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FISCAL NOTE(Form 2)  
(Office of Fiscal Analysis)  
Analyst: *LU/MG 5-29-92*  
las  
Version: 20

BILL NUMBER: SB 2023  
FILE NUMBER:  
AMENDMENTS: Senate "A", "C",  
"D", "F", "G", "J", "L", "N"  
House "C", "D", "E"

TITLE: "AN ACT CONCERNING THE EXPENDITURES OF THE DEPARTMENT OF INCOME MAINTENANCE, CERTAIN FEES AND THE UNCOMPENSATED CARE POOL"

FAVORABLY REPORTED BY Emergency Certification

SUMMARY: This bill as amended makes numerous changes to the programs of and other items related to the Department of Income Maintenance including revisions to the General Assistance program, nursing home changes, rates paid to other Medicaid providers, the transfer of the Promotion of Independent Living program, professional fees, changes to the Uncompensated Care Pool, and others as identified in the various fiscal note attachments.

EFFECTIVE DATE: Various

\* \* \* \* \*

FISCAL IMPACT STATEMENT - BILL NUMBER SB 2023

STATE IMPACT	Yes, see explanation below
MUNICIPAL IMPACT	Yes, see explanation below
STATE AGENCY(S)	Departments of Income Maintenance, Aging, Labor, Mental Health, Revenue Services, Connecticut Alcohol and Drug Abuse Commission, Legislative Management, Public Safety, Various Other State Agencies

EXPLANATION OF ESTIMATES:

The fiscal overall impact resulting from passage of this bill as amended is uncertain. Estimates for specific provisions are detailed on the attachments as indicated below.

- Attachment A - Description/Fiscal impact statement of the original bill
- Attachment B - Description/Fiscal impact statement of amendments
- Attachment C - Fiscal impact statement on establishment of professional service fees
- Attachment D - Addendum to classification schedule for Professional Services Fees

Attachment E - Fiscal impact statement on transferring  
funding for the Firearm Purchase Program

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**AN ACT CONCERNING THE EXPENDITURES OF THE DEPARTMENT OF INCOME MAINTENANCE,  
CERTAIN FEES AND THE UNCOMPENSATED CARE POOL**

SECTION #	DESCRIPTION OF SECTION	FISCAL IMPACT	OTHER COMMENTS
Section 1	Eliminate Cost of Living Adjustment for AFDC & General Assistance Scheduled for 7/1/92	(\$20,952,878)	
Section 2	Establish Flat Grant for General Assistance (GA) at \$296 for Single Employables and \$356 for Unemployables <b>NOTE: Revised by Senate C, LCO #4671</b>	(\$48,653,543)	Savings includes fiscal impact of other GA changes as specified below
Section 3	Eliminate Cost of Living Adjustment for State Supplement Program for Aged, Blind, & Disabled (AABD) Scheduled for 7/1/92	(\$2,042,119)	
	Decrease Unearned Income Disregard by up to 9.5% for State Supplement Program (AABD)	(\$1,640,688)	
	Remove Reference to SRO's as Unshared Living Arrangements under GA	Minimal	
Section 4	Reduce Emergency Housing from 80 to 60 Days	(\$508,200)	
Section 5	Limits Town Liability to Provisions Included in the Bill	Potential Savings	
	Eliminates GA Benefits for Individuals Receiving Federal Benefits	Potential Savings	New Provision; Not Included in the Budget
	Person Must Be a Resident of Connecticut to Receive GA Benefits	(\$516,000)	
	Substance Abuser Must be in Treatment to Receive Benefits	Refer to Section 2	
	Towns May Provide Additional Benefits Beyond Those Reimbursable by the State under GA	Potential Municipal Cost	
Section 6	Limits GA Cash Assistance for Employables to Nine Months in a Twelve Month Period with a Three Month Extension at the Discretion of the Town	Refer to Section 2	
Section 7	Limits Town Liability for Emergency Housing in GA to the Same Policy Applied to AFDC	(\$1,683,000)	
Section 8	Limits Eligibility for GA Medical Benefits to those Between 21 & 64 Years of Age <b>NOTE: Revised by Senate A, LCO #4773</b>	Uncertain	Not Included in the Budget
	Extends GA Medical Benefits for Three Months After Person Becomes Ineligible for Cash Assistance Due to Employment	Minimal	
	Extends GA Medical Benefits Indefinitely for Persons who are Participants in the Dept of Labor Jobs Program	Potential Future Significant Cost	
	Establishes that a GA Application Must be Completed Before Town is Liable for Assistance	Minimal	

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<u>SECTION #</u>	<u>DESCRIPTION OF SECTION</u>	<u>FISCAL IMPACT</u>	<u>OTHER COMMENTS</u>
	Limits GA Medical Benefits to those Provided Under the Medicaid Program	None	
	Restore Chiropractor, Naturopath, and Podiatrist Services Under General Assistance	Potential Future Cost Avoidance	
	Eliminates State Reimbursement for GA Medical Benefits Paid to Ineligible Persons Even if Pursuant to Court Order	(\$200,000)	
Section 9	Allows Towns to Track Residency	Minimal	
Section 10	Persons who Own Real Property which is not Occupied as Their Home or which would not be Counted in Determining Eligibility under Chapter 302 are Ineligible for GA	Minimal	
Section 11	Eliminate \$10 Workfare Incentive Bonus For Recipients	Refer to Section 2	
	Increase Workfare Suspension Period from 30 to 90 Days	Potential Savings	Not Included in the Budget
	Persons not in Compliance with Employment Plan or Quits or is Fired from Work is Suspended for 180 Days	Potential Savings	Not Included in the Budget
	Eliminate Workfare Exemption for Individuals Living in Emergency Shelters	Potential Savings	Not Included in the Budget
	Deems Substance Abuser as Employable, Not Job Ready	Refer to Section 2	
	Eliminate \$50 Monthly Administrative Payment to Towns per Workfare Placement	Refer to Section 2	
	Towns Must Develop an Employability Plan for Each Employable Recipient	Refer to Section 2	
	Allows for Waiver of Sanction Provisions if Town is Unable to Meet 2/3 Workfare Participation	Unknown	
Section 12	Persons Defrauding GA will be Subject to Same Penalties for Larceny	Unclear	It is questionable as to which penalty for larceny would apply and hence the fiscal impact is uncertain
	Persons Convicted of Defrauding GA are Ineligible for Benefits for at Least One Year	Minimal	
Section 13	Recoup Overpayments by Reducing Monthly Benefits by up to 10%	(\$725,000)	
Section 14	GA Medical Assistance Payments for Pharmacy will be Subject to Same Rebate Provisions as in Medicaid	Potential Savings	Not Included in the Budget
	Establishes 85% Reimbursement for GA Medical Assistance Payments	Refer to Section 2	

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<u>SECTION #</u>	<u>DESCRIPTION OF SECTION</u>	<u>FISCAL IMPACT</u>	<u>OTHER COMMENTS</u>
Section 15	Removes Town of Origin Determination by the Department (refer to Section 5)	Technical	
Section 16	DIM Shall Pay GA Medical Bills Directly After Towns Certify Client Eligibility (State Medical Pickup) <b>NOTE: Revised by Senate A, LCO #4773</b>	Potential Significant Cost	Not Included in the Budget; Estimated to be \$5 million
Section 17	Defines and Establishes the Parameters of the Municipal Jobs Programs	\$6,000,000	
Section 18	Removes Right to Fair Hearings Regarding the Level of Assistance Provided Under GA <b>NOTE: Revised by House E, LCO #5345</b>	Potential Cost Avoidance	
Section 19	Establish Interagency Council to Coordinate Employability and Employment Services for GA Recipients	Minimal	
Section 20	State Administration of Program for Unemployable GA Recipients and Development of Schedule for the Transfer of Employables to Dept of Labor <b>NOTE: Revised by Senate L, LCO #5204</b>	Uncertain	Fiscal impact would depend upon implementation
Section 21	State Administration of Program for Medical Assistance Previously Provided under GA	Uncertain	Fiscal impact would depend upon implementation
Section 22	Establishes Dept of Labor Subsidized Employment Program <b>NOTE: Revised by Senate C, LCO #4671</b>	\$9,700,000	
Section 23	Allows Hospitals to Secure GA Application Information	Uncertain	
Section 24	Establishes Guidelines for Utilization of Additional Substance Abuse Services for GA Recipients <b>NOTE: Revised by Senate G, LCO #4597</b>	\$3,500,000 GF \$500,000 Fed	Included in CADAC Budget
Section 25	Eliminate Rate Increases for Emergency Room Visits	(\$1,500,779)	
Section 26	Eliminate Rate Increases for Home Health Agencies through June 30, 1993	(\$539,520)	
Section 27	Limit Rate Increases for Rehabilitation Clinics to CPI-U	(\$50,000)	
Section 28	Limit Inflation Factor Update to Two-Thirds of GNP Deflator for MR Group Homes	(\$344,000)	
Section 29	Adjust Rates for Nursing Homes which Convert from an ICF to a SNF Level of Care	(\$2,500,000)	
	Penalty may be Imposed on Facilities which do not Submit Cost Reports on Time	Potential Savings; Cannot be Determined	

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SECTION #	DESCRIPTION OF SECTION	FISCAL IMPACT	OTHER COMMENTS
	TBI Rates may be Adjusted if Mandated Cost Increases Exceed 0.5%	No Estimate Provided	
Section 30	May Allow Costs in Excess of Maximums for Nursing Homes with More than 12% Medicare Patient Days and 50% Medicaid Days	Uncertain	New Provision; Not Included in the Budget
	Commissioner may Establish Pilot Program Allowing Costs in Excess of Maximums for Beds in Nursing Homes Having a Managed Care Program Affiliated with a Hospital	Uncertain	New Provision; Not Included in the Budget
	Limits Rate of Return on Real Property to 16% and Allows Rate Reductions in Accordance with CHEFA Refinancing	(\$2,000,000)	
	Increase Threshold for Efficiency Adjustments from 110% to 130% for Indirect Costs and Exclude from the Rate Increase Maximums	\$6,000,000	
Section 31	Limiting ICF/MR Rates by Capping Operating Costs at 140% of State Median and Real Wage Growth Allowance at 30% of Increase	Not as Included in Budget	The sum of \$1,023,000 was removed in the budget to reflect the elimination of rate increases for ICF/MR's with operating costs above 150% of the median and limiting rate increases to the CPI for homes below 150% of the median
	Limiting Homes for the Aged Rates by Capping Operating Costs at 130% of State Median and Wage Growth Allowance at 65% of Increase	(\$406,509)	
Section 32	Limit Rates Increases for PAS Subcontractors to Increase in CPI-U	(\$539,206)	
Section 33	Limit Rates for Mental Health & Substance Abuse Residential Facilities to CPI-U	(\$50,000)	
	Limit Rates for Freestanding Detoxification Centers To CPI-U	(\$42,000)	
Section 34	Nursing Home Assessment of \$23 Million	\$11,500,000 Net Revenue	This would result in a revenue gain of \$23 m with a corresponding revenue loss of \$11.5 m to Uncompensated Care Pool revenue
Section 35	Extend Acuity Reporting Deadline to March 1, 1993	None	It should be noted that \$300,000 has been included in the budget for continuation of this study
Section 36	Require Commissioner of DIM to Seek Waiver for Children Saving for College Expenses	Uncertain	DIM would incur minimal costs which can be absorbed associated with the development of the waiver. The State would experience potential future costs & savings which are uncertain, if the waiver is approved.
Section 37	Transfer of Promotion of Independent Living Program from the Dept of Aging to the Dept of Income Maintenance	Transfer from Aging (\$8,542,329)GF (\$2,660,388)Fed	

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SECTION #	DESCRIPTION OF SECTION	FISCAL IMPACT	OTHER COMMENTS
		Funding to DIM \$8,444,976 GF \$2,660,388 Fed	
	Establish Sliding Fee Scale	(\$500,000)	
	Persons with Both Income & Assets in Excess of Program Criteria will be Required to Pay for Total Cost of Care	Potential Savings	New Provision; Not Included in the Budget
	Establishes Cost of Care Cap at 50% of Nursing Home Costs for New Clients in Future	Potential Future Cost Avoidance	
	<b>NOTE: Revised by Senate A, LCO #4773</b>		
Section 38	Includes Coordination, Assessment, and Monitoring under the Definition of a Home Health Agency	Included in \$500,000 in Section 37	
Section 39	DIM, DMH, CADAC, OPM & Municipalities will Establish Procedures to Enhance & Coordinate Necessary Services for GA Recipients <b>NOTE: Eliminated by Senate G, LCO #4597</b>	Minimal, Can Be Absorbed	
Section 40	Enhance DMH Provider Consultation	Minimal, Can Be Absorbed	
Section 41	Establishes Standards for Counseling of Medicaid Recipients by Pharmacists	None	
Section 42	Task Force to Evaluate Access and Payment for Home Health Services	Minimal, Can Be Absorbed	
Section 43	Establishes Health Insurance for Unemployed Pilot Program	Refer to Section 45	
Section 44	Establishes Subsidized Non-Group Childrens Insurance Pilot	Refer to Section 45	
Section 45	Earmarks Funds from the Uncompensated Care Pool Set-Aside Account for the Pilots Included in Sections 43 and 44	No State Fiscal Impact	
Section 46 through 54	Establishes New Classification Schedule of Professional Services Fees <b>NOTE: Revised by House D, LCO #4785</b>	See Attachments C,D	
Section 55 through 65	Revises Uncompensated Care Pool	Uncertain	As there was not sufficient time to review or analyze these changes, the fiscal impact is uncertain. It should be noted that the OFA estimate for UCC and Disproportionate Share revenue enhancements is \$114.5 million lower than the \$283 million included in the Governor's Budget.
Section 66	Revision to Fees to Correspond to New Classification Schedule for Professional Services Fees (Refer to Section 46-54)	See Attachments C,D	

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SECTION #	DESCRIPTION OF SECTION	FISCAL IMPACT	OTHER COMMENTS
<p><b>NOTE: Revised by Senate J, LCO #2657 Also refer to OFA Addendum (attachment D)</b></p>			
Section 67	<p>Establishes a Task Force to Study the Restructuring of Public Assistance Programs to Further Self-Sufficiency <b>NOTE: Revised by House E, LCO #5345</b></p>	Minimal, Can Be Absorbed	
Section 68	Allows Implementation of 85% Reimbursement for GA	Refer to Section 2	
Section 69	<p>Transfers Funding for the Pilot Program to Purchase &amp; Dispose of Firearms by Restoring \$200,000 to the CADAC Drug Assets Forfeiture Fund and Removing \$200,000 from the Public Safety Drug Assets Forfeiture Fund <b>NOTE: Eliminated by House C, LCO #4856</b></p>	See Attachment E	
Section 70	Repeals Statutory References to the Screening of Private Pay Nursing Home Patients	(\$274,000)	
Total-General Fund (Gross)		(\$60,564,795)	

ATTACHMENT B

Senate "A" - LCO 4773

This amendment makes technical changes to the bill which are not anticipated to result in a fiscal impact to the State.

Senate "C" - LCO 4671

SUMMARY: This amendment would transfer \$2.4 million of the amount appropriated to the Department of Labor Jobs Program to the Assistance for Unemployed Persons account under the Department of Income Maintenance in order to increase the financial assistance to single employable persons under the General Assistance Program from the \$296 per month level included in the original bill to \$314 per month. It also delays the effective date of the DOL jobs program from July 1, to October 1, 1992.

FISCAL IMPACT: This amendment would transfer \$2.4 million of amount appropriated to the Department of Labor jobs program to the Assistance for Unemployed Persons account under the Department of Income Maintenance in order to increase the financial assistance to single employable persons under the General Assistance Program from the \$296 in the original bill to \$314 per month. It also delays the effective date of the DOL program from July 1, to October 1, 1992.

Municipalities would experience costs approximating \$421,000 through March, 1993, after State reimbursement, plus an additional \$934,000 in costs incurred during the last quarter of SFY 1992-93 which would not be reimbursed by the State until the following fiscal year.

Senate "D" - LCO 4666 (New to bill)

SUMMARY: Passage of this amendment would transfer \$200,000 to CADAC's Governor's Partnership to Protect Connecticut's Workforce (Drugs Don't Work) program from the amount appropriated in 1992-93 for State Employees' Retirement Contributions. The original bill had taken a similar sum from CADAC's Drug Assets Forfeiture Revolving Fund.

FISCAL IMPACT: Funding in the amount of \$200,000 would be available for transfer to the CADAC drug program from the 1992-93 appropriation for State Employees' Retirement Contributions because it is anticipated that the final SEBAC pension agreement will be drafted to reflect \$3.0 million in savings beyond the \$150.0 million reflected in the 1992-93 budget. Funds would be transferred from this account rather than the CADAC's Drug Assets Forfeiture Revolving Fund.

Senate "F" - LCO 5202 (New to bill)

SUMMARY: This amendment provides that \$119,000 appropriated in SFY 1991-92 to Legislative Management for the expenses of the Health Care Access Commission (HCAC) shall not lapse and will continue to be available for expenditure in SFY 1992-93. These dollars will be directed to the following agencies: (1) To Legislative Management, \$32,000 for consultant and public hearing costs incurred by the HCAC, and \$7,000 for expenses incurred in the cost containment and regulation study to be conducted by the Public Health Committee; (2) to the Department of Health Services, \$40,000; and (3) to the Department of Income Maintenance, \$40,000 for eligibility determination, data entry and project management for a State subsidized children's insurance pilot program.

FISCAL IMPACT: Passage of this amendment will result in an SFY 1992-93 cost to the State of \$119,000. Additionally, its passage will reduce the SFY 1991-92 General Fund lapse by a corresponding amount.

When formulating the fiscal note on SA 92-13 (the Appropriations Act), the Office of Fiscal Analysis estimated a total lapse of some \$575 million for SFY 1991-92. This estimate included a lapse of \$10,000 under the budget of Legislative Management for the expenses of the Health Care Access Commission. Therefore, a minimal adjustment to the estimated lapse will ensue from passage of this amendment.

#### Senate "G" - LCO 4597

SUMMARY: This amendment would make clarifications to the methodology which will be utilized by the Connecticut Alcohol and Drug Abuse Commission for the distribution of funds which are provided in SA 92-13, the Appropriations Act, for enhancing substance abuse services for General Assistance recipients. It further removes provisions which would have required CADAC to study income and asset criteria for its programs and utilization review for its facilities.

FISCAL IMPACT: Passage of this amendment would make technical changes to the bill by stipulating some factors to be considered when distributing the new substance abuse dollars appropriated for use by General Assistance recipients. It would require CADAC to report its plan to the General Assembly by January 1, 1993. The consultation required of the Department of Income Maintenance and administrative functions to be carried out by CADAC may result in a minimal fiscal impact which could be absorbed through their normal operating budgets.

#### Senate "J" - LCO 2657

This amendment makes a technical revision to the fee classification schedule and is not anticipated to result in a fiscal impact to the State.

#### Senate "L" - LCO 5204

**SUMMARY:** This amendment provides authorization for the Department of Labor to operate programs for employables.

**FISCAL IMPACT:** These changes are anticipated to result in a minimal cost to the Department of Labor which can be absorbed within their normal operating budget.

**Senate "N" - LCO 4852**

**SUMMARY:** This amendment requires the Department of Income Maintenance (DIM) and Commission Hospitals and Health Care to report fee collections revenues and expenditures related to the Uncompensated Care Pool. It further requires DIM to report on other State Medicaid plan amendments.

**FISCAL IMPACT:** These additional reporting requirements are anticipated to result in minimal costs which can be absorbed within the normal operating budgets of the agencies involved.

**House "C" - LCO 4856**

**SUMMARY:** This amendment deletes the provision in the original bill that would have changed the funding source for the firearm purchase program (PA 92-130) from the Connecticut Alcohol and Drug Abuse Commission Drug Assets Forfeiture Revolving Fund to the Department of Public Safety Drug Assets Forfeiture Revolving Fund.

**FISCAL IMPACT:** The passage of this amendment would result in costs to the Connecticut Alcohol and Drug Abuse Commission (CADAC) Drug Assets Forfeiture Revolving Fund of up to \$200,000 and would eliminate a potential \$200,000 revenue loss to municipalities (under the Department of Public Safety (DPS) Drug Assets Forfeiture Revolving Fund. Almost all of the assets of this DPS Fund are distributed to municipal police departments for drug education and drug enforcement.) The amendment deletes the provision in the original bill that would have changed the funding source for the firearm purchase program (PA 92-130) from the CADAC Drug Assets Forfeiture Revolving Fund to the DPS Drug Assets Forfeiture Revolving Fund. It should be noted that CADAC has plans for the use of their Fund monies that may have to be delayed or revised if their funding is used for the firearm purchase program.

**House "D" - LCO 4785**

There is no fiscal impact as the agencies would not be able to implement these changes prior to July 1, 1992 and the estimate included in the fiscal note reflects this timetable.

**House "E" - LCO 5345**

This amendment extends the time available for hearings which should result in minimal administrative and program costs. It also makes changes to the composition of the "welfare reform"

task force which should not result in any fiscal impact to the State.

ATTACHMENT C

Sections  
46-54  
Summary

These sections establish nine classes of professional services fees. They establish the following annual fees for the classes and make them payable to the State Treasurer: Class A is \$30; Class B is \$50; Class C is \$60; Class D is \$75; Class E is \$80; Class F is \$150; Class G is \$225; Class H is \$300 and Class I is \$450.

Further they make various professional licenses consistent with other fees in their Class. These fees include those for pharmacists; veterinarians, public accountants, architects, engineers and land surveyors.

Sections  
46-54  
Fiscal Impact

The fiscal impact resulting from the clarification and classification of various professional services fees is uncertain. Recent federal legislation regarding health care provider taxes imposes a State cap on such taxes at 25% of the State share of the Medicaid program. Items which fall under this cap would be the Uncompensated Care Pool assessments, the proposed nursing home assessment, and health care licensing fees. The State is penalized for any such taxes which exceed the cap as the amount in excess of the cap is reduced from total Medicaid expenditures for the purpose of determining federal financial participation. By classifying health care professionals in a class with other professionals, those licensing fees may not be counted in the determination of allowable taxes. It should be noted that such determinations, however, would be subject to final review and approval by the federal Health Care Financing Administration (HCFA). If not approved the State may be subject to this penalty to the extent which would have occurred under current law.

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ATTACHMENT D  
**Connecticut General Assembly**



RALPH J. CARUSO  
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OFFICE OF FISCAL ANALYSIS

May 26, 1992

LEGISLATIVE OFFICE BUILDING  
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ADDENDUM

(to Fiscal Note on SB 2023)

During the regular 1992 General Assembly legislative session, sSB 508 as amended incorporated a fee classification schedule which corresponded to the revised fees embodied in sSB 36, "An Act Concerning Fees", as amended.

The fee classification schedule included in SB 2023 will now incorporate the health-related professional fee increases which were previously included in sSB 36. The full resulting impact of all related fee increases in SB 2023 should be reflected as indicated below.

<u>License</u>	<u>Old Fee</u>	<u>New Fee</u>
Podiatrist, (Class I)	\$150	\$450
Osteopath, (Class I)	\$225	\$450
Chiropractor, (Class I)	\$225	\$450
Natureopath, (Class I)	\$225	\$450
Dental Hygienist, (Not classified)	\$ 15	\$ 50
Registered Nurse, (Class B)	\$ 30	\$ 50
Advance Practice Registered Nurse, (Class C)	\$ 50	\$ 60
Licensed Practical Nurse, (Class A)	\$ 15	\$ 30
Nurse Midwife, (Class C)	\$ 50	\$ 60

These changes are anticipated to result in a revenue gain of \$1.5 million.

## ATTACHMENT E

### Section 69 Summary

This section changes the funding source for the firearm purchase program from the Connecticut Alcohol and Drug Abuse Commission Drug Assets Forfeiture Revolving Fund to the Department of Public Safety Drug Assets Forfeiture Revolving Fund.

### Section 69 Fiscal Impact

This section changes the funding source for the firearm purchase program from the Connecticut Alcohol and Drug Abuse Commission (CADAC) Drug Assets Forfeiture Revolving Fund to the Department of Public Safety (DPS) Drug Assets Forfeiture Revolving Fund. This results in a savings of \$200,000 to CADAC's Fund and cost of \$200,000 to DPS's Fund. While the current balance is \$145,526, these are monies not yet returned to municipal police departments that have participated in the drug enforcement efforts that generated the assets in the Funds. All monies in the DPS Fund (except minor expenses) are sent to those municipalities for drug education and enforcement (\$1.4 million in FY 1991-92). This bill would remove \$200,000 of this municipal revenue (generated by almost all Connecticut municipal police departments) and target it for use by the six cities indicated for the firearm purchase program. The revenue loss for any particular municipal police department cannot be determined at this time. It would be up to the three member commission established under Section 54-36i of the General Statutes to determine how municipal revenues under the Drug Assets Forfeiture program would be reduced.

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