

Colorado Legislative Council Staff Fiscal Note

**STATE and LOCAL
REVISED FISCAL IMPACT**

(replaces fiscal note dated January 27, 2015)

Drafting Number: LLS 15-0566
Prime Sponsor(s): Rep. Danielson

Date: February 19, 2015
Bill Status: House Public Health Care and Human Services
Fiscal Analyst: Lauren Schreier (303-866-3523)

BILL TOPIC: PROTECTING SENIORS FROM ELDER ABUSE

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017
State Revenue		
State Expenditures	<u>\$30,002</u>	<u>\$27,767</u>
General Fund	30,002	27,767
FTE Position Change		
Appropriation Required: \$30,002 - Department of Human Services (FY 2015-16)		

* This summary shows changes from current law under the bill for each fiscal year.

Summary of Legislation

The bill, ***as amended by the House Judiciary Committee***, expands the list of professional persons required to report the abuse or exploitation of a person 70 years of age or older to include:

- victim advocates associated with law enforcement agencies; and
- employees or contractors of a bus company who has picked up an individual at home or another specific location other than a designated route (such as Access-a-Ride).

Background

Senate Bill 13-111 created a new class of protections for at-risk elders, defined as any person 70 years of age or older. Effective July 1, 2014, various professions listed in statute are required to report known or suspected abuse of at-risk elders. County departments of social services are mandated to investigate all reports of abuse, exploitation, or neglect of at-risk adults.

Since the mandatory reporting of elder abuse took effect, county departments of social services have experienced a 46 percent increase in the number of reports from an average of 985 per month in FY 2013-14 to an average of 1,443 per month in FY 2014-15.

State Expenditures

The bill will result in a workload increase for some state agencies. The bill increases General Fund expenditures by \$30,002 in FY 2015-16 and \$27,767 in FY 2016-17 to the Department of Human Services. Table 1, below, details these expenditures.

Table 1. Expenditures Under HB 15-1018		
Cost Components	FY 2015-16	FY 2016-17
Adult Protective Service Funding	\$27,602	\$27,767
Training for New Mandatary Reporters	\$2,400	\$0
TOTAL	\$30,002	\$27,767

* Centrally appropriated costs are not included in the bill's appropriation.

Adult protective services funding. The fiscal note assumes that, statewide, county departments will receive 30-40 more reports of known or suspected elder abuse per year. The DHS provides adult protective services (APS) funding directly to counties based on the actual and projected caseload, the number of reports, and other factors. In FY 2015-16, counties will likely require additional funding of \$27,602 to properly staff and investigate the increase in reports. The fiscal note assumes a single county caseworker can receive and investigate 82 distinct reports each year. Therefore, costs in the DHS for increased funding to counties is estimated at \$27,602 beginning in FY 2015-16, which is based on the estimated costs of 0.4 FTE for county caseworker staff.

Professional training. The DHS will have one-time costs of \$2,400 in FY 2015-16 to provide training to the new professionals listed under the bill. Since the passage of Senate Bill 13-111 the DHS has provided online training for over 18,000 named reporters. This costs \$200 per month to implement for one year.

Judicial department. The bill may increase workload for the trial courts. By increasing the number of mandatory reporters, the trial courts may see an increase in the number of cases for the abuse of at-risk elders. The bill may also increase misdemeanor filings for unreported elder abuse. Any increase is anticipated to be minimal and can be absorbed within existing appropriations.

Law. The Department of Law employs a full-time staff person to address victim advocate cases such as those involving at-risk elders. The fiscal note assumes that any additional workload increase as a result of the bill to the Department of Law can be addressed within existing staff resources.

Comparable Crime

Pursuant to Section 2-2-322 (2.5), C.R.S., Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of the existing crime that creates a new factual basis for the offense. House Bill 15-1018 expands the number of professional persons who may be charged for failure to file a mandatory report. A mandatory reporter commits failure to file a report by violating his or her duty to file such a report with a law enforcement agency within 24 hours. Therefore, this analysis assumes filings will be minimal under the bill. In the 8 months since mandatory reporting of elder abuse took effect for various professions, there haven't been any charges or convictions for failure to report.

Local Government Impact

The bill will likely increase costs for local governments. First, counties will experience a caseload increase in reports from new mandatory reporters. County social service departments will be responsible for properly responding, investigating, and directing these reports to the appropriate personnel. These costs will be offset to the degree additional state funding is provided for the expected increase.

Local law enforcement and district attorneys may experience an increase in workload under the bill. This workload increase will come from cases transferred to them from county social service departments. This workload increase is anticipated to be minimal and can be absorbed within existing appropriations.

Effective Date

The bill takes effect July 1, 2015.

State Appropriations

The bill requires a General Fund appropriation of \$30,002 in FY 2015-16 to the Department of Human Services.

State and Local Government Contacts

Counties	Human Services
Municipalities	District Attorneys
Corrections	Health Care Policy and Financing
Judicial	Law
Local Affairs	Public Health and Environment