

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 1058
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: MARCH 22, 2021

SUMMARY

- Synopsis:** Requires discrimination prevention training for certain providers of services to senior citizens.
- Type of Impact:** Increase in State and County Costs.
- Agencies Affected:** Department of Human Services; certain county governments.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate
County Cost Increase	Indeterminate

- The Office of Legislative Services (OLS) concludes that the Department of Human Services (DHS) will incur one-time expenses in developing and publishing a discrimination prevention training program for certain providers of services to senior citizens, as described under the bill. This fiscal estimate assumes that the program will be made available in a digital format, as authorized under the bill, thereby minimizing staff costs to implement the program. To the extent that the department does not possess the staff expertise to develop the program, such expenses will increase in relationship to the department’s reliance on outside entities.
- The OLS is unable to determine the cost to the department to implement a protocol ensuring provider compliance with the bill, as the bill authorizes the department to establish the system following the bill’s enactment.
- The OLS concludes that nursing homes operated by certain county governments who contract with the department to provide services to Medicaid beneficiaries will experience an indeterminate increase in expenses to comply with the training requirements under the bill.

BILL DESCRIPTION

This bill requires the Commissioner of Human Services or the commissioner's designee to develop a training program, no later than nine months following the bill's enactment, that is designed to prevent and eliminate discrimination on the basis of sexual orientation, gender identity, or gender expression in the delivery of services to lesbian, gay, bisexual, transgender, questioning, and intersex senior citizens in the State. The training program is to be designed to increase awareness among, and provide cultural competency to, service providers and their employees about the issues encountered by lesbian, gay, bisexual, transgender, questioning, and intersex seniors.

The bill provides that each person who is licensed or certified to provide services or supports to senior citizens, and who contracts with, provides services through programs administered by, or receives funding from, the DHS, any of its divisions, or any area agency on aging must complete the training program within six months after the program is made available or within one month after commencing the delivery of services or supports to senior citizens in the State, whichever is later. Each service provider who is required to undergo training would also be required to ensure that each staff member employed thereby completes the anti-discrimination training program, either within six months after the program is made available or within one month after the staff member commences employment with the provider, whichever is later.

The DHS would be required to make the training program available online, by webinar, or by other means and would further be required to establish a protocol to ensure that service providers comply with the bill's provisions.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS concludes that the DHS will incur one-time expenses in developing and publishing a discrimination prevention training program for certain providers of services to senior citizens, as described under the bill. This fiscal estimate assumes that the program will be made available in a digital format, as authorized under the bill, thereby minimizing staff costs to implement the program.

To the extent that the department does not possess the staff expertise to develop the program, such expenses will increase in relationship to the department's reliance on outside entities. It is possible that the department may need to contract with a third party organization, such as Sage, to comply with the provisions of the bill regarding the development of the training program. Sage, a national organization that offers supportive services and consumer resources to LGBT older people and their caregivers, currently offers the SAGECare cultural competency training program for health care professionals. According to AARP, the one-hour web-based SAGECare training course costs \$800 per session. Under this scenario, the number of providers required to comply with the training would factor into the bill's cost; however, the OLS is currently unable to determine this information.

The OLS is unable to determine the cost to the department to implement a protocol ensuring provider compliance with the bill, as the bill authorizes the department to establish the system

following the bill's enactment. A simple reporting requirement to demonstrate compliance would likely result in minimal expenses. To the extent that department staff are involved in ensuring compliance, via electronic, paper, or verbal communication or onsite visits, the cost of this provision will increase.

Lastly, the OLS concludes that nursing homes operated by certain county governments who contract with the department to provide services to Medicaid beneficiaries will experience an indeterminate increase in expenses to comply with the training requirements under the bill. These expenses will likely be limited to the compensation of staff time while training and any technological equipment the facility may need to provide the training. Currently, there are nine county facilities: three in Bergen County; two in Middlesex County; and one each in Atlantic County, Cape May County, Gloucester County, and Passaic County.

Section: Human Services

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).