

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

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FISCAL IMPACT STATEMENT

LS 6790
BILL NUMBER: HB 1187

NOTE PREPARED: Dec 29, 2023
BILL AMENDED:

SUBJECT: Special Service Review Team and Emergency Placement.

FIRST AUTHOR: Rep. Olthoff
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: *Special Service Review:* The bill establishes the Special Service Review Team (review team) to review denied applications and applications for which a determination has not been made for the Community Integration and Habilitation Waiver. It limits the geographical area of review. It also establishes reporting requirements. The bill provides that the review team expires December 31, 2026.

The bill requires the Division of Disability and Rehabilitative Services to obtain consent from a waiver applicant in order to share the application and information accompanying the application with the review team. It provides immunity for an employee who obtains consent and provides the information in good faith.

Emergency Placement Priority: The bill makes changes to the situations in which an emergency placement priority may be provided for individuals under a Medicaid waiver.

Effective Date: Upon passage.

Explanation of State Expenditures: The bill will have an indeterminate impact on the number of emergency placement applications by removing alternative living arrangements as a consideration. The cost of care may also increase, depending on the type of emergency placement provided. [Waiver services are cost neutral compared to institutional care based on the terms of the entire waiver. However, the waiver services provided for an individual may cost more than institutional care for that specific individual.]

Additionally, the bill will increase workload and expenditures for the Division of Disability and Rehabilitative Services for the newly established Special Service Review Team (review team), including per diem costs of \$400 per meeting, plus travel expenses, for the four review team members who are not state

employees. The review team sunsets on December 31, 2026.

Additional Information - In CY 2022, there were 556 emergency placement applications filed and 531 decisions rendered on applications. Of the decisions rendered, 237 (45%) were approved.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Family and Social Services Administration, Division of Disability and Rehabilitative Services.

Local Agencies Affected:

Information Sources:

<https://cdn.arcind.org/wp-content/uploads/2023/05/DDRS-Advisory-Council-BDDS-Slides-May-2023.pdf>.

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