

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
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FISCAL IMPACT STATEMENT

LS 6676

BILL NUMBER: HB 1145

DATE PREPARED: Mar 3, 1999

BILL AMENDED: Mar 2, 1999

SUBJECT: Licensure of home health care administrators.

FISCAL ANALYST: Ron Sobecki

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FUNDS AFFECTED: **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill requires a person to obtain a license from the State Health Commissioner to administer a home health agency unless the person is exempted by a rule adopted by the State Department of Health (SDOH). It provides certain requirements an individual must meet to administer a home health agency. The bill requires the State Department of Health to determine the qualifications, skill, and fitness of an individual who is employed as an administrator of a home health agency. The bill requires the State Department of Health to issue a home health agency administrator's license to an individual who meets the standards developed by the State Department of Health. It allows the State Department of Health to adopt rules regarding continuing education requirements for individuals who hold a home health agency administrator's license.

Effective Date: July 1, 1999.

Explanation of State Expenditures: (Revised) This bill requires individuals that administer a home health agency to obtain a license from the SDOH. There are approximately 380 individuals who currently administer home health agencies. It is assumed that the fee that can be charged for the license will cover the cost of the program.

Explanation of State Revenues: (Revised) This bill allows the SDOH to charge a license fee of not more than \$100. If all 380 home health agency administrators receive a license the amount of revenue collected could be as much as \$38,000. The bill does not designate where the fee revenue is to be deposited. It is assumed the revenues will be deposited in the state General Fund.

This bill creates a Class C infraction if certain information is not provided to the SDOH by the owner of the home health agency or the individual who will serve as the administrator of the home health agency. If additional court cases occur, revenue to the state General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class C infraction is \$500 which is deposited in the

state General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed. 70% of the court fee would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund.(2) A \$3 fee would be assessed, and if collected would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed, and if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: State Department of Health.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: