2007 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: SB 263 **STATUS:** A-Engrossed
SUBJECT: Department of Human Services to report quarterly on deaths of persons or injuries sustained during restraint of persons in facilities or programs
GOVERNMENT UNIT AFFECTED: Department of Human Services
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REVIEWED BY: John C. Britton
DATE: March 29, 2007

	2007-2009	2009-2011
EXPENDITURES:		
Department of Human Services – General Fund		
Personal Services	$ 15,608	$ 15,608
Services and Supplies	$ 13,080	$ 3,006
Total General Fund	$ 28,688	$ 18,614
POSITIONS / FTE:		
Program Technician 2	1/.013	1/0.13

EFFECTIVE DATE: January 1, 2008

GOVERNOR'S BUDGET: This bill is not anticipated by the Governor's recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

COMMENTS: This measure would require the Department of Human Services (DHS) to report to the "system" designated to protect and advocate for the rights of individuals with developmental disability or individuals with mental illness regarding "all information the department collects regarding the deaths of persons or injuries sustained during restraint of persons in facilities or programs, or other data prescribed by rule." DHS is to adopt rules for such information reporting. DHS reports that the statistics required under this measure would come directly from counties and that the Department does not currently do any tracking, collection, or reporting of the information required under this measure.

The Department's fiscal impact totals $28,688 for 18-months of the 2007-09 biennium and $18,614 for 24-months of the 2009-11 biennium and would be funded with General Fund. DHS states that in order to comply with the reporting requirements under this measure it would need to hire a permanent part-time position (0.13 FTE), a Program Technician 2, to provided ongoing technical assistance, building and maintaining a new database, and the reporting of the data. The position would work 520 hours biennially at a personal services cost of $15,608 with $13,080 in associated services and supplies for 18-months of the 2007-09 biennium. Costs would be similar for 24-months of the 2009-11 biennium with the exception of the elimination of $10,074 in one-time services and supply costs (computer, furniture, etc.).

The Legislative Fiscal Office believes this measure warrants a subsequent referral to the Joint Committee on Ways and Means Committee for consideration of this measure's budgetary and position impact on the State's General Fund and the Department's budget.