



## Legislative Council Staff

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# Final Fiscal Note

<b>Drafting Number:</b>	LLS 22-0366	<b>Date:</b>	July 25, 2022
<b>Prime Sponsors:</b>	Rep. Michaelson Jenet Sen. Fields	<b>Bill Status:</b>	Vetoed by Governor
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**Bill Topic:** COUNTY CORONER & MORTUARY MENTAL HEALTH PROGRAM

<b>Summary of Fiscal Impact:</b>	<input checked="" type="checkbox"/> State Revenue	<input checked="" type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill would have created the County Coroner and Mortuary Mental Health and Wellness Program in the Behavioral Health Administration to provide mental health services to county coroner offices, funeral directors, and mortuary science practitioners where existing health insurance plans do not include coverage. From FY 2022-23 to FY 2029-30, the bill would have increased state expenditures and may have increased state revenue.

**Appropriation Summary:** For FY 2022-23, the bill would have included an appropriation of \$100,000 to the Department of Human Services

**Fiscal Note Status:** The fiscal note reflects the enrolled bill. This bill was vetoed by the Governor; therefore, the impacts identified in this analysis do not take effect.

**Table 1  
State Fiscal Impacts Under HB 22-1221**

		Budget Year FY 2022-23	Out Year FY 2023-24
<b>Revenue</b>		-	-
<b>Expenditures</b>	General Fund	\$100,000	\$261,664
	Centrally Appropriated	\$16,829	\$17,449
	<b>Total Expenditures</b>	<b>\$116,829</b>	<b>\$279,113</b>
	<b>Total FTE</b>	<b>1.0 FTE</b>	<b>1.0 FTE</b>
<b>Transfers</b>		-	-
<b>Other Budget Impacts</b>	General Fund Reserve	\$15,000	\$39,250

## Summary of Legislation

By January 31, 2023, the bill requires the Behavioral Health Administration (BHA) to administer or contract for the administration of the County Coroner and Mortuary Mental Health and Wellness Program. The program will provide mental health and wellness services to county coroners and their staff, volunteers as determined by a county coroner, funeral directors, and mortuary science practitioners where existing health insurance does not include these services, or where the person has no health insurance. Funeral directors and mortuary science practitioners that request to participate in the program must have their employer pay the actual costs of services if not covered by the employer health insurance plan. The BHA may enter into contracts and conduct rulemaking as necessary. The BHA is required to provide program information to eligible individuals by April 1, 2023. The program repeals on September 1, 2029, pending a sunset review.

## State Revenue

State revenue to the BHA will increase to the extent that funeral directors and mortuary science practitioners participate in the program and pay for services. The revenue amount has not been estimated. This revenue is subject to TABOR.

## State Expenditures

The bill increases state expenditures in the Department of Human Services by \$116,829 in FY 2022-23 and \$279,113 in FY 2023-24 from the General Fund. Expenditures are shown in Table 2 and detailed below.

**Table 2**  
**Expenditures Under HB 22-1221**

	<b>FY 2022-23</b>	<b>FY 2023-24</b>
<b>Department of Human Services</b>		
Personal Services	\$75,914	\$82,814
Operating Expenses	\$1,350	\$1,350
Capital Outlay Costs	\$6,200	
Contract Program Services	-	\$127,500
Marketing, Education, and Outreach	\$16,536	\$50,000
Centrally Appropriated Costs <sup>1</sup>	\$16,829	\$17,449
<b>Total Cost</b>	<b>\$116,829</b>	<b>\$279,113</b>
<b>Total FTE</b>	<b>1.0 FTE</b>	<b>1.0 FTE</b>

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

**Department of Human Services—Behavioral Health Administration.** The bill increases expenditures in the BHA to procure and provide mental health services for eligible individuals

- **Data and assumptions.** There are approximately 100 mortuaries, crematoriums, and funeral homes in the state licensed by the Department of Regulatory Agencies, and 63 county coroner offices. Assuming staffing varies at each organization, from at least 3 up to 15 employees, eligibility is estimated at between 492 and 2,460 individuals. In 2019, 19.2 percent of Colorado adults received mental health treatment. Applying that percentage to this population, the program would serve between 94 and 472 individuals per year.
- **Staff.** Staff will include 0.5 FTE Program Management and 0.5 FTE Contracts Administrator. First year staffing costs assume a July 1 start date and have been prorated for the General Fund pay date shift.

**Contractor.** Beginning in FY 2023-24 (see Technical Note), the BHA will create a competitive solicitation process to procure a contract administrator to coordinate access to a licensed mental health professional at an assumed rate of \$85,000 per year, plus 50 percent of salary for fringe and overhead costs. The mental health professional will provide the required trauma-based services to county coroners and their staff, funeral homes and their staff, and local volunteers.

- **Marketing campaign.** In FY 2022-23, \$16,536 remains from the appropriation for marketing. Thereafter, marketing costs are estimated at \$50,000 annually based on past marketing, media, and education campaigns initiated by the Office of Behavioral Health.

**Department of Regulatory Agencies.** The department will provide education and outreach to mortuaries, crematoriums and funeral home licensees within existing resources.

**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 shown in Table 2.

## Other Budget Impacts

**General Fund reserve.** Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve beginning in FY 2022-23. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts shown in Table 1, which will decrease the amount of General Fund available for other purposes.

## Local Government

County coroner office staff, who are eligible to receive services under the program, may have an increase in workload to communicate staff and volunteer eligibility with the BHA.

## Technical Note

The bill's appropriation does not cover costs in FY 2022-23 for the BHA to provide mental health and wellness services to county coroners and other eligible individuals.

## Effective Date

The bill was vetoed by the Governor on May 27, 2022.

## State Appropriations

For FY 2022-23, the bill would have included an appropriation of \$100,000 from the General Fund to the Behavioral Health Administration in the Department of Human Services with 1.0 FTE.

## State and Local Government Contacts

Counties	County Coroners
Human Services	Information Technology
Law	Personnel
Public Health and Environment	Regulatory Agencies
Treasury	