

# OFFICE OF FISCAL ANALYSIS

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sSB-463

AN ACT ESTABLISHING A TASK FORCE TO STUDY THE NEEDS  
OF PERSONS WITH INTELLECTUAL DISABILITY.

## AMENDMENT

LCO No.: 4058

File Copy No.: 300

Senate Calendar No.: 172

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### ***OFA Fiscal Note***

#### ***State Impact:***

| <b>Agency Affected</b>   | <b>Fund-Effect</b>  | <b>FY 19 \$</b> | <b>FY 20 \$</b> |
|--|---------------------|-----------------|-----------------|
| Social Services, Dept.; Attorney General; Children & Families, Dept.; Department of Developmental Services | GF - Potential Cost | See Below       | See Below       |

Note: GF=General Fund

***Municipal Impact:*** None

#### ***Explanation***

The amendment requires state agencies to recognize, apply, and enforce any probate court orders, denials or decrees and may result in a cost to the state to represent agency interests in Probate Court proceedings. To the extent that agencies are not currently complying with such orders, this amendment may also result in a cost to the agencies to comply.

In addition, to the extent that the Probate Court order potentially violates federal law or jeopardizes federal funding, it is likely the affected agency, represented by the Office of the Attorney General, would appeal the decision. In accordance with federal law (42 USC 1396a(a)(5)), the Department of Social Services has been identified as the single state agency to determine Medicaid eligibility and therefore

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eligibility determination is outside the scope of the Probate Court and assumed unchanged by the amendment.

*The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*