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FISCAL IMPACT REPORT



SPONSOR: Cordava DATE TYPED: 01/28/02 HB 81

SHORT TITLE: Low Income Utility Deposit Assistance SB

ANALYST: Dunbar

APPROPRIATION

| Appropriation Contained | | Estimated Additional Impact | | Recurring or Non-Rec | Fund Affected |
|-------------------------|---------|-----------------------------|------|----------------------|---------------|
| FY02 | FY03 | FY02 | FY03 | | |
| | \$150.0 | | | Recurring | General Fund |

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

Responses Received

Governor's Committee on the Concerns of the Handicapped (GCCH)
Department of Health (DOH)

SUMMARY

Synopsis of Bill

HB 81 appropriates \$150.0 from the general fund to GCCH for the purpose of providing assistance such as utility deposits, rent deposits, furniture and basic living supplies, to low income persons leaving long term care institutions who are going to establish independent living residence.

Significant Issues

In July 1999, the Supreme Court issued the Olmstead v. L. C. decision. The Court's decision in that case clearly challenges Federal, state, and local governments to develop more opportunities for individuals with disabilities through more accessible systems of cost-effective community-based services.

The Olmstead decision interpreted Title II of the Americans with Disabilities Act (ADA) and its implementing regulation, requiring States to administer their services, programs, and activities "in the most integrated setting appropriate to the needs of qualified individuals with disabilities."

Medicaid can be an important resource to assist States in meeting these goals. However, the scope of the ADA and the Olmstead decision are not limited to Medicaid beneficiaries or to services financed by the Medicaid program. The ADA and the Olmstead decision apply to all qualified individuals with disabilities regardless of age.

FISCAL IMPLICATIONS

The appropriation of \$150.0 contained in this bill is a recurring expense to the general fund. Any to the unexpended or unencumbered balance remaining at the end of FY 03 shall revert general fund.

ADMINISTRATIVE IMPLICATIONS

None reported by GCCH

OTHER SUBSTANTIVE ISSUES

GCCH is in the process of finalizing a Joint Powers agreement with the Department of Health to transfer the current budgeted GAP Fund (\$160.0) to GCCH to administer. Programs such as the Personal Care Option, Working Disabled Individual, DD Waiver and D&E Waiver all assist people in returning-to and maintaining community residence and the GAP Fund “fills the gap” in maintaining community living.

POSSIBLE QUESTIONS

1. What is the reason for the delay in transferring current budgeted GAP funds (\$160.0) from DOH to GCCH?
2. How many individuals will be served with the current budgeted amount once the joint powers agreement is signed this year?
3. How many individuals will be served with the additional funds requested in this bill?

BD/ar