

**FINAL
FISCAL NOTE**

Drafting Number: LLS 13-0621	Date: June 5, 2013
Prime Sponsor(s): Sen. Kefalas; Newell Rep. May; Singer	Bill Status: Signed into Law
	Fiscal Analyst: Bill Zepernick (303-866-4777)

TITLE: CONCERNING CHILD FATALITY REVIEW TEAMS, AND, IN CONNECTION THEREWITH, INCREASING THE CAPACITY AND RESOURCES, CLARIFYING THE RESPONSIBILITIES AND PROCESSES OF STATE AND LOCAL CHILD FATALITY REVIEW TEAMS IN THE DEPARTMENTS OF PUBLIC HEALTH AND ENVIRONMENT AND HUMAN SERVICES, AND MAKING AN APPROPRIATION.

Fiscal Impact Summary	FY 2013-2014	FY 2014-2015
State Revenue		
State Expenditures		
General Fund	\$520,721	\$634,540
FTE Position Change	5.0 FTE	4.0 FTE
Effective Date: The bill was signed into law by the Governor and took effect on May 14, 2013.		
Appropriation Summary for FY 2013-2014: See State Appropriations section.		
Local Government Impact: See Local Government Impact section.		

Summary of Legislation

The bill requires local public health agencies (LPHAs) to establish local or regional child fatality prevention review teams no later than January 1, 2015. The local review teams are required to review fatalities of children up to the age of 17 and to operate under the supervision of the Department of Public Health and Environment (DPHE). LPHAs may partner with each other to form regional review teams. Local review teams are required to report case findings and make preventative recommendations to public and private agencies responsible for preventing child fatalities, as well as to the DPHE.

Department of Public Health and Environment. The bill makes changes to the membership of the state child fatality review team in the DPHE and specifies that the duties of the DPHE include, among other things:

- conducting case specific reviews of child fatalities, if not performed by a local review team;
- receiving information from local review teams;
- monitoring trends in child fatalities and conducting a systemic review of child welfare issues;

- coordinating with the Department of Human Services (DHS) concerning the DHS child fatality review process for fatalities involving child abuse and neglect;
- administering funding to LPHAs for reviewing child fatalities at the local level;
- providing technical assistance and training to local review teams; and
- making recommendations on ways to prevent child fatalities and submitting an annual report on child fatality review findings to the Governor and relevant committees of the General Assembly.

Department of Human Services. Under current law, the DHS child fatality review team is responsible for reviewing cases of near fatalities, egregious abuse, and child fatalities involving child abuse and neglect of children who previously received child welfare services. The bill also makes the following changes to the DHS child fatality review process:

- extends the look-back period for determining previous involvement with the child welfare system from 2 to 3 years;
- defines "previous involvement" to include the provision of child welfare services as defined in state law;
- expands the time period from 30 days to 55 days for the DHS to complete case reviews and submit a confidential, case-specific draft report to counties involved;
- requires the DHS review team to include system recommendations in its annual report to the General Assembly and the public; and
- specifies that any case review information released publicly by the DHS cannot be contrary to the best interest of the child who is the subject of the review and must be consistent with the requirements of federal law.

State Expenditures

The bill increases state General Fund expenditures by \$520,721 and 5.0 FTE in FY 2013-14 and by \$634,540 and 4.0 FTE in FY 2014-15. These costs in the DPHE and the DHS are described below and summarized in Table 1. While the bill sets a deadline of January 1, 2015, for local review teams to be established, the fiscal note assumes that efforts to establish and operate local review teams will begin in July 2013. It is also assumed that half of child fatalities will be reviewed by local teams and half will be reviewed by the DPHE in FY 2013-14. Local review teams are assumed to conduct all reviews beginning in FY 2014-2015.

Department of Public Health and Environment. The DPHE will have costs of \$456,966 in FY 2013-14 and \$570,205 in FY 2014-15. These costs are described below.

Personal services. The DPHE will have personal services costs of \$225,057 for 4.0 FTE in the first year and \$193,355 for 3.0 FTE in the second year and beyond. These staff include a child fatality review supervisor, a data analyst, and a staff person to coordinate with local agencies and conduct training. The first-year costs also include a staff person to assist and train LPHAs in accessing records and submitting information from local reviews to the DPHE. Costs in the first year are prorated for the General Fund pay date shift.

Operating expenses and capital outlay costs. The DPHE will have operating and capital outlay costs of \$22,909 in the first year and \$5,350 in the second year and beyond. These costs reflect standard operating and capital costs for the staff listed above, as well as data processing costs of \$5,000 in the first year and \$2,500 in the second year.

Funding for local public health agencies. The bill authorizes the DPHE to provide funding to LPHAs for conducting local child fatality reviews. The fiscal note assumes that funding will be made as grants, totaling \$151,500 in FY 2013-14 and \$314,000 in FY 2014-15. Grant costs are based on the following assumptions:

- \$54,000 per year to provide \$1,000 in base funding to each of the 54 LPHAs to establish local review teams, recruit members, and conduct training;
- \$87,500 in FY 2013-14 and \$175,000 per year beginning FY 2014-15 to reimburse LPHAs \$500 per child fatality review, based on an estimated total of 175 local reviews conducted in the first year and 350 reviews per year thereafter; and
- \$75,000 per year, beginning in FY 2014-15, to provide additional funding to LPHAs conducting a high number of reviews.

Other expenses. The DPHE will incur other costs under the bill, including \$25,000 per year for public relations to publicize child fatality prevention strategies; \$35,000 per year to facilitate an annual training event on child fatality reviews conducted by a national resource center; and \$7,500 per year for travel expenses. The funding for public relations will be used to augment existing public health campaigns, rather than create a new campaign.

Department of Human Services. The DHS will require an additional 1.0 FTE under the bill, resulting in costs of \$63,755 in FY 2013-14 and \$64,335 in FY 2014-15. These costs reflect personal service costs, as well as standard operating and capital outlay costs. This staff is required to review additional child fatality cases under the expanded look-back period for child welfare involvement. Workload per review is also expected to increase as a result of the additional year in the case review period. Further, increasing the time period in which counties may provide feedback on draft child fatality reports will also increase workload by fostering additional information exchange between counties and the DHS compared with the shorter time period under current law. Personal services costs in the first year are prorated for the General Fund pay date shift.

Table 1. Expenditures Under SB 13-255		
Cost Components	FY 2013-14	FY 2014-15
<i>Department of Public Health and Environment</i>		
Personal Services	\$225,057	\$193,355
FTE	4.0	3.0
Operating Expenses and Capital Outlay	22,909	5,350
Funding to Local Public Health Agencies	141,500	304,000
Travel	7,500	7,500
Public Relations	25,000	25,000
Training	35,000	35,000
DPHE Subtotal	\$456,966	\$570,205
<i>Department of Human Services</i>		
Personal Services	\$58,102	\$63,385
FTE	1.0	1.0
Operating Expenses and Capital Outlay	5,653	950
DHS Subtotal	\$63,755	\$64,335
TOTAL	\$520,721	\$634,540

Expenditures Not Included

Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. The centrally appropriated costs subject to this policy are summarized in Table 2.

Table 2. Expenditures Not Included Under SB 13-255*		
Cost Components	FY 2013-14	FY 2014-15
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$30,842	\$26,933
Supplemental Employee Retirement Payments	17,380	13,427
TOTAL	\$48,222	\$40,360

*More information is available at: <http://colorado.gov/fiscalnotes>

Local Government Impact

The bill increases costs for local governments by requiring LPHAs to conduct child fatality reviews in their jurisdiction. These costs are assumed to be offset by funding provided to LPHAs to conduct these reviews. Duties for LPHA staff will include reviewing the cause and manner of child fatalities, evaluating the way in which the death may have been prevented, reporting relevant information to the state review team in the DPHE, and making recommendations to other public and private agencies.

Counties may also have additional involvement under the bill in the DHS review process. The expanded time period for the DHS to complete draft reports on case reviews involving child abuse and neglect reviews will increase the opportunity for staff in county departments of human services to provide feedback and respond to findings presented in the reviews.

Departmental Difference

The DPHE estimates that its costs under the bill will be \$544,466 and 4.0 FTE in FY 2013-14, whereas the fiscal note estimates the costs for DPHE will be \$456,966. The difference between the fiscal note and the department's estimate is in the amount of funding needed to support local review teams. The DPHE states that funding should be provided to local review teams for all 350 child fatality reviews in the first year at a cost of \$175,000. The fiscal note shows this amount as \$87,500 and does not include the full amount because the majority of child fatality reviews will be conducted at the state level by the DPHE in the first year. The fiscal note also assumes that many local review teams will not have been formed early enough in the year to jointly participate in the reviews as ramp up and training time is required. Therefore, the fiscal note assumes a phased-in approach and includes grant funding to LPHAs for 175 fatality reviews at a cost of \$87,500, resulting in total local grant funding of \$151,500 in FY 2013-14. The fiscal note also assumes and includes funding for 1.0 FTE in the DPHE that, among other things, will conduct state level child fatality reviews while local review teams are being formed.

State Appropriations

The bill requires, and includes, the following General Fund appropriations in FY 2013-14:

- \$456,966 and 4.0 FTE to the Department of Public Health and Environment; and
- \$63,755 and 1.0 FTE to the Department of Human Services.

Departments Contacted

Public Health and Environment
Human Services

Counties
Municipalities