

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7111

BILL NUMBER: HB 1701

NOTE PREPARED: Feb 24, 2003

BILL AMENDED: Feb 17, 2003

SUBJECT: Various FSSA Matters.

FIRST AUTHOR: Rep. Brown C

FIRST SPONSOR: Sen. C. Lawson

BILL STATUS: As Passed - House

FUNDS AFFECTED: **GENERAL**
DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill reauthorizes the Office of the Secretary of Family and Social Service's administrative structure until January 1, 2006.

The bill also establishes the Bureau of Quality Improvement Services within the Division of Disability, Aging, and Rehabilitative Services (Division) to: (1) monitor certain services; (2) assist with quality assurance activities of other bureaus within the Division; and (3) establish a complaint process for individuals, providers, and case managers.

The bill also allows: (1) the Family and Social Services Committee (Committee) to vote to place proposed rules on the consent calendar; (2) the Secretary or a division director who adopts a proposed rule that was on the consent calendar in identical form except for technical changes to adopt the rule without resubmitting the rule to the Committee; and (3) the Committee to take action on a rule that is not on the consent calendar by the affirmative vote of a majority of the Committee present and voting.

The bill further requires the coroner to make available the full copy of an autopsy report to the Division or the Division of Mental Health and Addiction under specified circumstances.

The bill delays the expiration of the Commission on Mental Health.

Effective Date: Upon passage; July 1, 2003.

Explanation of State Expenditures: (Revised) *Summary:* (1) This bill reauthorizes the administrative structure of FSSA until January 1, 2006. The fiscal impact of allowing the legislative authorization for FSSA

to expire would most likely be related to the termination of rule-making authority that is vested in the entities that would sunset.

(2) The bill establishes a new Bureau of Quality Improvement within the Division of Disability, Aging, and Rehabilitative Services. FSSA reports that the new Bureau will be established within the current resources available to the Division.

(3) The bill allows FSSA to streamline the existing rule-making process involving the Family and Social Services Committee. This provision may decrease the time necessary to promulgate a rule allowing the Divisions to realize potential savings or program enhancements in rules sooner than what otherwise might be possible. The bill also allows the Committee to conduct official business with members participating through the use of teleconferencing equipment.

(4) The bill allows the directors of the Division of Disability, Aging, and Rehabilitative Services (DDARS) and the Division of Mental Health and Addiction (DMHA) to receive copies of coroner reports upon request for the purpose of the review of the circumstances surrounding the death of an individual who received services from or through one of the divisions at the time of the individual's death. This provision would have a small impact on local coroners' offices should circumstances arise in which they would be required to furnish a copy of the autopsy report.

(5) The bill extends the authority for the Commission on Mental Health from January 1, 2004, to January 1, 2006. The Commission is currently comprised of 17 members; 4 Legislative members and 13 laypersons. The Commission operates under the policies governing study committees adopted by the Legislative Council. Legislative Council resolutions in the past have established budgets for interim study committees ranging from \$12,000 to \$18,500 per interim for committees with 16 members or more.

Background Information:

FSSA Reauthorization: This bill extends the expiration date of the administrative structure of FSSA to January 1, 2006. (Current law provides for the expiration of the administrative structure on January 1, 2004.) The FSSA administrative offices affected are:

- (1) The Office of the Secretary of Family and Social Services.
- (2) The Office of Medicaid Policy and Planning.

The bill also extends to January 1, 2006, the expiration date of a statute that governs procedures of Family and Social Services advisory councils and the expiration date of statutes that relate to certain powers of the directors of the following divisions:

- (1) Disability, Aging, and Rehabilitative Services.
- (2) Family and Children.
- (3) Mental Health and Addiction.

This bill will continue the administrative structure of FSSA as it currently exists. Depending upon the actions of the administration, failure to pass this bill, in practice, would not necessarily have an immediate fiscal impact. Upon its statutory expiration on July 1, 1999, FSSA was extended by the Governor's executive order. In lieu of passage of this bill or a continuation of the executive order, if the positions were able to be absorbed or reallocated under the existing appropriations, any potential fiscal impact from the termination

of these entities would more likely arise from the loss of rule-making authority vested in these positions by statute.

Explanation of State Revenues:

Explanation of Local Expenditures: This provision would have a small impact on local coroners' offices should circumstances arise in which they would be required to furnish a copy of an autopsy report to a division director.

Explanation of Local Revenues:

State Agencies Affected: The Family and Social Services Administration.

Local Agencies Affected: Local Coroner.

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