



BDR 40-18

SB 361

EXECUTIVE AGENCY FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: April 1, 2015

Agency Submitting: Department of Health and Human Services, Division of Public and Behavioral Health

Items of Revenue or Expense, or Both	Fiscal Year 2014-15	Fiscal Year 2015-16	Fiscal Year 2016-17	Effect on Future Biennia
Rawson-Neal (Expense)		\$6,234,969	\$8,341,933	\$17,098,924
Lake's Crossing Center (Expense)		\$6,759,295	\$9,039,833	\$18,545,374
HCQC (Expense)		\$199,314	\$243,380	\$502,078
Total	0	\$13,193,578	\$17,625,146	\$36,146,376

Explanation

(Use Additional Sheets of Attachments, if required)

Section 8 of BDR 40-18 prescribes minimum staffing ratios required for direct care nurses. Based on these ratios, the Rawson-Neal Hospital would require an additional 91 nurses and Lake's Crossing Center would require an additional 101 nurses.

Since section 7 limits the staffing ratio requirements to hospitals with more than 70 licensed beds, the Dini-Townsend Hospital will not be legally impacted by BDR 40-18.

Due to the state's difficulty in hiring nurses at its hospitals, this fiscal note assumes approximately one-half of the nurses will be hired as contract workers.

Additionally, Section 13 of BDR 40-18 requires the Division to develop and maintain uniform forms and a tracking mechanism for violations of the facilities nurse-to-patient staffing ratios. Sections 14 and 15 allow the Division to implement fines for certain violations. Section 23 allows the Division to investigate any claim of retaliation against a licensed nurse or certified nursing assistant for refusing or objecting to a work assignment and section 28 requires the Board of Nursing to generate regulations requiring the training programs for nurses and nurse assistants to include information regarding their rights and responsibilities to object or refuse an assignment.

To implement this BDR, HCQC has determined that two Health Facility Inspector IIs will be needed – one HFI-RN for investigations regarding acuity, staffing in accordance with ratios and for monitoring facilities with violations and one HFI-Generalist with labor law investigation experience for complaints regarding retaliation. One Administrative Assistant II will also be needed to develop forms and input data into a tracking data base for violations and for redaction of information provided to staffing committees.

Name Mark Winebarger

Title ASO IV

DEPARTMENT OF ADMINISTRATION'S COMMENTS

Date Monday, March 30, 2015

The agency's response appears reasonable.

Name James R. Wells, CPA

Title Interim Director