

HF1279 - 0 - Criminal Sexual Conduct Victim; State Paid Exams

Chief Author: **Heather Edelson**
 Committee: **Public Safety Finance & Policy**
 Date Completed: **2/15/2023 9:12:04 AM**
 Agency: **Public Safety Dept**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology	X	
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	5,596	5,267	5,271	5,276	5,276
Total	-	5,596	5,267	5,271	5,276	5,276
Biennial Total			10,863			10,547

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	2	2.5	2.5	2.5
Total	-	2	2.5	2.5	2.5

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Laura Cecko **Date:** 2/15/2023 9:12:04 AM
Phone: 651-284-6543 **Email:** laura.cecko@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	5,596	5,267	5,271	5,276	
Total	-	5,596	5,267	5,271	5,276	5,276
	Biennial Total		10,863		10,547	
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund	-	5,596	5,267	5,271	5,276	
Total	-	5,596	5,267	5,271	5,276	5,276
	Biennial Total		10,863		10,547	
2 - Revenues, Transfers In*						
General Fund	-	-	-	-	-	-
Total	-	-	-	-	-	-
	Biennial Total		-		-	

Bill Description

SF 1249 requires that costs incurred by a hospital or other emergency medical facility or private physician, sexual assault nurse examiner, forensic nurse, or other licensed health care provider for the examination of a victim of criminal sexual conduct that occurred in Minnesota be paid by the state instead of the county.

SF 1249 provides that the costs include, but are not limited to, the full cost of the medical forensic exam, associated tests and treatments, pregnancy status, and emergency contraception.

SF 1249 permits a hospital or other licensed health care provider performing the exam to seek insurance reimbursement. The entity seeking reimbursement must inform the victim that if the victim does not authorize it, then the state is required to pay for costs and the victim is not liable.

SF 1249 is effective on July 1, 2023 and applies to any examination that occurs on or after that date.

Assumptions

OJP assumes that it is the division responsible for duties assigned in SF 1249.

According to data tracked by the Minnesota Bureau of Criminal Apprehension (BCA) regarding sexual assault exam kits, OJP assumes that there will be approximately 2,500 exams per year.

OJP assumes that the cost of an exam and related testing and treatment will be \$2000. This estimate assumes a baseline cost of \$1500 based on the experience of neighboring states which have caps on the per exam costs. OJP assumes a higher per exam cost than this baseline to take into consideration all costs contemplated in this legislation, which does not have a cap.

OJP assumes that the annual number of exams will fluctuate with the changes in the number of victims seeking exams and that the per exam cost will increase due to expected increases in medical costs.

OJP assumes 2 FTEs to administer the program. One Customer Service Specialist Senior would provide administrative support to the one Community Service Program Specialist 2 who would review and approve reimbursement requests. The 0.5 FTE IT Specialist would support and manage the required online payment system.

OJP assumes that they will need a software system to receive, process, and pay the medical provider payments requests.

OJP assumes that medium sized rulemaking will be required to implement this new program as what costs are permissible is not fully defined. The estimated cost of medium sized rulemaking is \$133,376.

Expenditure and/or Revenue Formula

Exam cost: \$2000 x 2500 = \$5,000,000 in exam reimbursement each year.

Rule-making \$133,376 in SFY24.

SFY 24 OJP Staffing:

Customer Service Specialist Senior (1 FTE)

\$22.81/hour x 2080 hours = \$47,444.80 salary + \$2,965.30 retirement + \$3,629.53 FICA + \$24,676.32 insurance = \$78,715.95 + \$1,000 IT/space/travel/supplies = \$79,715.95

Community Service Program Specialist 2 (1 FTE)

\$28.33/hour x 2080 hours = \$58,926.40 salary + \$3,682.90 retirement + \$4,507.87 FICA + \$24,676.32 insurance = \$91,793.49 + \$1,000 IT/space/travel/supplies = \$92,793.49

Total SFY24 OJP Staffing: \$172,509.44

SFY25 OJP Staffing:

Customer Service Specialist Senior (1 FTE)

\$23.49/hour x 2088 hours = \$49,056.10 salary + \$3,066.01 retirement + \$3,752.79 FICA + \$24,676.32 insurance = \$80,551.22 + \$1,000 IT/space/travel/supplies = \$81,551.22

Community Service Program Specialist 2 (1 FTE)

\$29.18/hour x 2088 hours = \$60,927.63 salary + \$3,807.98 retirement + \$4,660.96 FICA + \$24,676.32 insurance = \$94,072.89 + \$1,000 IT/space/travel/supplies = \$95,072.89

Total SFY25 OJP Staffing: \$176,624.11

OJP computer system for processing and payment:

MN.IT Creation and Maintenance of an online payment system:

Based on MN.IT-DPS estimate received 4/5/2022 (below) which includes 0.5 FTE starting in FY25:

SFY24: \$290,000

SFY25 and ongoing: approximately \$100,000

MN.IT Development & Maintenance	FY24	FY25	FY26	FY27	FY28
Development	\$200,000	\$0	\$0	\$0	\$0
BA/PM/QA	\$45,000	\$0	\$0	\$0	\$0
Infrastructure/Architecture	\$20,000	\$0	\$0	\$0	\$0
Licensing/Hardware Platform	\$25,000	\$15,000	\$15,750	\$16,538	\$17,364
Support/Maintenance 0.5 FTE	\$0	\$75,000	\$78,750	\$82,688	\$86,822
Total	\$290,000	\$90,000	\$94,500	\$99,226	\$104,186

Totals:

SFY24: \$5,000,000 exam reimbursement + \$133,376 rulemaking + \$172,509.44 OJP Staffing + \$290,000 IT system cost

and staffing = **\$5,595,885.44**

SFY25 and ongoing = \$5,000,000 exam reimbursement + \$176,624.11 OJP Staffing + \$90,000 IT system cost and staffing = **\$5,266,624.11**

SFY26 = \$5,000,000 exam reimbursement + \$176,624.11 OJP Staffing + \$94,500 IT system cost and staffing = **\$5,271,124.11**

SFY27 = \$5,000,000 exam reimbursement + \$176,624.11 OJP Staffing + \$99,226 IT system cost and staffing = **\$5,275,850.11**

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact: Kate Weeks 651-201-7305

Agency Fiscal Note Coordinator Signature: Dan Boytim

Phone: 651-201-7040

Date: 2/15/2023 8:44:22 AM

Email: Dan.Boytim@state.mn.us