

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0489-02
Bill No.: HCS for HB 447
Subject: Professional Registration and Licensing
Type: #Updated
Date: February 11, 2019
#Updated to include \$2 fee (instead of \$1 fee) from sections 58.208 and 193.265.

Bill Summary: This proposal modifies provisions relating to coroners.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
General Revenue	(\$8,748) to (\$78,765)	\$0 to (\$80,631)	\$0 to (\$81,312)
Total Estimated Net Effect on General Revenue	(\$8,748) to (\$78,765)	\$0 to (\$80,631)	\$0 to (\$81,312)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
#Missouri Coroners' Training Fund	\$592,470	\$710,964	\$710,964
#Total Estimated Net Effect on Other State Funds	\$592,470	\$710,964	\$710,964

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 8 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
General Revenue	0 to 1.1 FTE	0 or 1 FTE	0 or 1 FTE
Total Estimated Net Effect on FTE	0 to 1.1 FTE	0 or 1 FTE	0 or 1 FTE

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

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2020	FY 2021	FY 2022
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Death Certificates - §58.208

Officials at the **Department of Health and Senior Services (DHSS)** state the Bureau of Vital Records (BVR) and Local Public Health Agencies (LPHAs) issue on average 355,482 death certificates each year. Per 193.265, RSMo, the BVR and LPHAs already collect a thirteen dollar fee for each initial copy and a ten dollar fee for each additional death certificate ordered at the same time. The proposed legislation requires the collection of an additional one dollar fee for each death certificate to be deposited into an additional fund, the Missouri State Coroners' Training Fund.

Collecting the additional dollar at time of issuance and performing accounting procedures to report and submit the fees daily to DHSS Fee Receipts Office would be absorbed within current operations. The Fee Receipts Office would need two additional hours of an Accounting Clerk's time in a year. Collecting the additional dollar and depositing the fees daily would be part of the normal workload of the Fee Receipts Unit. One Accounting Clerk (\$26,340) x 2 hours = \$25.33. The department anticipates being able to absorb the costs. However, until the FY20 budget is final, the department cannot identify specific sources.

The proposed legislation requires the promulgation of rules and regulations, which include the following duties (but not all inclusive): establish guidelines, implement strategies, make evidence-based system changes, and create policy recommendations. The DHSS, Office of General Counsel will need an additional 1 FTE for an attorney (salary of \$64,500 per year) to perform the research necessary to ensure the new guidelines and information for this proposed legislation has been properly vetted and implementation is completed quickly and with fiscal responsibility. Due to current workload being at maximum limits, these costs cannot be absorbed.

Oversight assumes since DHSS states their workload currently being at maximum limits and the responsibility for the Coroner Standards and Training Commission is now with the DHSS in this substitute, Oversight will range the cost of the partial FTE from \$0 to DHSS' estimates.

DHSS states in order to have the additional dollar deposited to the credit of this new fund, an ITSD system change would need to occur. ITSD estimates 116.64 programming hours at \$75 per hour or \$8,748 would be required in FY 2020 to modify the existing mainframe programs to accommodate the additional fee of \$1.00 for any death certificate issued which shall be deposited

ASSUMPTION (continued)

into the Missouri State Coroners' Training Fund. No additional ongoing maintenance is indicated as the changes are to the existing program.

Oversight notes ITSD assumes that every new IT project/system will be bid out because all their resources are at full capacity. For this bill, ITSD assumes they will contract out the programming changes to the BVR system. ITSD estimates the project would take 116.64 hours at a contract rate of \$75 per hour for a total cost to the state of \$8,748. Oversight notes that an average salary for a current IT Specialist within ITSD is \$51,618, which totals roughly \$80,000 per year when fringe benefits are added. Assuming that all ITSD resources are at full capacity, Oversight assumes ITSD may (instead of contracting out the programming) hire an additional IT Specialist to perform the work required from this bill. Therefore, Oversight will range the fiscal impact from the cost of contracting out the work (\$8,748) to hiring an additional FTE IT Specialist (roughly \$80,000 per year).

#Oversight also notes several language changes were made in the House Committee Substitute regarding the extra \$1 fee. Oversight assumes this will generate more income into the new fund compared to the introduced version of the bill. It is noted in §58.208 that a fee of one dollar shall be charged on each issued death certificate under §193.265. Oversight notes that in §193.265 it also states that the applicant for a death certificate shall pay a fee of \$14 (instead of \$13 currently) in this proposal. Oversight assumes that the extra \$1 fee that DHSS is calculating their response on is actually a \$2 fee increase according to the changes drafted in §58.208 and §193.265. Oversight does not have data to compute the amount of anticipated revenue; therefore, Oversight will utilize DHSS' estimate of \$355,482 and multiply it by the \$2 fee for a total of \$710,964 per year into the new MO Coroners' Training Fund.

Officials at the **Department of Revenue (DOR)** assume the Missouri State Coroner's Training fund could potentially increase by an estimated \$60,000 each fiscal year. The DOR is aware that not each and every death reported in Missouri has a death certificate issued.

Based upon information published on the DHSS website, the number of deaths per year, in Missouri, (past four calendar years) averages 60,000. This creates the possibility that a death certificate could be issued for all 60,000 individual deaths, for a maximum estimate of deposit into the Missouri State Coroners' Training Fund. Provided this were true, \$60,000 could be collected under this legislation and deposited into the Missouri State Coroners' Training Fund each year. As of December 2017, an increase in Missouri resident deaths has occurred each calendar year for the past eight years. The Department anticipates that the maximum estimated \$60,000 that could be collected under this legislation and deposited into the Missouri State Coroners' Training Fund could increase each year.

ASSUMPTION (continued)

Oversight went to the Provisional Vital Statistics for December 2017 report on DHSS's website to obtain the data for the number of deaths for the last four years. They are as follows:

2017 - 61,867
2016 - 59,824
2015 - 59,810
2014 - 58,141

Officials at the **Department of Public Safety's Office of the Director**, the **Department of Insurance, Financial Institutions and Professional Registration** and the **Office of the State Treasurer** each assume no fiscal impact to their respective agencies from this proposal.

Oversight notes that the **Department of Public Safety's Office of the Director**, the Department of Insurance, Financial Institutions and Professional Registration and the Office of the State Treasurer each has stated the proposal would not have a direct fiscal impact on their organizations. Oversight does not have any information to the contrary. Therefore, Oversight will reflect a zero impact on the fiscal note for these agencies.

Officials at the **City of Kansas City** assume no fiscal impact from this proposal.

In response to a previous version, officials at the **Monroe County Assessor** assumed no fiscal impact from this proposal.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other counties were requested to respond to this proposed legislation but did not. For a general listing of political subdivisions included in our database, please refer to www.legislativeoversight.mo.gov.

Oversight heard testimony given by the Saline County Coroner on January 29, 2019. The Saline County Coroner provided Oversight with information regarding the Indiana State Coroner's Training Board in Indiana Statute.

In response to similar legislation from 2018, SCS for HCS for HB 2079, officials at **St. Louis County** and **Boone County** assumed no fiscal impact to their respective entities from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
GENERAL REVENUE FUND			
Costs - DHSS - ITSD costs (ranged from contracting out programming to hiring additional FTE IT Specialist	(\$8,748) to (\$66,632)	\$0 to (\$80,631)	\$0 to (\$81,312)
FTE Change - ITSD	0 or 1 FTE	0 or 1 FTE	0 or 1 FTE
Costs - DHSS - Attorney			
Personal Service	\$0 to (\$5,375)	\$0	\$0
Fringe Benefits	\$0 to (\$2,689)	\$0	\$0
Equipment and Expense	<u>\$0 to (\$4,069)</u>	<u>\$0</u>	<u>\$0</u>
Total Costs - DHSS	\$0 to (\$12,133)	\$0	\$0
FTE Change - DHSS	0 to .1 FTE	0 FTE	0 FTE
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	(\$8,748) to <u>(\$78,765)</u>	<u>\$0 to (\$80,631)</u>	<u>\$0 to (\$81,312)</u>
Estimated Net FTE Change for General Revenue	0 to 1.1 FTE	0 or 1 FTE	0 or 1 FTE
MISSOURI CORONERS' TRAINING FUND			
<u>#Revenue</u> - DHSS - collection of additional \$2 fee on death certificates	<u>\$592,470</u>	<u>\$710,964</u>	<u>\$710,964</u>
#ESTIMATED NET EFFECT ON THE MISSOURI CORONERS' TRAINING FUND	<u>\$592,470</u>	<u>\$710,964</u>	<u>\$710,964</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2020 (10 Mo.)	FY 2021	FY 2022
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

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

FISCAL DESCRIPTION

This bill establishes the "Coroner Standards and Training Commission" and the bill specifies the members of which the commission will be composed. The commission will establish training standards relating to the office of County Coroner. The standards will relate to the operation of the office, the legal responsibilities of the office, and the technical skills and knowledge required of the office. The commission may certify training programs that satisfy the classroom instruction requirements in lieu of the training provided by the Missouri Coroners' and Medical Examiners' Association. Certified training completion will be submitted to the association, and the association will submit the individual's name to the county treasurer and the Department of Health and Senior Services indicating the individual is compliant with the training requirements.

The bill also establishes the "Missouri State Coroners' Training Fund" and creates a \$1 fee for all death certificates issued in the state, which will be deposited into the fund. It also specifies that any amount of money in the fund over \$500,000 shall revert to the credit of the General Revenue Fund.

The bill specifies that, if a coroner is not current on his or her training, the department may prohibit that coroner from signing any death certificates.

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 Health and Senior Services
Department of Revenue
Department of Public Safety
Department of Insurance, Financial Institutions and Professional Registration
Office of the State Treasurer
City of Kansas City
Monroe County Assessor
St. Louis County
Boone County

Kyle Rieman
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#February 11, 2019