

HF1050 - 7A - Child Foster Care Background Studies Mod

Chief Author: **Rena Moran**
 Committee: **Health & Human Services Finance Division**
 Date Completed: **5/5/2020 4:46:04 PM**
 Agency: **Human Services 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	FY2019	FY2020	FY2021	FY2022	FY2023
General Fund	-	-	68	78	78	
Total	-	-	68	78	78	
Biennial Total			68			156

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2019	FY2020	FY2021	FY2022	FY2023
General Fund	-	-	1	1	1
Total	-	-	1	1	1

LBO Analyst's Comment

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

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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		FY2019	FY2020	FY2021	FY2022	FY2023
General Fund	-	-	68	78	78	78
Total		-	68	78	78	78
Biennial Total			68			156
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund	-	-	68	78	78	78
Total		-	68	78	78	78
Biennial Total			68			156
2 - Revenues, Transfers In*						
General Fund	-	-	-	-	-	-
Total		-	-	-	-	-
Biennial Total			-			-

Bill Description

HF1050 would establish a new structure for licensed family child foster care disqualifications.

Sec. 1: Adds nondisqualifying background study information (described in section 245C.05, subdivision 4) that reflects on an individual's ability to safely provide care to foster children as a factor in the commissioner's consideration of license denial.

Sec. 2: Adds nondisqualifying background study information (described in section 245C.05, subdivision 4) that reflects on an individual's ability to safely provide care to foster children as a factor in the commissioner's consideration of sanctions against a license holder.

Sec. 3: Requires county and private licensing agencies taking a licensing action based on non-disqualifying background study information to conduct a review of certain topics and to submit a summary to the Department of Human Services with the recommended licensing action.

Sec. 4: Adds a definition of "licensed family child foster care" to section 245C.02.

Sec. 5: Strikes direction to the Federal Bureau of Investigation to retain only the fingerprints of subjects with criminal histories.

Sec. 6: Strikes direction to the Federal Bureau of Investigation to retain only the fingerprints of subjects with criminal histories.

Sec. 7: Requires the department to transmit non-disqualifying background study information with county and private agencies.

Sec. 8: Strikes direction to the Federal Bureau of Investigation to retain only the fingerprints of subjects with criminal histories.

Sec. 9: Limits how the commissioner can use information from a national criminal history record check. Data from an FBI check is private and cannot be shared with county agencies, private agencies, or prospective employers. The license holder is not required to obtain a copy of a study subject's disqualification letter. This section is effective for background studies requested on or after October 1, 2019.

Sec. 10: Requires the commissioner to disqualify a licensed family child foster care provider from direct contact upon receipt of disqualifying information.

Sec. 11: Establishes permanent and five-year licensed family child care disqualifications.

Sec. 12: Establishes that permanent disqualifications and five- disqualifications for termination of parental rights and criminal convictions could not be set aside individuals 18 years of age and older affiliated with a licensed family child foster care program. These could be set aside for individuals under the age of 18.

Strikes foster care for children in the provider’s home from the ten-year and seven-year bars to set aside disqualifications.

Assumptions

Section 3 requires the county or private agency to review eleven factors before recommending the denial of a license for non-disqualifying information. The department will develop a form and process for that review.

DHS assumes 1 FTE (Human Services Program Representative 2) would be needed to manage changes to current licensing processes and the introduction of new components to the home study and licensing. The position would provide statewide coordination, training, and ongoing technical assistance to county and private agency licensing workers. The FTE would support departmental review of county recommendations to ensure that the evaluation and the issuing or denial of child foster care licenses are consistent throughout the state. The FTE would also develop materials to support county and private agency workers when they make licensing recommendations.

Expenditure and/or Revenue Formula

DHS would hire 1 FTE Human Services Program Representative 2 in the Licensing Division, onboarding the employee in September 2020. This fiscal note also assumes fringe benefits at 30% of salary and overhead costs at \$13,900 up front (paid in fiscal year 2021) and \$1,293 per month per FTE ongoing. Assuming a full-time salary of \$76,275, the annual costs for 1 FTE would be: \$99,995 in FY2021 and \$114,674 the subsequent fiscal years.

Fiscal Tracking Summary (\$000's)						
Fund	BACT	Description	FY2020	FY2021	FY2022	FY2023
GF	11	OPS-Licensing 1 FTE, Fringe, Overhead		100	115	115
GF	Rev1	Admin FFP @ 32%		(32)	(37)	(37)
		Total Net Fiscal Impact		68	78	78
		Full Time Equivalentents		1.0	1.0	1.0

Long-Term Fiscal Considerations

Local Fiscal Impact

This bill may increase the workload of county and private agency licensors because the home study assessment will take longer to complete. County and private agency staff will also need receive training from DHS, Office of Inspector General, and Licensing Division on the new disqualification and licensure denial requirements.

References/Sources

- Emily Kissane, OIG Background Studies
- Jill Roberts, OIG Background Studies

DHS background studies data

Labor agreements

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