

# OFFICE OF FISCAL ANALYSIS

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sHB-6425

AN ACT CONCERNING AID IN DYING FOR TERMINALLY ILL PATIENTS.

## ***OFA Fiscal Note***

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

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 22 \$</b>	<b>FY 23 \$</b>
Consumer Protection, Dept.	GF - Cost	140,468	144,682
State Comptroller - Fringe Benefits <sup>1</sup>	GF - Cost	58,013	59,754
Correction, Dept.; Judicial Dept. (Probation)	GF - Potential Cost	See Below	See Below
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

***Municipal Impact:*** None

### ***Explanation***

The bill allows terminally ill adults to obtain and use prescriptions of lethal medications resulting in a cost to the Department of Consumer Protection (DCP) and the Office of the State Comptroller to hire two additional employees. The bill requires DCP to accept and destroy unused medications, investigate non-compliant pharmacists, and investigate complaints. To meet the requirements of the bill, DCP will need to hire one processing technician and one drug control agent for a salary and fringe benefit cost of \$198,481 in FY 22 and \$204,436 in FY 23.

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<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.3% of payroll in FY 22 and FY 23.

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The bill also clarifies certain acts related to aid in dying for terminally ill patients as murder and class D felonies. To the extent that this change results in increased penalties, this provision may result in a potential cost for incarceration or probation and a potential revenue gain from fines assessed. On average, the marginal cost to the state for incarcerating an offender for the year is \$2,200<sup>2</sup> while the average marginal cost for supervision in the community is less than \$700<sup>3</sup> each year.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and the number of offenders.

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<sup>2</sup> Inmate marginal cost is based on increased consumables (e.g. food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

<sup>3</sup> Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.