

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4216-01  
Bill No.: HB 1263  
Subject: Emergencies; Department of Health and Senior Services; Public Buildings;  
 Medical Procedures and Personnel  
Type: Original  
Date: January 29, 2018

Bill Summary: This bill proposes mandatory placement of first aid trauma kits in public buildings.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
General Revenue	(\$53,339)	(\$79,533)	Could exceed (\$40,222)
<b>Total Estimated Net Effect on General Revenue</b>	<b>(\$53,339)</b>	<b>(\$79,533)</b>	<b>Could exceed (\$40,222)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
 This fiscal note contains 6 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
General Revenue	.5 FTE	1 FTE	.5 FTE
<b>Total Estimated Net Effect on FTE</b>	<b>0.5 FTE</b>	<b>1 FTE</b>	<b>0.5 FTE</b>

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0 or (Unknown)</b>

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Public Safety - Division of Fire Safety (DPS)** assume they will coordinate with the Department of Health and Senior Services and the proposal will not fiscally impact their agency.

Officials from the **Department of Health and Senior Services (DHSS)** state the following sections have impact on their agency:

Section 190.096.4. - The Division of Regulation and Licensure (DRL) - Section for Health Standards and Licensure would require one Research Analyst III (at \$41,184 annually) from January 1, 2019 through January 1, 2021, to conduct research, compile, and analyze public comments for the purpose of determining if mandatory or voluntary building standards should be adopted regarding placement of trauma kits in public buildings. They would be responsible for coordinating with the State Fire Marshall as well as conduct public workshops.

Section 190.096.5 - DRL assumes that six (6) public workshops should be held based on previous experience. The approximate cost is \$1,100 per workshop totaling \$6,600. DRL will coordinate and hold the public workshops with the State Fire Marshal's Office in attendance.

Officials from the **Office of Administration (OA)** state Section 190.096.4 of this bill requires the State Fire Marshal and the Department of Health and Senior Services to conduct research and determine whether the placement of trauma kits in public buildings should be voluntary or mandatory. Assuming trauma kits were determined to be mandatory for all public buildings, OA-Facilities Management, Design and Construction (FMDC) would have a significant fiscal impact to provide and maintain trauma kits in all state-owned or leased facilities under FMDC's supervision.

Section 190.096.2 of the bill describes some of the items that would be required to be in a trauma kit, but leaves open the possibility that additional items could be required. Basic Trauma Kits to MobileAid easy-roll Trauma First Aid Stations can range from \$200 to \$623 per kit. If the trauma kit requires a defibulator or defibrillator, a portable electronic device, the cost would be much higher - \$148,000 to \$461,020.

Section 190.096.6 of this bill requires regular maintenance, inspection, and replacement of trauma kits, notification of tenants, and tenant training in use of the PAK. This would require at least one full-time employee (FTE) to perform those functions at FMDC's 490 leased and 250 state-owned locations statewide. To cover the duties listed above, FMDC would likely need to

ASSUMPTION (continued)

hire a certified nurse, paramedic, inspector and/or emergency management coordinator. The salary estimate for such an employee would be \$50,000 - \$60,000 a year for each FTE. There is also the annual maintenance cost for the supplies in the kits. The estimated cost of replacement supplies and travel is \$10,000 to \$20,000 annually.

Based on the information available, FMDC calculates that the fiscal impact of this bill could range from \$208,050 to \$541,020. The impact could potentially be higher, depending on the FTE needed to cover FMDC's facilities statewide and what supplies or equipment are required to be in the kit.

**Oversight** notes that the research and collecting period for the Department of Public Safety - Fire Safety and Department of Health and Senior Services runs through (no later than) January 1, 2021. At that time a decision will be made regarding trauma PAKs. Oversight notes that the potential requirement of the kits appears to apply to public buildings constructed (or significantly repairs or altered) on or after January 1, 2019. Therefore, most of the inventory of buildings after January 1, 2021 will be exempt from the provision. For fiscal note purposes, Oversight will reflect a \$0 (not mandatory or current building is exempt) to an unknown cost to the state and local political subdivisions based upon the needs and contents of the trauma PAKs and potentially additional FTE to maintain the kits.

<u>FISCAL IMPACT - State Government</u>	FY 2019 (6 Mo.)	FY 2020	FY 2021 (6 Mo. for FTE)
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**GENERAL REVENUE**

Costs - DHSS

Salaries	(\$20,592)	(\$41,596)	(\$21,006)
Fringe Benefits	(\$10,611)	(\$23,142)	(\$11,633)
Expense and Equipment	(\$15,536)	(\$14,795)	(\$7,583)
Workshops	<u>(\$6,600)</u>	<u>\$0</u>	<u>\$0</u>
<u>Total Costs - DHSS</u>	<u>(\$53,339)</u>	<u>(\$79,533)</u>	<u>(\$40,222)</u>
FTE Change - DHSS	.5 FTE	1 FTE	.5 FTE

Costs - OA - potential for trauma PAKs needed in public buildings after 1/1/2021	<u>\$0</u>	<u>\$0</u>	\$0 or <u>(Unknown)</u>
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<b>ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND</b>	<b><u>(\$53,339)</u></b>	<b><u>(\$79,533)</u></b>	<b>Could exceed <u>(\$40,222)</u></b>
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Estimated Net FTE Change for the General Revenue Fund	.5 FTE	1 FTE	.5 FTE
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<u>FISCAL IMPACT - Local Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
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**LOCAL POLITICAL SUBDIVISIONS**

Costs - potential for trauma PAKs needed in public buildings after 1/1/2021	<u>\$0</u>	<u>\$0</u>	\$0 or <u>(Unknown)</u>
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<b>ESTIMATED NET EFFECT TO LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b>\$0 or <u>(Unknown)</u></b>
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

### FISCAL DESCRIPTION

This bill requires that, beginning January 1, 2019, the state fire marshal and the Department of Health and Senior Services shall conduct research and collect public comment to determine whether mandatory or voluntary building standards should be adopted regarding placement of trauma kits, or "trauma PAKs," in public buildings constructed or those which have had a significant addition on or after January 1, 2019. The research shall be completed by January 1, 2021.

The bill specifies what entities responsible for managing the buildings, facilities, or tenants of a structure in which a trauma PAK is placed are required to do. A person or entity that acquires and places a trauma PAK in a structure shall not be liable for any civil damages resulting from any acts or omissions in rendering emergency care by use of the PAK if such person or entity has complied with the provisions of this bill. Any person who gratuitously and in good faith renders emergency care or treatment by use of the trauma PAK at the scene of an emergency shall not be held liable for any civil damages as a result of such care or treatment, unless the person acts in a willful and wanton or reckless manner in providing the care or treatment. The person or entity that provides training on use of the trauma PAK, that is responsible for the site where the trauma PAK is located, that owns the trauma PAK, that provides clinical protocol for trauma PAK sites or programs, or that reviews and approves the clinical protocol shall not be held liable for civil damages resulting from use of the trauma PAK.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

### SOURCES OF INFORMATION

Department of Public Safety - Division of Fire Safety  
Department of Health and Senior Services  
Office of Administration

Ross Strobe



Acting Director  
January 29, 2018