

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

| ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates) | | | | |
|---|-------------------|---------|-------------------|---------|
| | FY 2023-24 | | FY 2024-25 | |
| | EXPENDITURES | REVENUE | EXPENDITURES | REVENUE |
| GENERAL FUNDS | See below | | See below | |
| CASH FUNDS | | | | |
| FEDERAL FUNDS | | | | |
| OTHER FUNDS | | | | |
| TOTAL FUNDS | See below | | See below | |

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB 157 seeks to authorize appointment of temporary guardians for certain limited purposes and to exempt such guardians from caseload ratios. The bill states that when appointing a temporary guardian, the purpose will be to assist the person in applying for private or government benefits they're eligible for. The temporary guardian can have access to personal and financial records if necessary to apply for benefits. The order and letters of limited temporary guardianship will specify the powers and duties of the temporary guardian, limiting the powers and duties to those necessary to apply for private or government benefits to which the person can be eligible for.

The bill states that if the court appoints the Public Guardian as the temporary guardian for limited purposes, it will exempt guardians from the caseload ratio.

Expenditures:

The Supreme Court states that LB 157 would result in a workload increase for existing staff and the Office of Public Guardian (OPG) would increase overtime for Associate Public Guardians (APG) and associated administrative staff. The data from the OPG concerning the use of temporary guardians for persons in the hospital (Lincoln and Omaha areas only) has an estimated total cost of \$187,550 per fiscal year. It is reasonable to assume costs may exceed this estimate.

The Department of Health and Human Services state that due to LB 157 authorizing the appointment of temporary guardians for certain limited purposes it could increase state general fund spending from the Adult Protective Services (APS) budget due to increased filings for temporary guardianship and potential payments for legal services. DHHS plans to absorb any additional legal costs. Should the legal costs prove substantial, the agency may need a general fund appropriation request would be needed.

| ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE | | | |
|---|------------------|---|--|
| LB: 157 | AM: | AGENCY/POLT. SUB: Nebraska Supreme Court (005) | |
| REVIEWED BY: Joe Wilcox | DATE: 03/01/2023 | PHONE: (402) 471-4178 | |
| COMMENTS: No basis to disagree with the Nebraska Supreme Court estimate of potential Fiscal Impact to the Agency from LB 157. | | | |

| ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE | | | |
|---|------------------|---|--|
| LB: 157 | AM: | AGENCY/POLT. SUB: Nebraska Department of Health and Human Services (025) | |
| REVIEWED BY: Joe Wilcox | DATE: 03/01/2023 | PHONE: (402) 471-4178 | |
| COMMENTS: No basis to disagree with the Nebraska Department of Health and Human Services (DHHS) estimate of Potential, but Indeterminate Fiscal Impact to the Agency from LB 157. | | | |

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) John Meals

Date Prepared 2-15--2023

Phone: (5) 471-6719

| | <u>FY 2023-2024</u> | | <u>FY 2024-2025</u> | |
|----------------------|---------------------|----------------|---------------------|----------------|
| | <u>EXPENDITURES</u> | <u>REVENUE</u> | <u>EXPENDITURES</u> | <u>REVENUE</u> |
| GENERAL FUNDS | | | | |
| CASH FUNDS | | | | |
| FEDERAL FUNDS | | | | |
| OTHER FUNDS | | | | |
| TOTAL FUNDS | | \$0 | | \$0 |

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

LB 157 authorizes the appointment of temporary guardians for certain limited purposes. This could cause an increase in state general fund spending from the Adult Protective Services (APS) budget due to increased filings for temporary guardianship and potential payments for legal services. This includes payment for legal representation/fees for the adult. The Department plans to absorb any additional legal costs. Should the legal costs prove substantial, a general fund appropriation request would be necessary.

The Department of Health and Human Services (DHHS) is not able to estimate the increased caseload due to LB 157. DHHS plans to absorb the additional caseload within existing staffing. Should the increased caseload prove substantial, a case manager FTE would be necessary and would be paid for with state general funds.

MAJOR OBJECTS OF EXPENDITURE

| <u>PERSONAL SERVICES:</u> | <u>NUMBER OF POSITIONS</u> | | <u>2023-2024</u> | <u>2024-2025</u> |
|---------------------------|----------------------------|--------------|---------------------|---------------------|
| | <u>POSITION TITLE</u> | <u>23-24</u> | <u>EXPENDITURES</u> | <u>EXPENDITURES</u> |
| Benefits..... | | | | |
| Operating..... | | | | |
| Travel..... | | | | |
| Capital Outlay..... | | | | |
| Aid..... | | | | |
| Capital Improvements..... | | | | |
| TOTAL..... | | | | |