

April 12, 2017

The Honorable Vicki Schmidt, Chairperson
Senate Committee on Public Health and Welfare
Statehouse, Room 441-E
Topeka, Kansas 66612

Dear Senator Schmidt:

SUBJECT: Fiscal Note for SB 218 by Senate Committee on Public Health and Welfare

In accordance with KSA 75-3715a, the following fiscal note concerning SB 218 is respectfully submitted to your committee.

SB 218 would amend current law that allows the Kansas Department for Aging and Disability Services (KDADS) to conduct name-based record checks on adult care home employees. SB 218 would strike this language and insert language that would require KDADS to perform a fingerprint-based background check for people working in adult care homes. The results of the record checks that would be performed by the Kansas Bureau of Investigation (KBI) would be used to determine suitability for employment or contracting. The bill would also provide a process for individuals prohibited from working in adult care homes to apply for a waiver, provided specific time periods have passed and all sentencing requirements have been fulfilled. The bill would permit other state agencies to access the system to submit record requests. A maintenance fee of \$1 per request, in addition to the costs of the background checks, would be authorized and collected by KDADS to assist in creating a self-sustaining system that would codify current agency practices of conducting national background checks.

Estimated State Fiscal Effect				
	FY 2018 SGF	FY 2018 All Funds	FY 2019 SGF	FY 2019 All Funds
Revenue	--	\$2,452,800	--	\$2,452,800
Expenditure	--	\$442,701	--	\$442,701
FTE Pos.	--	9.00	--	9.00

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Page 2—SB 218

Enactment of SB 218 would not have a fiscal effect for KDADS since the agency has received grant funding from the Centers for Medicare and Medicaid Services to develop and maintain a background check system that would transition to a self-sustaining system once the grant funding expires. As additional agencies request use of the system, costs will increase; however, the maintenance fee per request would help sustain the system.

The KBI indicates that the passage of SB 218 would increase expenditures by \$442,701 in FY 2018 and require the addition of 9.00 FTE positions. The expenditures would include salaries and wages for the training and fingerprint processing duties of new laboratory technician positions, for employees to research and respond to appeals related to the bill, and for employees to update and maintain the automated fingerprint identification system for a total of \$350,595 in employee related costs. The bill would also require \$92,106 in additional maintenance costs. The bill would increase revenues to the Record Check Fee Fund in FY 2018 by \$2,452,800. The revenue estimate is based on the number of name-based record checks the KBI conducted in KDADS for FY 2016. Although the KBI states that the number of checks that will be conducted in FY 2019 cannot be estimated, the Division of the Budget has included the same estimates for FY 2019 that have been provided for FY 2018. Any fiscal effect associated with SB 218 is not reflected in *The FY 2018 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Cody Gwaltney, Aging & Disability Services
Shelia Sawyer-Tyler, KBI