

*Colorado Legislative Council Staff Fiscal Note*

**STATE and LOCAL  
FISCAL IMPACT**

**Drafting Number:** LLS 15-0100  
**Prime Sponsor(s):** Rep. McCann  
 Sen. Newell

**Date:** January 29, 2015  
**Bill Status:** House Public Health Care and  
 Human Services  
**Fiscal Analyst:** Lauren Schreier (303-866-3523)

**BILL TOPIC:** FETAL ALCOHOL SPECTRUM DISORDERS COMMN & SCREENING

<b>Fiscal Impact Summary*</b>	<b>FY 2015-2016</b>	<b>FY 2016-2017</b>
<b>State Revenue</b>		
<b>State Expenditures</b>	<b>\$18,347</b>	<b>\$19,353</b>
General Fund	16,013	16,869
Centrally Appropriated Costs**	2,334	2,484
<b>FTE Position Change</b>	0.2 FTE	0.2 FTE
<b>Appropriation Required:</b> \$16,013 - Department of Human Services (FY 2015-16)		

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

\*\* These costs are not included in the bill's appropriation. See the State Expenditures section for more information.

**Summary of Legislation**

This bill dissolves an existing temporary commission called the Fetal Alcohol Spectrum Disorders Commission and recreates it as a Type 2 agency within the Department of Human Services (DHS) beginning July 1, 2015. The commission will be composed of 12 members and must be appointed by the executive director of the DHS by July 30, 2015. The bill permits the executive director to appoint members to the commission who have previously served on the temporary commission. The bill requires the commission to meet at least once a year and the first meeting must be held by August 30, 2015. The commission is repealed on June 30, 2020.

The commission must distribute and promote the use of health warning signs and other informational materials in community locations and for use by persons licensed to sell alcoholic beverages. The bill describes the minimum requirements of the health warning signs.

The bill also requires that the presentence investigation of a juvenile in the juvenile justice system include a preliminary screening of whether the mother drank alcoholic beverages during the pregnancy and if the juvenile should be evaluated for fetal alcohol spectrum disorders (FASD). Under the bill, counties must also include the consideration of whether the child was prenatally exposed to alcohol in the screening, assessments, and individual case plans in dependency and neglect cases.

**State Expenditures**

The bill increases state General Fund expenditures by **\$18,347 in FY 2015-16 and \$19,353 in FY 2016-17 in the Department of Human Services**. These costs are summarized in Table 1, and discussed below.

<b>Cost Components</b>	<b>FY 2015-16</b>	<b>FY 2016-17</b>
Personal Services	\$9,413	\$10,269
FTE	0.2 FTE	0.2 FTE
Printing and Distribution Costs	\$6,600	\$6,600
Centrally Appropriated Costs*	\$2,334	\$2,484
<b>TOTAL</b>	<b>\$18,347</b>	<b>\$19,353</b>

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

**Personal services.** The Department of Human Services will provide staff support to the commission. The fiscal note assumes that the commission will meet monthly. DHS staff will provide administrative support to the commission and organize meetings, posting information on the DHS Boards and Commission website, and making necessary appointments. Costs to the General Fund are prorated in the first year to reflect the General Fund pay date shift.

**Printing and distribution costs.** The DHS will be required to provide signage for the health warning signs developed by the commission. This annual cost is from the 13,200 licensed liquor establishments in the state at a cost of \$0.50 per sign. The fiscal note assumes the commission will update the sign annually and new signs will need to be distributed.

**Judicial department.** The bill may increase work for the Judicial Department in two ways. First, the trial courts may require additional time to consider any FASD testing in pre-sentence investigation reports. The trial courts may experience a minimal workload increase associated with reviewing the results and recommendations related to FASD. Any increase is anticipated to be minimal and can be accomplished within existing appropriations.

Secondly, the Judicial Department may experience a workload increase related to the potential evaluation of a juvenile for FASD. The bill does not specify how this determination would be made or who would be responsible for conducting the evaluation. To the extent that the FASD evaluation would require the Judicial Department to conduct or evaluate the FASD screening, this may result in a workload increase for the department. The potential fiscal impact of the screening is unknown at this time, and the fiscal note assumes any required additional appropriations would be requested through the annual budget process.

**Centrally appropriated costs.** Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. The centrally appropriated costs subject to this policy are estimated in the fiscal note for informational purposes and summarized in Table 2.

<b>Table 2. Centrally Appropriated Costs Under HB 15-1097*</b>		
<b>Cost Components</b>	<b>FY 2015-16</b>	<b>FY 2016-17</b>
Employee Insurance (Health, Life, Dental, and Short-term Disability)	\$1,604	\$1,605
Supplemental Employee Retirement Payments	\$730	\$879
<b>TOTAL</b>	<b>\$2,334</b>	<b>\$2,484</b>

\*More information is available at: <http://colorado.gov/fiscalnotes>

### **Local Government Impact**

The bill may increase expenditures for local governments. The bill requires that counties include consideration of whether the child was prenatally exposed to alcohol in their screenings, assessments, and individual case plans in dependency and neglect cases. To the extent that counties are not asking about prenatal alcohol exposure on their individual assessments, counties would need to make changes to their assessment protocols to comply with the requirements of the bill. Counties may also need to provide additional training to caseworkers about prenatal alcohol screenings.

### **Effective Date**

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

### **State Appropriations**

The bill requires a General Fund appropriation of \$16,013 and an allocation of 0.2 FTE to the Department of Human Services.

### **State and Local Government Contacts**

Human Services  
Health Care Policy and Financing  
Office of the Child's Representative  
Public Health and Environment

Counties  
Judicial  
District Attorneys