

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 32** SLS 19RS 112

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 15, 2019 2:54 PM	<b>Author:</b> FANNIN
<b>Dept./Agy.:</b> Higher Education/ LDH / Dept. of Public Safety	<b>Analyst:</b> Ryan Guidry
<b>Subject:</b> Certified nurse aide trainees	

HEALTH CARE OR INCREASE GF EX See Note Page 1 of 2  
Provides relative to criminal background checks for certified nurse aide trainees. (8/1/19)

Proposed law provides for background checks for nonlicensed students and trainees applying for enrollment in a clinical preceptor training program authorized by the Louisiana Community and Technical College System (LCTCS) or a nurse aid training program approved by the Louisiana Department of Health (LDH).

Proposed law authorizes educational institutions and approved training programs to use the office of state police or an authorized agency to request a criminal history and national sex offender registry check on student and trainee applicants.

Proposed law requires the educational institution or approved training program to pay the fee associated with the background check.

<b>EXPENDITURES</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
<b>Annual Total</b>						

  

<b>REVENUES</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

There will be an indeterminable increase in expenditures for public postsecondary institutions and high schools that offer clinical preceptor training programs or nurse aide training programs related to the requirement for educational institutions and approved training programs to pay the background check fees. Additionally, there will be a workload increase for postsecondary institutions and high schools related to the request for background checks. This workload increase may be absorbed utilizing existing staff, dependent upon the availability of existing resources and level of enrollment in affected programs, and is indeterminable at this time.

LDH administrative rules require any student or trainee enrolling in a clinical preceptor training program or nurse aid training program to have a background check performed prior to enrolling in an approved program. These programs are licensed by LDH and include postsecondary institutions, high schools, nursing homes, and proprietary programs. Currently, educational institutions and approved programs do not have authority to run a background check on applicants, so applicants must request individual background checks under the Right to Review. The minimum cost for a background check is \$36 (\$10 fingerprint and \$26 background check) if performed through state police, however there may be additional costs if fingerprints are obtained through another authorized entity, such as a sheriff's office.

**EXPENDITURE EXPLANATION CONTINUED ON PAGE 2**

**REVENUE EXPLANATION**

There will be an indeterminable decrease in revenue from the statutorily dedicated Criminal Identification and Information Fund for the Office of State Police (LSP). Fingerprints are not required to perform a name-based background check, and LSP will no longer collect the \$10 fee for fingerprinting.

Senate Dual Referral Rules  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*  
**Evan Brasseaux**  
**Staff Director**

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**CONTINUED EXPLANATION from page one:**

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**EXPENDITURE EXPLANATION CONTINUED FROM PAGE 1**

Proposed law authorizes educational institutions and approved programs to perform a name based background check through state police or an authorized agency on applicants prior to acceptance into an approved program. The cost for the name based background check through state police is \$26, but costs to perform the name based background check through an authorized agency are likely higher. Furthermore, fingerprints may still be required in cases where information in the background check requires verification. Because neither LDH nor the educational institutions have data specific to the number of applicants and since the cost of a background check may vary, the total expenditure increase is indeterminable. However, expenditures for each of these approved programs will increase by at least \$26 per applicant. For postsecondary institutions these expenditures will be a combination of SGF and SGR, and for high schools these expenditures will be local funds. Locals may assess fees to recoup costs for the background checks. However, the bill does not authorize postsecondary institutions to charge a fee for the background checks; therefore it is unclear whether or not they will have the authority to recoup these costs from applicants.

For informational purposes, LCTCS reports approximately 500 students completed a certified nurse aid training program for the 2017-2018 academic year. Each of these completers required a background check; however, there may have been additional applicants for which a background check was performed but who never completed the program. Based on this information, LCTCS institutions would have expended at least \$13,000 (500 students \* \$26 per background check).

LDH does not track the number of enrollees in the various high school, nursing home, and proprietary programs; therefore the impact is indeterminable.

Senate      Dual Referral Rules

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*

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