

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3228-02
Bill No.: HB 2216
Subject: Children and Minors; Courts, Juvenile; Children's Division
Type: Original
Date: February 4, 2020

Bill Summary: This proposal modifies and creates provisions relating to the preservation of the family.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
General	Could exceed (\$1,804,487)	Could exceed (\$890,733 to \$2,782,733)	Could exceed (\$898,049 to \$2,790,049)
Total Estimated Net Effect on General Revenue	Could exceed (\$1,804,487)	Could exceed (\$890,733 to \$2,782,733)	Could exceed (\$898,049 to \$2,790,049)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 18 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
Federal*	\$0 to (\$115,500,000)	\$0 to (\$115,500,000)	\$0 to (\$115,500,000)
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0 to (\$115,500,000)	\$0 to (\$115,500,000)	\$0 to (\$115,500,000)

* Range reflects potential loss of funds due to non-compliance with Title IV-E.

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2021	FY 2022	FY 2023
General	10 FTE	10 FTE	10 FTE
Total Estimated Net Effect on FTE	10 FTE	10 FTE	10 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 2021	FY 2022	FY 2023
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§135.325 to 135.800 - Adoption tax credit

Officials from the **Department of Commerce and Insurance (DCI)** state there could be a potential unknown decrease of premium tax revenues (up to the tax credit limit established in the bill) as a result of the change to the "Adoption Tax Credit Act" tax credit. Premium tax revenue is split 50/50 between General Revenue and County Foreign Insurance Fund except for domestic Stock Property and Casualty Companies who pay premium tax to the County Stock Fund. The County Foreign Insurance Fund is later distributed to school districts throughout the state. County Stock Funds are later distributed to the school district and county treasurer of the county in which the principal office of the insurer is located. It is unknown how each of these funds may be impacted by tax credits each year and which insurers will qualify for the tax credit proposed.

DCI will require minimal contract computer programming to add this new tax credit to the premium tax database and can do so under existing appropriation. However, should multiple bills pass that would require additional updates to the premium tax database, DCI may need to request more expense and equipment appropriation through the budget process.

Oversight does not have any information to the contrary. Oversight notes DCI states they expect to be able to absorb the costs associated with the programming changes required by this proposal, but if multiple proposals pass during the legislative session requiring additional program changes, cumulatively the effect of all proposals passed may result in DCI needing additional appropriations.

Officials from the **Department of Revenue (DOR)** state, currently, a tax credit is available for taxpayers who adopt a special needs child in an amount up to \$10,000 for nonrecurring adoption expenses. A business entity that provides funds to an employee to enable the employee to adopt a special needs child can also receive a tax credit up to \$10,000 for nonrecurring expenses paid. This proposal, starting January 1, 2021, would remove the restriction that this tax credit be only for the adoption of special needs children and will allow for the adoption of any child.

Currently this tax credit is capped at \$2,000,000 annually unless an appropriation is made to increase the amount. This proposal does not change the exiting cap. According to DOR data, the following amount of credits have been redeemed:

FY 2016	\$231,267
FY 2017	\$127,211
FY 2018	\$88,706
FY 2019	\$19,815

ASSUMPTION (continued)

DOR assumes that since the cap was not changed this would not have any additional fiscal impact but could increase utilization of this credit.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the no fiscal impact to DOR for fiscal note purposes.

Officials from the **Office of Administration, Division of Budget & Planning (OA, B&P)** state §135.325 of the proposed legislation modifies the Special Needs Adoption Tax Credit and renames it the Adoption Tax Credit. Any person residing in the state who proceeds with the adoption of a child on or after January 1, 2021, regardless of whether such child has special needs, shall be eligible to receive a tax credit of up to \$10,000 for nonrecurring adoption. This credit is capped at \$2 million but may be increased by appropriation.

These changes could increase participation in the program and could reduce general and total state revenues by up to \$2 million annually. This change may impact the calculation pursuant to Art. X, Sec. 18(e).

Oversight notes the Tax Credit Analysis for the existing Special Needs Adoption tax credit already assumes a redemption total of \$108,000 for FY 2021. Therefore, Oversight will reflect a possible increase in utilization of the tax credit from \$0 to \$1,892,000 (\$2 m - \$108,000) in losses for OA, B&P for fiscal note purposes beginning in FY 2022.

Officials from the **Department of Social Services (DSS)** state beginning January 1, 2021, this bill expands the current tax credit for persons adopting special needs children and to businesses supporting special needs adoptions to tax credits for persons adopting any child and businesses supporting adoptions of any child. This creates an incentive for businesses to fund adoptions for employees and provides financial assistance for individuals adopting children through their own tax credit as well as from funding through an employer choosing to help with funding. This has been available for special needs adoptions, but as of January 1, 2021 will be available in connection with every child adopted.

DSS does not anticipate a fiscal impact for the Children's Division (CD). This tax credit has always been available for children in foster care.

This legislation does however, allow for credit for kids adopted from outside Missouri and non-special needs thereby reducing the amount in the pool for Missouri adoptions and special needs adoption.

The chart below represents the number of finalized adoptions in Missouri, through CD in FY14 to FY19. This does not include privatized and foreign adoptions.

ASSUMPTION (continued)

Fiscal Year	Finalized Adoptions
FY14	1250
FY15	1243
FY16	1462
FY17	1504
FY18	1621
FY19	1667

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the no fiscal impact assumed by DSS for fiscal note purposes.

§210.001 - DSS to address needs of families-in-conflict

CD states §210.001 contains provisions which require DSS to address the needs of homeless, dependent and neglected children in the supervision and custody of the children's division.

§210.001 contains provisions in monitoring and measuring success in preventing harm to children and out-of-home placements; preserving and restoring families of origin, using foster care when appropriate; and helping children be adopted into new families as appropriate.

The language in this section does not address the requirement of siblings being placed together and conflicts with federal regulations. If this legislation passes, Missouri risks a reduction in federal financial participation in supporting services for foster children if there is a reduction in compliance with these requirements. If CD is not in compliance with Title IV-E requirements, the potential fiscal impact of losing federal dollars is approximately \$115.5 million.

The language in this section possesses a potential impact to CD's workload and Office of Administration, Information Technology Services Division (OA, ITSD)/DSS to build data collection elements into the information system. CD defers to ITSD for a fiscal impact due to system changes.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the potential losses due to Title IV-E non-compliance as a range from \$0 (not out of compliance) to (\$115.5 million) provided by DSS for fiscal note purposes.

ASSUMPTION (continued)

§210.109 - Child protection system; reporting, monitoring, measuring outcomes

CD states §210.109 establishes a child protection system for the whole state. In response to these provisions in §210.109, CD states it is charged with establishing a child protection system for the state of Missouri by following priorities in §210.001. Additionally, CD would be required to maintain a central registry of: all reports of child abuse or neglect; activities undertaken in response to such reports; registry of persons ineligible for child placements; and maintain all data regarding child placements. This section adds drug testing to the requirement that all providers and agencies shall be subject to background checks and adds CD regularly monitor and measure efficiency and effectiveness of all required functions.

There is a potential cost depending on who is required to fund and monitor the drug testing. It is unclear of how often and when to drug test. CD assumes the division will not be required to fund and monitor the drug testing for providers resulting in no fiscal impact.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the no fiscal impact assumed by DSS for this section for fiscal note purposes.

§210.112 - DSS services to children; ISP and child placement provisions

CD states §210.112 provides this state and its agencies implement a foster care and child protection and welfare system focused on providing the highest quality of services and outcomes for children and their families.

§210.112.4 requires CD to create a "response and evaluation team" and provides the composition of its members. Before January 1, 2021, members shall be appointed and the team shall hold its first meeting. CD shall provide the necessary staffing for the team's operations.

In addition to payments reflecting the cost of services, contracts shall include incentives provided in recognition of performance based on the evaluation tool created under subsection 3 of this section and the corresponding savings for the state.

This bill requires CD to create a formula to distribute such payments, to be reviewed and approved by the response and evaluation team.

ASSUMPTION (continued)

This section is more restrictive than federal law/regulations. If documentation is not done properly at all times, Missouri risks a reduction in federal financial participation in supporting services for foster children if there is a reduction in compliance as a result of more restrictive language. If the Children's Division is not in compliance with Title IV-E requirements, the potential fiscal impact of losing federal dollars is approximately \$115.5 million. Additionally, expectations are unclear here as it is different than language used throughout in reference to ISPs. As referenced here, this is a significant impact on workload and time restraints; however, it is difficult to estimate a cost to workload.

As written, this section conflicts with the Family First Preservation Act (FFSPA). If the language remains, Missouri will be out of compliance upon implementation of FFSPA.

CD does not anticipate fiscal impact as a result of the creation of a response and evaluation team. These duties would be absorbed by existing staff.

CD also does not anticipate fiscal impact in regards to payments for providers providing case management services as there is currently regulation for when an incentive payment is made.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the potential losses due to Title IV-E non-compliance as a range from \$0 to (\$115.5 million) provided by DSS for fiscal note purposes.

DSS/CD assumes no fiscal impact for §§210.113 to 210.117; 210.130; 210.135; 210.147; 210.160; 211.037; 211.038; 211.444; 211.447; 453.040 and 453.121

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the no fiscal impact for these sections assumed by DSS/CD for fiscal note purposes.

§210.145 - CD to maintain a system to collect abuse reports and deficiencies in the child protection system

CD states this bill updates §210.145 by removing the requirement to develop protocols and replacing it with CD to maintain a system of child abuse or neglect and deficiencies in the child protection system of the state.

ASSUMPTION (continued)

Currently, CD has 2 individuals in the Constituent Unit who respond to complaints about CD. The Child Abuse and Neglect Hotline Unit has 5 individuals who are dedicated to responding to online reports of child abuse and neglect. Should this legislation pass, CD would need at least 9 staff (7 children's service workers, 1 supervisor and 1 clerical) to comply with the language. Additionally, the current system may need to be changed requiring ITSD to make appropriate changes. CD defers to ITSD for any impact.

Oversight notes DSS assumes it will need a total of 9 new FTE as a result of the provisions of this proposal. Oversight has adjusted the FTE salary and fringe costs to reflect the average salaries for the positions required by DSS for fiscal note purposes.

§210.157 - "Birth Match Program"

Officials from the **Department of Health and Senior Services (DHSS)** state §210.157.3 of the proposed legislation would require the director of DHSS to provide the director of the Department of Social Services (DSS) birth record information for a child born to an individual whose identifying information is provided to the director of the DHSS from the director of DSS. Vital Records are not currently kept in a system where parents' information can be entered and a child or children related to the parent can be identified. Changes to the electronic record keeping system would be required.

Per information provided by DSS, an average of 2,185 parents have their rights terminated per year in Missouri. Based on the anticipated number of data requests, one Public Health Data Technician I would be required to handle the additional duties. The average annual salary of a Public Health Data Technician I in the Division of Community and Public Health is \$29,448 as of January 1, 2020. The duties of the Technician would include maintaining a list of individuals whose identifying information was provided by DSS, searching for the information and documentation, and processing the vital record information for submission to DSS.

Oversight notes DHSS assumes it will need a total of 1 new FTE as a result of the provisions of this proposal. Based on discussions with DSS officials, it is assumed the additional FTE can be housed within current DHSS locations. However, if multiple proposals pass during the legislative session requiring additional FTE, cumulatively the effect of all proposals passed may result in the DHSS needing additional rental space.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the costs provided by DHSS for fiscal note purposes.

ASSUMPTION (continued)

Officials from DHSS provided the response for the **Office of Administration, Information Technology Services Division (OA, ITSD)**. OA, ITSD/DHSS assume changes to the electronic vital record keeping system requires birth records prior to the implementation of MoEVR and a modification to an existing search application on the mainframe vital records environment will need to be done to accomplish the requirement.

OA, ITSD/DHSS assumes every new IT project/system will be bid out because all ITSD resources are at full capacity. IT contract rates are estimated at \$95/hour. It is assumed vital records system modifications will require 432 hours for a cost of \$41,040 (344.80 * \$95), 100 % GR in FY 21 exclusively.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the costs provided by OA, ITSD/DHSS for fiscal note purposes.

Officials from **CD** state this bill creates a new section, 210.157, known and cited as the "Birth Match Program".

This bill requires the director of DSS to provide to the director of DHSS information regarding an individual who, as to any child, has had his or her parental rights terminated and has been identified in the central registry as being responsible for abuse or neglect.

CD states §210.157 creates the Birth Match Program with no fiscal impact to CD.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the no fiscal impact assumed by DSS for this section for fiscal note purposes.

§210.188 - Information to be included in DSS report to Governor & General Assembly

CD states §210.188 contains information to be included in DSS report to Governor and General Assembly. This bill adds the information shall be broken down by circuit court and by agency or agencies managing cases on behalf of the department if applicable.

§210.188.2 on this bill requires, beginning March 1, 2021, and each March first thereafter, DSS shall provide to the University of Missouri individual-level anonymized data for the prior calendar year that allows researchers to track children through the child protection system and allows analysis of outcomes and comparisons.

ASSUMPTION (continued)

In response to the provisions of §210.188, CD states this section requires individual-level anonymized data to the University of Missouri in order for them to produce a report containing various metrics.

CD further states the data required to be provided will not be sufficient for the University to produce the required report. There will be a fiscal impact for the university to produce this report estimated to be \$200,000. CD does have existing resources to produce this report.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the costs provided by CD for fiscal note purposes.

OA, ITSD/DSS states §210.109; 210.110; 21.112; 210.145; 210.157; and 210.188 of the proposed legislation will result in required updates to the Family And Children Electronic System (FACES).

These changes include, but are limited to: development of new screens, data elements and database tables; navigational functionality allowing for the transfer of data; modifications to intertwined components and subsystems; updated security access; new batch process for the "Birth Match Program"; and a new process to report data to the University of Missouri.

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 needed for FACES. ITSD estimates the project would take 10,368 hours at a contract rate of \$95 for a total cost of **\$984,960** (100% GR). Oversight notes that an average salary for a current IT Specialist within ITSD is approximately \$54,641, which totals roughly \$85,000 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 11 additional IT Specialist to perform the work required from this bill; however, for fiscal note purposes, Oversight will reflect the ITSD estimated cost of \$984,960 in FY 2021 exclusively.

§211.183 - Juvenile court proceedings regarding the removal of a child

CD states §211.183 adds to the definition of "reasonable efforts" available services related to meeting the needs of the juvenile and the family "as delineated in the ISP created under section 210.112."

ASSUMPTION (continued)

§211.183 amends the definition of reasonable efforts to include "as identified in the ISP created under section 210.112." It also amends the circumstances under which reasonable efforts are not required to include only those offenses listed in §210.117.

Including services from the ISP in the "reasonable efforts" definition is more restrictive than the federal definition. Reasonable efforts must be identified in every court order. The ISP is required to be completed prior to the protective custody hearing, at adjudication, and at every move. It is not expected CD would receive a court order at each of these junctures causing the state to be out of compliance as federal regulations state. As such, Missouri risks a reduction in federal financial participation in supporting services for foster children if there is a reduction in compliance as a result of more restrictive language. If CD is not in compliance with Title IV-E requirements, the potential fiscal impact of losing federal dollars is approximately \$115.5 million.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the potential losses due to Title IV-E non-compliance as a range from \$0 to (\$115.5 million) provided by DSS for fiscal note purposes.

§217.779 - Allows certain offenders to be eligible for community-based sentencing

Officials from the **Department of Corrections (DOC)** state this proposal creates provisions allowing certain offenders to be eligible for community-based sentencing.

It is unknown how many offenders the courts will sentence to community-based supervision. Judges are already allowed to consider many factors when considering sentences. Also, DOC has no way to determine how many of the offenders meeting this criteria also meet the stipulation of being the primary caregiver of a child. Therefore, DOC is unable to determine a fiscal impact.

Oversight notes in December 2019, the DOC reevaluated the calculation used for computing the Probation and Parole average daily cost of supervision and revised the cost calculation to be used for 2020 fiscal notes. For the purposes of fiscal note calculations, the DOC averaged district caseloads across the state and came up with an average caseload of 51 offender cases per officer. The new calculation assumes that an increase/decrease of 51 cases would result in a change in costs/cost avoidance equal to the cost of one FTE staff person. Increases/decreases smaller than 51 offenders are assumed to be absorbable.

In instances where the proposed legislation would only affect a specific caseload, such as sex offenders, the DOC will use the average caseload figure for that specific type of offender to calculate cost increases/decreases. For instances where the proposed legislation affects a less specific caseload, DOC projects the impact based on prior year(s) actual data for DOC's 44 probation and parole districts.

ASSUMPTION (continued)

The DOC cost of incarceration is \$17.496 per day or an annual cost of \$6,386 per offender. The DOC cost of probation or parole is determined by the number of P&P Officer II positions that would be needed to cover the new caseload.

Because DOC is unable to isolate the number of persons who may be eligible for community-based sentencing as outlined in this proposal, they are unable to estimate a cost or a savings. Therefore, **Oversight** will reflect the unknown fiscal impact provided by DOC for fiscal note purposes.

Officials from **CD** state §217.779 is a new section which pertains to community-based sentencing. It introduces several terms defined for the purposes of this section and provides that the court shall determine whether an offender is eligible for a community-based sentence.

DSS shall report once per year to the general assembly number of children entering foster care as the result of the revocation of a community-based primary caretaker sentence. DSS will coordinate with DOC to generate the report. This would be absorbed by existing staff.

Oversight notes DSS states it can absorb any costs of this section and does not have any information to the contrary. Therefore, Oversight will reflect the no fiscal impact assumed by DSS for this section for fiscal note purposes.

Officials from **OA, B&P** state §217.779 of this proposal allows courts to sentence guilty non-violent offenders who are primary caretakers of dependent persons to a community-based sentence rather than incarceration. B&P defers to DOC for any fiscal impact related to this provision.

Oversight does not have any information to the contrary. Therefore, Oversight will assume any fiscal impact for this section for OA, B&P will be reflected the impact provided by DOC for fiscal note purposes.

§453.030 - Courts and adoption fees

OA, B&P states §453.030 of this proposal eliminates the requirement that adoptive parents or the relevant child placing agency bear the cost of attorney fees incurred during the adoption process by the birth parents. The bill does not make clear who or what entity will be responsible for compensating birth parents for the cost of attorney fees. This proposal will have no direct impact on Budget and Planning and will not impact the calculation pursuant to Art. X, Sec. 18(e).

ASSUMPTION (continued)

B&P assumes that legal representation appointed by the court for birth parents during the adoption process will be provided pro bono. In the event that these services are not provided pro bono, B&P assumes that the cost of legal fees will be borne by some other entity which could include the State of Missouri.

Oversight does not have any information to the contrary. Oversight notes B&P assumes legal representation for adoption cases will likely be provided pro bono, therefore, for fiscal note purposes, Oversight assumes no fiscal impact for B&P for this section.

Officials from **CD** state §453.030 removes the following in subsection 12: Except in cases where the court determines that the adoptive parents are unable to pay reasonable attorney fees and appoints pro bono counsel for the birth parents, the court shall order the costs of the attorney fees incurred pursuant to subsection 11 of this section to be paid by the prospective adoptive parents or the child-placing agency.

CD assumes no fiscal impact.

Oversight does not have any information to the contrary. Therefore, Oversight will reflect the no fiscal impact assumed by DSS for this section for fiscal note purposes.

Responses regarding the proposed legislation as a whole

Officials from the **Joint Committee on Administrative Rules (JCAR)** state the legislation is not anticipated to cause a fiscal impact to JCAR beyond its current appropriation.

Oversight assumes JCAR will be able to administer any rules resulting from this proposal with existing resources.

Officials from the **Office of the Secretary of State (SOS)** assume many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

ASSUMPTION (continued)

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could require additional resources.

Oversight notes the **Attorney General’s Office**, the **Department of Elementary and Secondary Education**, the **Department of Higher Education and Workforce Development**, the **Department of Mental Health**, the **Department of Public Safety**, **Missouri Highway Patrol**, the **Governor’s Office**, the **Missouri House of Representatives**, the **Missouri Senate**, the **Office of Prosecution Services**, the **State Public Defender’s Office**, the **Tax Commission**, the **Columbia/Boone County Department of Public Health and Human Services** and the **St. Louis County Department of Public Health** have 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 in the fiscal note for these organizations.

Officials from the **Office of State Courts Administrator** did not respond to Oversight’s request for a statement of fiscal impact. Therefore, Oversight assumes the proposal will have no fiscal impact on their organization.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other counties, sheriffs, hospitals, local public health agencies and schools were requested to respond to this proposed legislation but did not. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT - State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
GENERAL REVENUE			
<u>Loss</u> - (§135.325) Reduction in revenue due to increased adoption tax credit participation p. 4	\$0	\$0 to (\$1,892,000)	\$0 to (\$1,892,000)
<u>Costs</u> - DSS/CD (§210.145) pp. 7-8			
Personal service	(\$269,466)	(\$326,586)	(\$329,851)
Fringe benefits	(\$175,888)	(\$212,139)	(\$213,224)
Equipment and expense	(\$78,541)	(\$96,606)	(\$99,019)
Total <u>Costs</u> - DSS/CD (§210.145)	(\$523,895)	(\$635,331)	(\$642,094)
FTE Changes - DSS	9 FTE	9 FTE	9 FTE

<u>FISCAL IMPACT - State Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
GENERAL REVENUE (continued)			
<u>Costs</u> - DSS/CD (§210.188) Contract with the University of Missouri for report to the Governor and General Assembly pp. 9-10	(\$200,000)	(\$200,000)	(\$200,000)
<u>Costs</u> - DHSS (§210.157) p. 8			
Personal service	(\$24,540)	(\$29,742)	(\$30,040)
Fringe benefits	(\$17,750)	(\$19,477)	(\$19,576)
Equipment and expense	<u>(\$12,302)</u>	<u>(\$6,183)</u>	<u>(\$6,339)</u>
Total <u>Costs</u> - DHSS	(\$54,592)	(\$55,402)	(\$55,955)
FTE Changes DHSS	1 FTE	1 FTE	1 FTE
<u>Costs</u> - OA, ITSD/DHSS (§210.157)			
Vital records system changes p. 9	(\$41,040)	\$0	\$0
<u>Costs</u> - OA, ITSD/DSS (§§210.109; 210.110; 21.112; 210.145; 210.157; and 210.188) FACES system changes p. 10	(\$984,960)	\$0	\$0
<u>Costs</u> and /or <u>Savings</u> - DOC (§217.779) Community-based sentencing pp. 11-12	Unknown to <u>(Unknown)</u>	Unknown to <u>(Unknown)</u>	Unknown to <u>(Unknown)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	<u>Could exceed</u> <u>(\$1,804,487)</u>	<u>Could exceed</u> <u>(\$890,733 to</u> <u>\$2,782,733)</u>	<u>Could exceed</u> <u>(\$898,049 to</u> <u>\$2,790,049)</u>
Estimated Net FTE Change on the General Revenue Fund	10 FTE	10 FTE	10 FTE
FEDERAL FUNDS			
<u>Losses</u> - DSS/CD (§§210.001; 210.112 and 211.183) Potential loss of federal funds due to non-compliance with Title IV-E pp. 5,7 and 11	\$0 to <u>(\$115,500,000)</u>	\$0 to <u>(\$115,500,000)</u>	\$0 to <u>(\$115,500,000)</u>
ESTIMATED NET EFFECT ON FEDERAL FUNDS	<u>\$0 to</u> <u>(\$115,500,000)</u>	<u>\$0 to</u> <u>(\$115,500,000)</u>	<u>\$0 to</u> <u>(\$115,500,000)</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2021 (10 Mo.)	FY 2022	FY 2023
	<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 modifies many sections of current statute relating to child protection, foster care and adoption, and treatment of caretakers.

ADOPTION

The bill eliminates the "special needs" requirement in the adoption tax credit and makes it available to any family in Missouri adopting any child.

It also eliminates the requirement for adoptive parents to pay the legal fees of the birth parents and opens all adoption records in cases of involuntary termination of parental rights.

Finally, it lowers the time limit to be considered willful abandonment of a child to 60 days for a child under the age of three (§§135.325, 326, 327, and 335 and 453.030, 040, and 121 RSMo).

CHILD PROTECTION SYSTEM GOALS AND PRIORITIES

These sections refine the goals and priorities of the Department of Social Services and the Children's Division of the department to prioritize safety of children, birth or adoptive families, kinship placements, foster families, and other institutional settings. It also requires more data collection and reporting by the department and the division to provide individual-level anonymized data to the University of Missouri that allows researchers to track children through the system (§§210.001, 210.109, 210.188).

CHILD PROTECTION REPORTING AND CASE MANAGEMENT

The bill modifies the required practices of the department to include creation of an Individualized Service Plan with time requirements and expectations for everyone with care, custody and control of the child, for each child that enters the child protection system.

FISCAL DESCRIPTION (continued)

It also requires the department to create a response and evaluation team of division personnel, academic experts and service agency personnel that will develop an evaluation tool with which to provide a transparent system of review for the division and all contractors of the division (§§210.110, 112, 113, 115, 117, 145, and 147).

ELECTRONIC SHARING

Allows the division to exchange electronic reports with other states (§210.116).

BIRTH MATCH PROGRAM

Creates a data sharing system between the department and the Department of Health and Senior Services to compare birth reports with reports of parents who have been convicted of certain crimes or have a termination of parental rights (§210.157).

ALIGNMENT OF COURT PRACTICES

Revisions in court practices are necessary to effect the changes in Chapter 210. Specifically, the bill updates crimes to be considered when placing or removing children from homes, the role of the guardian ad litem, conditions required for abandonment of an infant or young child, and when the court shall consider filing a petition for termination of parental rights (§§211.038, 183, 444, 447).

COMMUNITY-BASED SENTENCING

Requires courts to consider alternatives to incarceration for convictions of non-violent offenses for primary caretakers of dependent persons (§217.779).

Portions of this legislation are federally mandated under the Family First Prevention Services Act Public Law 115-123. Family First amended Title IV-E and Title IV-B of the Social Security Act to child welfare programs and policy. This proposal would not duplicate any other program and would not require additional capital improvements. Rental space would be required for additional FTE.

SOURCES OF INFORMATION

Attorney General's Office
Department of Commerce and Insurance
Department of Elementary and Secondary Education
Department of Higher Education and Workforce Development

SOURCES OF INFORMATION (continued)

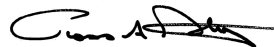
Department of Health and Senior Services
Department of Mental Health
Department of Corrections
Department of Revenue
Department of Public Safety - Missouri Highway Patrol
Department of Social Services
Governor's Office
Joint Committee on Administrative Rules
Missouri House of Representatives
Office of Prosecution Services
Office of Administration - Budget and Planning
Missouri Senate
Office of Secretary of State
State Public Defender's Office
Tax Commission
Columbia/Boone County Department of Public Health and Human Services
St. Louis County Department of Public Health

NOT RESPONDING

Office of State Courts Administrator



Julie Morff
Director
February 4, 2020



Ross Strobe
Assistant Director
February 4, 2020