

OFFICE OF FISCAL ANALYSIS

Legislative Office Building, Room 5200
Hartford, CT 06106 ◊ (860) 240-0200
<http://www.cga.ct.gov/ofa>

SB-1067

AN ACT CONCERNING ADEQUATE AND SAFE HEALTH CARE
STAFFING.

AMENDMENT

LCO No.: 8623

File Copy No.: 465

Senate Calendar No.: 270

OFA Fiscal Note

See Fiscal Note Details

The amendment strikes the language in the underlying bill and the associated fiscal impact.

The amendment results in a cost to the state associated with staffing committee requirements as well as potential costs related to restrictions on mandatory overtime. The amendment could also result in a revenue gain, or cost savings in certain circumstances, related to the imposition of civil penalties.

The Department of Children and Families (DCF) does not currently operate Hospital Staffing Committees at the Albert J. Solnit Children's Center Hospital, or the Albert J. Solnit Children's Center Psychiatric Residential Treatment Facilities. The anticipated total cost to the State for DCF to establish and operate two Hospital Staffing Committees, and comply with data and reporting requirements, is estimated at \$441,488 in FY 24 and \$432,025 in FY 25. These totals reflect salaries for two Quality Assurance Managers (\$173,712 in FY 24 and \$178,055 in FY 25), salaries for two Administrative Assistants (\$121,406 in FY 24 and \$124,441 in FY 25), associated fringe benefits (\$126,370 in FY 24 and \$129,529 in FY 25), and a one-time cost for pamphlets and fliers to notify staff of committees (\$20,000 in FY 24).

Primary Analyst: ES
Contributing Analyst(s):

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(FN)

The costs to the Department of Mental Health and Addiction Services (DMHAS) include a Quality Assurance Manager and Administrative Assistant totaling approximately \$147,600 in FY 24 and \$151,300 in FY 25 (with associated fringe costs of \$63,200 and \$64,800, respectively), to support the additional requirements related to the staffing committees. Committee staffing and coverage costs are anticipated to cost up to \$680 per person per day.

Section 1, which is effective 10/1/23, expands DPH oversight over hospital nurse staffing, resulting in a cost to the agency of approximately \$261,571 in FY 24 and \$355,397 in FY 25 for two Nurse Consultants (approximately \$157,779 in FY 24 and \$215,631 in FY 25), a Health Program Associate (approximately \$62,513 in FY 24 and \$83,351 in FY 25), and a half-time Staff Attorney II (approximately \$41,279 in FY 24 and \$56,414 in FY 25). The associated expense to the Office of the State Comptroller - Fringe Benefits is estimated at \$112,005 in FY 24 and \$152,181 in FY 25. There may be a potential minimal revenue gain to the General Fund from the issuance of civil penalties.

Section 1 expands the annual nurse staffing plans that DPH must evaluate. It requires DPH to investigate complaints from a hospital staff member or such staff member's collective bargaining representative of a violation of any provision of a hospital's staffing plan. Investigations will include reviewing policy and procedures, interviews with staff, including leadership, observations of care, and interviews with patients. The scope and severity of the issue must be analyzed (i.e., did other patients experience a negative outcome) to determine if the issue is isolated or pervasive. Hospitals that do not comply with the provisions of the amendment must submit corrective plans of action to DPH and the agency must impose civil penalties of not less than \$3,500 for the first violation and \$5,000 for each subsequent violation. This could result in a revenue gain to the state for any civil penalties applied.

These provisions could also result in an equivalent cost savings to the extent hospitals do not pay the penalties or expenses due and the Department of Social Services (DSS) is instead required to withhold

medical assistance payments in the amount of such penalties and audit expenses.

While there is a potential cost to the UConn Health Center and Departments of Mental Health and Addiction Services and Children and Families if required to pay for audit expenses or civil penalties, there is no net impact to the state after accounting for the offsetting revenue gain.

Section 2 of the amendment is not anticipated to result in a fiscal impact to the state in FY 24 and FY 25 as the provisions related to mandatory overtime for the relevant state employees do not apply to collective bargaining agreements that address mandatory overtime and are in effect prior to June 1, 2027. To the extent the provisions apply in the out years, the state could incur increased staffing costs related to the prohibition of mandatory overtime as a regular practice.

The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.