	11,254
Capital improvements.....				
TOTAL.....			\$ 206,574	\$ 395,431

Please complete ALL (5) blanks in the first three lines.

2015

LB⁽¹⁾ 265

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

70 – Foster Care Review Office

Prepared by: ⁽³⁾ Heidi Ore

Date Prepared: ⁽⁴⁾ 3-31-2015

Phone: ⁽⁵⁾ 1-4676

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2015-16</u>		<u>FY 2016-17</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$263,507		\$259,232	
CASH FUNDS				
FEDERAL FUNDS	\$87,836		\$86,411	
OTHER FUNDS				
TOTAL FUNDS	\$351,343		\$345,643	

Explanation of Estimate:

The Foster Care Review Office is requesting additional funding and staff to facilitate three provisions of LB265: 1) Trial Home visit reviews conducted on children returned home but still a ward of the State and the Courts; 2) review of children under the Office of Probation Administration; and 3) an Out-of-Home Data Warehouse pilot.

1) One additional Review Specialist position is necessary for the Trial Home Visit case file reviews. These would be in addition to the 4,500 case file reviews already conducted on a yearly basis, as we currently are unable to review children who are state wards that are in the care of their parents after an out-of-home care episode. It is estimated that 575 to 1,125 children might qualify for an additional case file review during a Trial Home Visit. Therefore, at this time the FCRO requests one additional position to assist with developing and implementing these case file reviews.

2) One additional Review Specialist position is requested for case file reviews of children in out-of-home care under the jurisdiction of the courts through the Office of Probation Administration. Probation has provided some preliminary data on the number of children under their program in out-of-home care. These numbers greatly exceed that of similar youth who were under the Office of Juvenile Services prior to the statutory transfer of those youth to Probation under LB464 and LB561. Therefore, an additional review specialist is needed.

One staff assistant is sought to track Probation Youth, assist in assigning Probation youth and children on trial home visits for case file reviews, provide support for the new review specialists, the new data specialist for the pilot data warehouse, and for meetings of the Subject-Matter Advisory Group for the data warehouse.

3) For the Out-of-Home Data Warehouse Pilot, funding for operations and staff will be used to determine the feasibility of creating an independent, external oversight data warehouse for the State built using data reported from existing data systems of pertinent other State agencies; to assist in fulfilling the work of a Subject-Matter Advisory Group; any needed contractual expertise, consultation and/or meeting facilitation for the Subject-Matter Advisory Group, to assist with report analysis and writing; and to assist in research for this project.

Additional funding is requested for a Research Administrator position located within the Foster Care Review Office to provide the necessary expertise in the development of research designs for user/stakeholders needs including other State agencies, law making bodies and judicial system; to support the research and coordination of data systems needed by the Subject-Matter Advisory Group under this bill; and to write the required reports to the Legislature on behalf of the Subject-Matter Advisory Group and on behalf of the Foster Care Review Office.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>	<u>2015-16</u>	<u>2016-17</u>
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	<u>15-16</u>	<u>16-17</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Review Specialists	2	2	73557	73557
Staff Assistant	1	1	30318	30318
Research Administrator	1	1	75000	75000
Benefits.....			108768	108768
Operating – Staff expenditures			5500	5500
Operating – Data Warehouse.....			50000	50000
Travel.....			2200	2500
Capital outlay.....			6000	
Aid.....				
Capital improvements.....				
TOTAL.....			351343	345643