



**Colorado  
Legislative  
Council  
Staff**

**SB16-118**

**FINAL  
FISCAL NOTE**

**FISCAL IMPACT:**  State  Local  Statutory Public Entity  Conditional  No Fiscal Impact

**Drafting Number:** LLS 16-0761  
**Prime Sponsor(s):** Sen. Newell  
Rep. Singer

**Date:** September 21, 2016  
**Bill Status:** Postponed Indefinitely  
**Fiscal Analyst:** Bill Zepernick (303-866-4777)

**BILL TOPIC:** SCREENING TO IDENTIFY PRENATAL SUBSTANCE EXPOSURE

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
<b>State Revenue</b>		
<b>State Expenditures</b>	<b><u>\$90,000</u></b>	Workload increase.
General Fund	25,000	
Cash Funds	65,000	
<b>Appropriation Required:</b> \$90,000 - Multiple agencies (FY 2016-17).		
<b>Future Year Impacts:</b> Ongoing state workload increase.		

**NOTE: This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.**

**Summary of Legislation**

The bill requires the Department of Public Health and Environment (CDPHE) to identify a screening questionnaire for determining if a child has had prenatal substance exposure to alcohol, over-the-counter and prescription medication, or controlled substances. The CDPHE must post the screening questionnaire on its website. The information gathered from the questionnaire is to be used to identify needed supports and services for the child and cannot be used for criminal justice purposes or to justify a child welfare report to a county department of human services, except in cases where the person using the tool is a mandatory reporter of child abuse and neglect. The bill specifies several agencies, programs, and entities that are required to use the screening questionnaire, including:

- nurse home visitors during an initial visit to a family;
- juvenile justice facilities during the first instance of intake when a parent or guardian is available;
- county departments of human services when a child enters the child welfare system; and
- early childhood providers, schools, and school districts when developing individualized family service plans and individualized education programs.

Birth facilities and health care providers are also encouraged to use the screening questionnaire. Caregivers and clinicians must have policies and procedures to determine at what point information from the screening questionnaire triggers an individual's or an entity's duty to

report child abuse or neglect as a mandatory reporter. It is the responsibility of the program and entity that identifies a child impacted by prenatal substance exposure to connect the parents or guardians to the necessary services or supports and to document the positive screen and referrals in the child's records.

### **State Expenditures**

The bill will result in **one-time costs of \$90,000 in FY 2016-17**. These costs will be incurred in the CDPHE to identify the screening questionnaire and in the Department of Human Services (DHS) to conduct training on its use. The Judicial Department will also have increased workload from an increase in child welfare referrals. In future years, these agencies will all have an ongoing increase in workload related to the screening questionnaire. These impacts are described below.

***Department of Public Health and Environment.*** The CDPHE will have a one-time cost of \$25,000 in FY 2016-17 for a contract consultant to identify an appropriate, evidence-based screening questionnaire and to develop guidance on its use. This cost will be paid using General Fund. In future years, the CDPHE will have an ongoing increase in workload to update the tool as necessary and respond to questions about its use. This workload increase in future years can be accomplished within existing appropriations.

***Department of Human Services.*** The DHS will have an initial, one-time cost of \$65,000 in FY 2016-17 to develop and conduct training for nurses who provide services through the Nurse Home Visitor Program. This cost will be paid from the Nurse Home Visitor Fund. There are approximately 400 nurses and supervisors working under the program through a number of community organizations. It is assumed that training sessions for nurses will be conducted in 10 locations throughout the state. Costs include a contractor to develop and conduct the training (\$24,000); venue rental (\$7,000); vehicle mileage, hotel and per diem for the contractor and DHS staff (\$13,700); DHS staff and administrative costs (\$14,300); and supplies (\$6,000). In addition, it is assumed that the training curriculum developed can be adapted for use by the Division of Youth Corrections and incorporated into its ongoing training for intake employees at juvenile justice facilities.

***Judicial Department.*** The bill increases workload for the trial courts in the Judicial Department, as well as for judicial agencies involved in the child welfare system such as the Office of Respondent Parents' Counsel and the Office of the Child's Representative. To the extent that use of the screening questionnaire increases reports of child abuse and neglect, the trial courts will be required to conduct additional hearings and the child welfare-related judicial agencies will be required to provide guardian ad litem representation to the children involved and legal representation to indigent parents. At this time, the increase in child welfare reports cannot be estimated. It is assumed that additional funding will be requested through the annual budget process if the increase in workload cannot be accomplished within existing appropriations.

### **Local Government Impact**

The bill increases costs and workload for local governments beginning in FY 2016-17. First, county departments of human services and school districts will be required to conduct training for employees on the use of the tool when children enter the child welfare system or participate in special education planning, respectively. In addition, county departments of human services will

likely be required to investigate additional reports of child abuse and neglect that arise from the use of the tool. At this time, it is unknown what volume of new cases will be referred to the child welfare system. Counties will also have costs to link children with appropriate services. Local public health agencies participating in the Nurse Home Visitor Program will have an increase in workload to participate in training on the use of the tool.

**Effective Date**

The bill was postponed indefinitely by the Senate State, Veterans, and Military Affairs Committee on February 23, 2016.

**State Appropriations**

For FY 2016-17, the bill requires the following one-time appropriations:

- \$25,000 General Fund to the Department of Public Health and Environment; and
- \$65,000 to the Department of Human Services from the Nurse Home Visitor Fund.

**State and Local Government Contacts**

Colorado Counties	Education
Human Services	Judicial - Child Welfare
Judicial Civil	Law
Information Technology	Public Health & Environment