

FISCAL NOTE TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2105

STATE OF NEW JERSEY

DATED: DECEMBER 23, 1997

Bill Summary:

The Senate Committee Substitute for Senate Bill No. 2105 of 1997 provides that a person convicted of a criminal offense listed in P.L. 1997, c.110 would be disqualified from certification as a nurse aide, personal care assistant or homemaker-home health aide. Under the provisions of the Senate Committee Substitute, the Department of Health and Senior Services (DHSS) and the Board of Nursing could not certify a person as either a nurse aide, personal care assistant or homemaker-home health aide unless the applicant passes a criminal history record background check. The applicant or the prospective employer may assume the cost of the criminal history record background check.

Agency Comments:

DHSS and the Office of Management and Budget (OMB) have estimated that it would cost \$308,000, \$264,000 and \$276,000, respectively, in each of the next three fiscal years to implement the legislation. The majority of estimated costs are related to personnel.

Office of Legislative Services Comments:

Under the terms of the legislation, the cost of the criminal history background check would be assumed by either the applicant or the prospective employer. It is unclear whether the cost of the criminal history background check includes DHSS' administrative costs.

If the cost of the criminal history background check is interpreted to include DHSS' administrative costs, then there is no cost to the State as DHSS' administrative costs would be included in the fee paid by either the applicant or the prospective employer.

If, however, the cost of the criminal history background check is interpreted not to include DHSS' administrative costs, then DHSS will incur some additional administrative costs. In this event, the estimates provided by DHSS and OMB appear high. While the projected personnel related costs (including fringe benefit costs that would be absorbed by the various interdepartmental accounts) of \$138,000, \$145,000 and \$152,000, respectively, in each of the next three fiscal years are not unreasonable, non-personal costs of \$170,000, \$119,000 and \$124,000, respectively, appear high, particularly in regards to unspecified "Special Purpose" costs of between \$80,000 and \$88,000 annually.

This fiscal note has been prepared pursuant to P.L.1980, c.67.