

Consolidated Fiscal Note

2023-2024 Legislative Session

HF2509 - 0 - Transfer Care Specialists

Chief Author: **John Huot**
 Committee: **Health Finance And Policy**
 Date Completed: **2/29/2024 6:37:52 PM**
 Lead Agency: **Health Dept**
 Other Agencies:
 Supreme Court

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology	X	
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
Health Dept						
State Government Special Rev	-	-	68	(68)	(68)	
State Total						
State Government Special Rev	-	-	68	(68)	(68)	
Total	-	-	68	(68)	(68)	
Biennial Total			68		(136)	

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
Health Dept					
State Government Special Rev	-	-	-	-	-
Total	-	-	-	-	-

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Shannon Zila **Date:** 2/29/2024 6:37:52 PM
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State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
Health Dept						
State Government Special Rev		-	-	68	(68)	(68)
	Total	-	-	68	(68)	(68)
	Biennial Total			68		(136)
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Health Dept						
State Government Special Rev		-	-	247	111	111
	Total	-	-	247	111	111
	Biennial Total			247		222
2 - Revenues, Transfers In*						
Health Dept						
State Government Special Rev		-	-	179	179	179
	Total	-	-	179	179	179
	Biennial Total			179		358

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Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology	X	
Local Fiscal Impact		
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Biennial Total			68		(136)	

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
State Government Special Rev	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Shannon Zila **Date:** 2/29/2024 6:29:34 PM
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State Cost (Savings) Calculation Details

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*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2 Dollars in Thousands	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
State Government Special Rev	-	-	68	(68)	(68)
Total	-	-	68	(68)	(68)
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Total	-	-	247	111	111
Biennial Total			247		222
2 - Revenues, Transfers In*					
State Government Special Rev	-	-	179	179	179
Total	-	-	179	179	179
Biennial Total			179		358

Bill Description

Under Minnesota Statute, chapter 149A, the department is required to license and register persons and entities, conduct inspections, and investigate complaints regarding the practice of mortuary science in the state. This bill amends Minnesota Statute, chapter 149A to add a new category of person, transfer care specialists, which when properly credentialed will be able to conduct specific mortuary science activities. A transfer care specialist is defined as a person who is authorized to perform the removal of a dead human body from the place of death under the direct supervision of a licensed mortician.

As part of the initial registration, transfer care specialists must complete a 7-hour minimum training course that is approved by the commissioner of the health. The training course must be completed every 5 years.

Registrations expire on December 31 of each year and must be renewed to remain valid.

A new fee for transfer care specialists is established under Minnesota Statute, section 149A.65 subdivision 2 with a blank fee amount.

Assumptions

MDH licenses approximately 645 establishments including 91 crematories; 1,127 morticians; and 45 mortician interns in the state.

Assuming a July 1, 2024 effective date, the department will need to initially implement an interim paper-based application system to process registrations. Based on similar work done previously, the efforts to process paper applications for the new license type will require 0.5 FTE of a Health Program Representative Senior's time to register, ensure accuracy in the registrant's materials, and verify the registration applicant meets the bill's registration requirements. It would take approximately 500 hours of a Mortician Investigator's time for regulatory oversight and complaint investigative time.

This bill will require enhancement, development, and implementation of licensing software to create a paperless, electronic registration system. The necessary software will be utilized for electronic initial registration applications and registration renewal submissions, both with online payments. The bill requires the department to track registrants and the licensed morticians supervising them. Tracking will need to be built into the department's software systems. Additional updates will be necessary to the department's current complaint investigation and enforcement software. The department estimates the total technology costs to address the requirements in this bill at \$95,550 in fiscal year 2025, with an ongoing maintenance cost of \$12,810 beginning in fiscal year 2026 and each fiscal year thereafter. Once these systems are in place, the department will require a 0.25 Health Program Representative Principal ongoing to process applications, renewals, and to provide customer service to applicants and licensees.

Based on previous experience, we assume it will take 80 hours of a Health Program Representative Principal to assemble training materials, train staff, and answer questions or perform follow-up training.

The bill authorizes that the appropriate fees in Minnesota Statute, section 149A.65, also apply to transfer care specialists. Based on prior experiences, we assume 200 transfer care specialists will conduct either an initial registration or renewal each year. In order to recover the costs to perform these regulatory activities in accordance with Minnesota Statutes, section 16A.1285, taking an average of the expenditures, it would require a fee of \$894 for the initial registration and renewal registration.

Expenditure and/or Revenue Formula

Expenditures:

Expenditure (Actual Dollars)	Amount	FY 2024	FY 2025	FY 2026	FY 2027
Full-time Equivalent (FTE) Staff		FTE	FTE	FTE	FTE
Health Program Representative Senior	170,527	0.00	0.50	0.25	0.25
Mortician Investigator	173,044	0.00	0.32	0.32	0.32
Health Program Rep Principal	214,324	0.00	0.05	0.00	0.00
	FTE	0.00	0.87	0.57	0.57
	Subtotal	0	151,354	98,006	98,006
Information Technology:					
Software updates		0	95,550	12,810	12,810
	Subtotal	0	95,550	12,810	12,810
Other Operating Costs:					
	Subtotal	0	0	0	0
Grants, Aids, and Subsidies:	Number of Grants				
	Subtotal	0	0	0	0
Total Expenditures	Total	0	246,904	110,816	110,816
Fiscal Tracking (Dollars in Thousands)		FY 2024	FY 2025	FY 2026	FY 2027
Health Protection BACT 03		0	247	111	111
Administration		0	247	111	111
Grants		0	0	0	0

Revenue (SGSR):

Revenue (Actual Dollars)		FY 2024	FY 2025	FY 2026	FY 2027
Fee Description:	Amount	Units	Units	Units	Units
New fee for transfer care specialists	894		200	200	200
	Total	0	178,860	178,860	178,860
Fiscal Tracking (Dollars in Thousands)		FY 2024	FY 2025	FY 2026	FY 2027
Impact:					
Expenditure		0	247	111	111
Revenue		0	179	179	179
Annual Cost (Savings)		0	68	(68)	(68)
Cumulative Cost (Savings)		0	68	0	(68)

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

Agency Contact:

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HF2509 - 0 - Transfer Care Specialists

Chief Author: **John Huot**
 Committee: **Health Finance And Policy**
 Date Completed: **2/29/2024 6:37:52 PM**
 Agency: **Supreme Court**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2023	FY2024	FY2025	FY2026	FY2027
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Karen McKey **Date:** 2/29/2024 7:41:46 AM
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State Cost (Savings) Calculation Details

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Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027	
Total	-	-	-	-	-	-
Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

HF2509 amends a number of statutes in chapter 149A (Mortuary Science; Disposition of Dead Bodies) to add a reference to transfer care specialists and their registration including: 149A.01, subd. 3 (exceptions to licensure); 149A.02 at subd. 13a (definition of direct supervision) and to add a new subd. 37d (definition of transfer care specialist); 149A.03 (duties of commissioner of health); 149A.09 (denial/revocation/suspension of license/registration/permit); 149A.11 (publication of disciplinary actions); 149A.60 (prohibited conduct); 149A.61, subd. 4 (reporting conduct that is grounds for disciplinary action); 149A.62 (immunity; reporting); 149A.63 (professional cooperation with inspection or investigation); 149A.65, subd. 2 (mortuary science fees); 149A.70, subd. 3 (advertising); 149A.70, subd. 4 (solicitation of business); 149A.70, subd. 5 (reimbursement prohibited); 149A.70, subd. 7 (unprofessional conduct); 149A.90, subd. 2 (removal from place of death); 149A.90, subd. 4 (certificate of removal); and 149A.90, subd. 5 (retention of certificate of removal).

The bill adds a new section 149A.47, which establishes the practice, registration process, duties, and training for transfer care specialists.

The bill amends section 149A.61, subdivision 5, to add transfer care specialists to the requirement that the court report to the commissioner of health any judgment or other determination that includes a finding that a licensee, intern, or transfer care specialist is a person who is mentally ill, mentally incompetent, guilty of a felony or gross misdemeanor, guilty of violations of federal or state narcotics laws or controlled substances acts; appoints a guardian or conservator for the licensee, intern, or transfer care specialist; or commits a licensee, intern, or transfer care specialist.

Assumptions

It is assumed that courts will generally not have occupation, professional licensure, or status information about defendants in criminal cases and therefore cannot send specific communications to specific licensing entities on individual defendants. It is assumed that the judicial branch will comply with the statutory reporting obligations in this bill as in other existing statutes by continuing to make criminal case information accessible to the public through electronic systems that allow anyone to search court records online to find conviction information by name, and to search at courthouse terminals for additional public criminal case information.

Expenditure and/or Revenue Formula

This bill is not anticipated to have a fiscal impact on the judicial branch.

Long-Term Fiscal Considerations

Local Fiscal Impact

References/Sources

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