

JUDICIAL IMPACT FISCAL NOTE

Bill Number: 1402 2SHB AMS HSMH S2351.1	Title: Incapacitated Persons Rights	Agency: 055 – Admin Office of the Courts (AOC)
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

	FY 2018	FY 2019	2017-19	2019-21	2021-23
Total:					

Estimated Expenditures from:

STATE	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE – Staff Years	0.5	0.5	0.5	0.5	0.5
Account					
General Fund – State (001-1)	61,300	58,300	119,600	116,600	116,600
State Subtotal	61,300	58,300	119,600	116,600	116,600
COUNTY					
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal					
CITY					
City FTE Staff Years					
Account					
Local – Cities					
Cities Subtotal					
Local Subtotal					
Total Estimated Expenditures:	61,300	61,300	61,300	61,300	61,300

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form parts I-V

If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

Capital budget impact, complete Part IV.

Legislative Contact:	Phone:	Date:
Agency Preparation: Sam Knutson	Phone: 360-704-5528	Date: 4/19/2017
Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date:
OFM Review:	Phone:	Date:

Part II: Narrative Explanation

Part II.A – Brief Description of what the Measure does that has fiscal impact on the Courts

This bill would amend RCW 11.92 to add a new section to allow an incapacitated person to retain the right to associate with persons of the incapacitated person's choosing.

A new section would be added to RCW 2.72 that would require the Office of Public Guardianship, in partnership with the office of long-term care ombuds to develop and offer training targeted to the legal community and persons working in long-term care facilities regarding the different kinds of decision-making authority.

NOTE: This bill differs from 1402 HB by clarifying certain definitions and removing or modifying text to clarify intent. The substitute also expands the immediate need exception such that in the 14-day period before the guardian is required to file a vulnerable adult protection order, a guardian or limited guardian is allowed to restrict an incapacitated person's rights to protect the incapacitated person from activities that unnecessarily impose significant distress.

This version of the bill would increase the maximum time available for a guardian or limited guardian to inform a person entitled to notice of a change in circumstances relating to the residence or health status of a vulnerable adult from five calendar days to five business days.

These changes do not impact fiscal analysis of this bill.

II.B - Cash Receipt Impact

No cash receipt impact.

II.C – Expenditures

This bill could cause additional hearings. However, there is no data available upon which to base an estimate of how many hearings could result. It is assumed the impact will be minimal.

This bill will require the Administrative Office of the Courts (AOC) to develop and offer training. The AOC assumes this will require 0.5 FTE (staff at range 58) to handle this workload. The position would be needed as long as the requirement exists to train the legal community and persons working in long-term care facilities. Estimated costs for this position would be:

Cost	FY 2018	FY 2019	2017-19	2019-21	2021-2023
Salaries	33,900	33,900	67,800	67,800	67,800
Benefits	17,400	17,400	34,800	34,800	34,800
Goods/Services	5,000	2,000	7,000	4,000	4,000
Travel	5,000	5,000	10,000	10,000	10,000
Total	61,300	58,300	119,600	116,600	116,600