

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 109** SLS 13RS 427

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 30, 2013 9:16 AM	Author: MORRISH
Dept./Agy.: Children and Family Services	Analyst: Patrice Thomas
Subject: Second Physical Exam of Suspected Child Abuse Victim	

CHILDREN'S CODE

OR GF EX See Note

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Provides relative to a physical examination of a suspected child abuse victim. (8/1/13)

Present law permits the court, upon a showing of good cause in an affidavit executed by the child abuse investigator, may order a physical examination and evaluation of the child or other children in the household by any physician. Such an order may be granted ex parte. Proposed law retains present law and permits the court, upon a showing of good cause in an affidavit executed by child abuse investigator and after a contradictory hearing, to order a second physical examination by a physician of a child and other children in the household during a child abuse investigation.

EXPENDITURES	2013-14	2014-15	2015-16	2016-17	2017-18	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						
REVENUES	2013-14	2014-15	2015-16	2016-17	2017-18	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

This proposed legislation may increase cost over and above current State General Fund expenditures of \$32,800 in Department of Children and Family Services (DCFS) allocated to the second physical examination of children in child abuse investigations. The legislation authorizes the court, after a contradictory hearing, to order a second physical examination of a child or other children in the household in a child abuse case. To the extent it is deemed necessary, DCFS currently performs second physical examinations. In FY 12, DCFS investigated 16,891 reports of child abuse and neglect. According to the department, 4,228 or 25% of the investigations involved physical or sexual abuse allegations (16,891 x 25% = 4,228); and approximately 1%, 42 investigations, were court ordered second physical examinations (4,228 x 1% = 42). Presently, the costs of 42 second physical examination are in the department's existing budget; however, if this legislation increases the number of second physical examination order by the courts, the department will need additional funding or reduce other expenditures within the department to meet the requirements of this legislation. This legislation will have no fiscal impact on the judicial or court system.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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|---|----------------------------|--|
| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | | <input type="checkbox"/> 6.8(F) >= \$500,000 Annual Fiscal Cost {S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

John D. Carpenter
Legislative Fiscal Officer