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Fiscal Note

Drafting Number: LLS 24-0552 Date: February 5, 2024
Prime Sponsors: Rep. Winter T. Bill Status: House Health & Human Services
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Bill Topic: MODIFICATIONS TO THE CHILD FATALITY PREVENTION ACT

Summary of Fiscal Impact:
State Revenue [ ] State Transfer [ ] Local Government [x]
State Expenditure [x] TABOR Refund [ ] Statutory Public Entity [ ]

The bill makes changes to state and local child fatality prevention review teams. The bill increases state and local expenditures on an ongoing basis beginning in FY 2024-25.

Appropriation Summary: For FY 2024-25, the bill requires an appropriation of \$35,620 to the Department of Public Health and Environment.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Table 1
State Fiscal Impacts Under HB 24-1088

Table with 4 columns: Category, Budget Year FY 2024-25, Out Year FY 2025-26, Out Year FY 2026-27. Rows include Revenue, Expenditures (General Fund, Centrally Appropriated, Total Expenditures, Total FTE), Transfers, and Other Budget Impacts (General Fund Reserve).

## Summary of Legislation

The bill modifies the Child Fatality Prevention Act, which created state and local child fatality prevention review teams that evaluate instances of child abuse, neglect, and fatalities and report on prevention strategies. The changes include:

- repealing the requirement that local review teams review child fatalities related to motor vehicle incidents;
- requiring a board of county commissioners to appoint members to local review teams;
- repealing the requirement for local review teams to review the cause and manner of a child fatality, as determined by a local coroner, pathologist, or medical examiner;
- requiring state and local review teams to provide guardians of deceased children with written notice, the opportunity to be heard, and the opportunity to be legally represented during the review; and
- repealing the requirement for a state review team to review child fatality cases that were not reviewed by a local review teams.

## State Expenditures

The bill increases state expenditures in the Department of Public Health and Environment (CPDHE) by \$42,000 in FY 2024-25 and FY 2025-25, and \$6,000 in FY 2026-27 and ongoing, paid by the General Fund. Expenditures are shown in Table 2 and detailed below.

**Table 2**  
**Expenditures Under HB 24-1088**

	<b>FY 2024-25</b>	<b>FY 2025-26</b>	<b>FY 2026-27</b>
<b>Dept. of Public Health and Environment</b>			
Personal Services	\$29,480	\$29,480	-
Guardian Involvement Costs	\$6,140	\$6,140	\$6,140
Centrally Appropriated Costs <sup>1</sup>	\$6,223	\$6,223	-
<b>Total</b>	<b>\$41,843</b>	<b>\$41,843</b>	<b>\$6,140</b>
<b>Total FTE</b>	<b>0.3 FTE</b>	<b>0.3 FTE</b>	-

<sup>1</sup> Centrally appropriated costs are not included in the bill's appropriation.

**Department of Public and Environment.** The state, through the CDPHE, supports the costs for local review teams in their case review process. The CDPHE requires staff and funding to provide to local teams for costs related to the new written notices provided to guardians.

- **Staff.** In FY 2024-25 and FY 2025-26 only, the CDPHE requires 0.3 FTE to support the modifications made to state and local review teams. Staff will develop a procedure for distributing written notices, assist local teams in creating protocols for when guardians dispute the findings of a fatality review, train new members appointed by county commissioners, ensure processes are standard across all local review teams, and update policies for state and local review teams. After these initial years, it is assumed that local teams can manage the modified process without additional state support.
- **Guardian involvement in local team review process.** The CDPHE requires \$6,140 annually for written notices and any translation services provided by local teams to guardians. This includes \$640 for mailing written notices, \$4,000 for translation services for the written notices, and \$1,500 for interpreter services for guardians at case reviews.

This assumes the 43 local teams will review around 200 cases annual, and that two notices must be mailed in each case at a cost \$1.60 per notice. To ensure guardians receive notices and can attend fatality reviews in their preferred language, 20 cases are assumed to require additional translation services for notices at \$200 per written notice and interpretation services at a rate of \$75 per hour. To the extent a greater number of cases are reviewed by local teams annually, additional funding will be required and addressed through the budget process.

## Local Government

Workload will increase for county board of commissioners to appoint members to local or regional review teams. Local review team workload will increase to ensure the proper notification and participation of guardians in case reviews, well as decrease from not reviewing motor vehicle fatalities. Finally, the removal of the requirement for local teams to review the cause and manner of a child fatality would decrease workload for local coroners, pathologists or medical examiners. The extent of these impacts will vary depending on the county, region, and individual review teams.

## Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed, and applies to reviews occurring on or after that date.

## State Appropriations

For FY 2024-25, the bill requires a General Fund appropriation of \$35,620 to the Department of Public Health and Environment, and 0.3 FTE.

**State and Local Government Contacts**

Child Protection Ombudsman  
District Attorneys  
Law  
Public Safety

Counties  
Education  
Municipalities  
Sheriffs

County Coroners  
Human Services  
Public Health and Environment

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The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).