



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2027 Biennium

Bill#/Title: SB0256.01: Generally revise child abuse and neglect laws

Primary Sponsor: Dennis Lenz Status: As Introduced

- Included in the Executive Budget
 Needs to be included in HB 2
 Significant Local Gov Impact
 Significant Long-Term Impacts
 Technical Concerns
 Dedicated Revenue Form Attached

FISCAL SUMMARY

	<u>FY 2026</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>	<u>FY 2028</u> <u>Difference</u>	<u>FY 2029</u> <u>Difference</u>
Expenditures				
General Fund (01)	\$104,198	\$100,431	\$101,971	\$101,337
Federal Special Revenue (03)	\$18,508	\$17,739	\$18,001	\$17,893
Revenues				
General Fund (01)	\$0	\$0	\$0	\$0
Federal Special Revenue (03)	\$18,508	\$17,739	\$18,001	\$17,893
Net Impact	<u>(\$104,198)</u>	<u>(\$100,431)</u>	<u>(\$101,971)</u>	<u>(\$101,337)</u>
General Fund Balance				

Description of fiscal impact

SB 256 amends 41-3-205 (3)(n), MCA, to change the disclosure of certain electronic records to allow for confidentiality exclusions, but also limits the ability to review cases by the Office of Inspector General (OIG) and the Early Childhood and Family Support Division (ECFSD). The Child and Family Services Division (CFSD) will incur increased costs associated with conducting reviews for the OIG and ECFSD, resulting in new FTE and operating for to the Department of Public Health and Human Services.

FISCAL ANALYSIS

Assumptions

Department of Public Health and Human Services (DPHHS/department)

- SB 256 amends 41-3-205, to clarify that the department may provide all case records concerning reports of child abuse and neglect to the person about whom the information is sought and where the concerns are substantiated.
- Changes in Section (3)(n), limit disclosure that is part of the investigation in which the allegation of child abuse or neglect is made against the person about whom the information is sought and where the case determination is substantiated. Currently there is no mechanism in the child and family services electronic records system to limit the view of a report based on outcome determination (i.e., substantiated, founded, and unsubstantiated reports). Therefore, the DPHHS Office of Inspector General (OIG) and the DPHHS Early Childhood and Family Services Division (ECFSD) will not be able to perform a records review to investigate an applicant for licensure or registration that is required to operate a youth care facility or a day care facility.
- Work done by OIG and ECFSD under present law is still required and will be completed by the the Child

and Family Services Division (CFSD), which has full access to all records and reports of child abuse and neglect.

4. During FY 2024, DPHHS Child and Family Services Division required 1.00 FTE to complete 6,897 record reviews. 1,773 ($1,773 / 6,897 = 25.71\%$) required a Central Intake Supervisor's review to identify the determination outcome.
5. During FY 2024, ECFSD conducted 6,670 record reviews and the OIG conducted 782 record reviews ($6,670 + 782 = 7,452$ record reviews). 1.25 FTE will be required to complete the 7,452 ECFSD and OIG record reviews. 0.50 FTE Central Intake Supervisor will be required to complete the 1,916 ($7,452$ record reviews $\times 25.71\% = 1,916$) outcome determinations.

Position	PB	SFY 2026	SFY 2027	SFY 2028	SFY 2029
Administrative Assistant 2	1.25	\$78,725	\$75,451	\$76,569	\$76,109
Central Intake Supervisor	0.50	\$43,981	\$42,719	\$43,403	\$43,121
		\$122,706	\$118,170	\$119,972	\$119,230

6. Record review is a Title IV-E allowable activity, therefore the Administrative Assistant 2 FTE is funded with 76.49% state general funds and 23.51% special federal funds. Making an investigation determination review is not a Title IV-E allowable activity, therefore the Central Intake Supervisor PB is funded with 100% state general funds.

Position	Funding	Funding Percentage	SFY 2026	SFY 2027	SFY 2028	SFY 2029
Central Intake Supervisor	State General Funds	100.00%	\$43,981	\$42,719	\$43,403	\$43,121
Administrative Assistant 2	State General Funds	76.49%	\$60,217	\$57,712	\$58,568	\$58,216
	TOTAL State General Funds		\$104,198	\$100,431	\$101,971	\$101,337
Administrative Assistant 2	Special Federal Funds	23.51%	\$18,508	\$17,739	\$18,001	\$17,893
	TOTAL Funds		\$122,706	\$118,170	\$119,972	\$119,230

