



Legislative
Council Staff

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**FINAL
FISCAL NOTE**

Drafting Number: LLS 19-0232 **Date:** July 9, 2019
Prime Sponsors: Rep. Buckner; Landgraf **Bill Status:** Signed into Law
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Bill Topic: CDPHE MATERNAL MORTALITY REVIEW COMMITTEE

- Summary of Fiscal Impact:**
- State Revenue
 - State Expenditure
 - State Transfer
 - TABOR Refund
 - Local Government
 - Statutory Public Entity

This bill creates the Colorado Maternal Mortality Review Committee in the Department of Public Health and Environment. It will increase state expenditures on an ongoing basis beginning in FY 2019-20.

Appropriation Summary: For FY 2019-20, this bill requires and includes an appropriation of \$145,167 to the Department of Public Health and Environment.

Fiscal Note Status: This fiscal note reflects the enacted bill.

**Table 1
State Fiscal Impacts Under HB 19-1122**

		FY 2019-20	FY 2020-21
Revenue		-	-
Expenditures	General Fund	\$145,167	\$145,777
	Centrally Appropriated	\$37,864	\$38,831
	Total	\$183,031	\$184,608
	Total FTE	1.6 FTE	1.6 FTE
Transfers		-	-
TABOR Refund		-	-

Summary of Legislation

This bill creates the Colorado Maternal Mortality Review Committee in the Department of Public Health and Environment (CDPHE).

Maternal Mortality Review Committee. The committee must review maternal deaths that occur in the state, identify the causes of maternal mortality, and develop recommendations to address preventable maternal deaths. Committee members are appointed by the executive director of the CDPHE no later than October 1, 2019. Members residing more than 50 miles from the location of a committee hearing receive per diem compensation and reimbursement for travel and dependent and attendant care expenses.

The committee is permitted access to health records related to maternal mortalities from health care providers, law enforcement, and coroners. Committee members are required to sign a confidentiality agreement and many of the committee's materials are not subject to the Colorado Open Records Act or otherwise subject to subpoena or discovery in any legal proceeding. Members who knowingly violate the confidentiality agreement commit a class 3 misdemeanor. The committee is repealed on September 1, 2029, pending a sunset review.

Department of Public Health and Environment. The CDPHE is required to compile aggregated reports on a routine basis to further study the causes of maternal mortality; participate in regional and national maternal mortality review efforts; and request feedback from stakeholders. Beginning July 1, 2020, and every three years thereafter, the department must submit a report to the General Assembly with recommendations on reducing the incidences of maternal mortality.

Background

Volunteer health professionals have been participating on the state's Maternal Mortality Review Committee since 1993 to review maternal deaths in the state. The committee currently receives limited funding from the federal Title V Maternal and Child Health Block Grant. The amount of time the state's Maternal Mortality Prevention Program in CDPHE has been able to dedicate to case abstraction and committee coordination has varied over the years, depending on the number of cases and resources available through the grant. The committee received some additional short-term funding to develop a data report of all deaths from 2008 to 2013, which was completed in 2017 and represents the first comprehensive data report for the program.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of an existing crime. This bill creates a new class 3 misdemeanor for any committee member who violates the confidentiality agreement they are required to sign. The fiscal note assumes that there will be minimal or no additional case filings or convictions for the new offense under the bill. Because the bill is not expected to have a tangible impact on criminal justice-related expenditures or revenue at the state or local levels, these potential impacts are not discussed further in this fiscal note. Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

Data and Assumptions

Based on recent data, approximately 35 maternal deaths are expected to occur each year in the state, each requiring a review under the bill. For staff support, the fiscal note uses the Child Fatality Prevention System (CFPS) as a baseline for costs and workload, with a key structural difference. While the CFPS relies on local child fatality review teams to perform approximately 350 reviews per year, the CDPHE will be required to perform the approximately 35 reviews under this bill in-house. The CDPHE currently has access to medical, coroner, and police records through its current rules, and the fiscal note assumes these records will continue to be provided to the CDPHE at no cost. If maternal deaths increase, additional resources may be required to perform the reviews, and will be sought through the annual budget process. The fiscal note assumes the committee will meet 8 times per year to address these reviews, and assumes the committee will consist of 11 members. Two-thirds of members are expected to travel more than 50 miles to attend meetings.

State Expenditures

The bill will increase state General Fund expenditures by \$183,031 and 1.6 FTE in FY 2019-20, and by \$184,608 and 1.6 FTE in FY 2020-21 and ongoing. Costs are shown in Table 2 and described below.

Table 2
Expenditures Under HB 19-1122

	FY 2019-20	FY 2020-21
Department of Public Health and Environment		
Personal Services	\$110,169	\$120,185
Operating Expenses and Capital Outlay Costs	\$10,926	\$1,520
Committee Meeting Costs and Reimbursements	\$14,072	\$14,072
Regional and National Meeting Attendance	\$10,000	\$10,000
Centrally Appropriated Costs*	\$37,864	\$38,831
Total Cost	\$183,031	\$184,608
Total FTE	1.6 FTE	1.6 FTE

* Centrally appropriated costs are not included in the bill's appropriation.

Colorado Department of Public Health and Environment. The CDPHE will require 1.6 FTE to manage the following tasks:

- administering the Colorado Maternal Mortality Review Committee;
- collecting, abstracting, and reviewing medical records and other relevant data, and compiling, publishing, and submitting reports of data, trends, and recommendations for the prevention of maternal mortality in Colorado;
- serving as a link with and participating in regional and national maternal mortality review efforts as content experts and technical assistance providers; and
- requesting input from stakeholders.

All functions will start July 1, 2019, reflect the General Fund paydate shift in the first year, and will be ongoing until the bill repeals pending a sunset review in 2029. Positions will require salary above the minimum to attract and retain staff with expertise in maternal mortality prevention. Standard operating and capital outlay costs are included.

Committee meeting costs and reimbursements. As discussed in the Data and Assumptions section, the committee is expected to meet 8 times per year. Of the 11 members, 8 will be traveling from distances farther than 50 miles, entitling them to travel expenditure and per diem reimbursements estimated at \$1,172 per meeting. Two of these members are assumed to require dependent or attendant care expense reimbursement, estimated at \$2,496 per year. Catering costs of \$150 per meeting are included as the committee is expected to work through the lunch hour. Finally, \$125 for printing costs per meeting are included.

Regional and national meeting attendance. CDPHE staff will attend an annual meeting at the Centers for Disease Control and Prevention, as well as attend at least one additional national and regional training. Costs are estimated at \$2,000 per trip for conference fees, airfare, hotel, and per diem.

Potential costs to implement committee recommendations. The bill does not require implementation of committee recommendations. These potential costs will be addressed during the annual budget process.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are estimated to be \$37,864 in FY 2019-20 and \$38,831 in FY 2020-21.

Effective Date

The bill was signed into law by the Governor and took effect May 16, 2019.

State Appropriations

For FY 2019-20, the bill requires and includes a General Fund appropriation of \$145,167 to the Department of Public Health and Environment, and an allocation of 1.6 FTE.

State and Local Government Contacts

Coroners	Counties	Information Technology
Law	Public Health and Environment	Public Safety
Regulatory Agencies	Sheriffs	