

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



Fiscal Note On: **HB 185** HLS 14RS 829

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> March 18, 2014 10:59 AM	<b>Author:</b> HAVARD
<b>Dept./Agy.:</b> Health and Hospitals	<b>Analyst:</b> Patrice Thomas
<b>Subject:</b> Bailey's Law and Self-Direction of HCBS	

HEALTH/HOME CARE

EG NO IMPACT See Note

Page 1 of 1

Provides relative to home- and community-based long-term care services provided by direct service workers

Proposed law revises criteria for direct service workers that provide personal care or other services and supports to person with disabilities or who are elderly. Proposed law excludes care provided as part of a self-direct program authorized by the Department of Health and Hospitals (DHH). Proposed law revises criteria for individuals that elect the self-directed option. Proposed law shall be known as "Bailey's Law".

<b>EXPENDITURES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</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	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
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>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

  

<b>REVENUES</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</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	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
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>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on governmental expenditures as a result of this measure. Proposed legislation revises certain requirements upon direct service workers and individuals that are served by these direct service workers in the self-directed option of home and community-based services (HCBS). Specifically, proposed legislation exempts direct service workers employed by waiver recipients in the self-directed option from the rigorous training currently required of all direct service workers to administer any medication and perform non-complex medical tasks. Also, proposed legislation removes the requirement that the individuals receiving the HCBS have the ability to self-direct; therefore allowing family members or others the ability to direct workers.

Presently, approximately 4% of individuals receiving HCBS elect the self-directed option (i.e., the ability to direct workers). According to the Department of Health and Hospitals (DHH), the revised requirements will not impact expenditures as this measure is not anticipated to change the percentage of individuals electing the self-directed option.

**REVENUE EXPLANATION**

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

- |   |                            |              |  |
|---|----------------------------|--------------|--|
| <u>Senate</u>   | <u>Dual Referral Rules</u> | <u>House</u> | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}                    |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}       |                            |              | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & 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**