

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: Department of Health and Senior Services
Division Title: Division of Regulation and Licensure
Chapter Title: 19 CSR 30-91.010 Authorized Electronic Monitoring in Long Term Care Facilities**

Rule Number and Title:	19 CSR 30-91.010 Authorized Electronic Monitoring in Long Term Care Facilities
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
505	Intermediate Care Facilities and Skilled Nursing Facilities	\$689,129.55 annually
636	Residential Care Facilities and Assisted Living Facilities	\$347,871.60 annually
	TOTAL COSTS =	\$1,037,001.10 annually

III. WORKSHEET

Designated facility staff person on private entities

Median wages were used to calculate the average pay per hour for a designated facility staff person:

Manager/Administrator: \$47.26 per hour
 Licensed Practical Nurse (LPN): \$22.23 per hour
 Registered Nurse (RN): \$35.24 per hour.
 Social Services "designee": \$23.07 per hour
 = $\$47.26 + \$22.23 + \$35.24 + \$23.07/4 = \$31.95$ per hour.

505 private ICFs and SNFs with a combined total of 53,922 licensed beds x .40= 21,569 licensed beds/residents who will utilize electronic monitoring devices.

636 private RCFs and ALFs with a combined total of 27,220 licensed beds x .40= 10,888 licensed beds/residents who will utilize electronic monitoring devices.

Costs of a designed facility staff person on private ICF/SNFs

One (1) facility staff person @\$31.95 per hour for one (1) hour x 21,569 residents = \$689,129.55

Costs of a designed facility staff person on private RCF/ALFs

One (1) facility staff person @\$31.95 per hour for one (1) hour x 10,888 residents = \$347,871.60

Total for costs for private (RCF/ALF/ICF/SNF) entities to designate a staff person for oversight/management to ensure appropriate placement of an electronic monitoring device and to ensure the required prescribed form is properly completed, signed, and placed in the resident's medical record: \$689,129.55 + \$347,871.60 = \$1,037,001.10

IV. ASSUMPTIONS

At least one (1) designated facility staff person will be needed for oversight/management to ensure appropriate placement of an electronic monitoring device and to ensure the required prescribed form is properly completed, signed, and placed in the resident's medical record. The department assumes the facility may designate a manager/administrator, a licensed nurse, or a social services "designee" to complete this task. Furthermore, the department assumes it will take this designated staff person at least one (1) hour to review the prescribed form for completeness, file the form in the resident's medical record, and then determine appropriate placement of the electronic monitoring device.

The department is estimating once the emergency rule period ends on February 28, 2021 the number of residents or the resident's guardian or legal representative requesting to place an electronic monitoring device in the resident's room and the number of required forms needing to be completed will decrease. It is estimated on an annual basis at least forty percent (40%) of residents will need to have the required form completed to install an electronic monitoring device.

There are 505 private ICFs and SNFs with a combined total of 53,922 licensed beds. The department estimates at least forty percent (40%) of resident's, or the resident's guardian or legal representative will request to place and use an electronic monitoring device in the resident's room which would be 21,569 licensed beds/residents.

There are 636 private RCFs and ALFs with a combined total of 27,220 licensed beds. The department estimates at least forty percent (40%) of resident's, or the resident's guardian or legal representative will request to place and use an electronic monitoring device in the resident's room which would be 10,888 licensed beds/residents.

This fiscal note does not include costs a facility may incur as a result of proper placement of a residents electronic monitoring device because section 198.622, RSMo requires that the resident or the resident's guardian or legal representative is responsible to pay for all costs associated with conducting electronic monitoring, except for the costs of electricity.

The Department is also not including the costs of the facility to ensure all staff are knowledgeable of the applicable laws as this can be completed during in-service trainings

that already occurring or through other methods of training the facilities already utilize with their employees.

The Department is not including costs for the facility staff to help control (turn off and on) the electronic monitoring devices as indicated by the resident and any of the resident's roommates on their respective electronic monitoring forms. Any assistance that staff may provide to help control (turn off and on) the electronic monitoring devices will be part of the care already being given to the residents and roommates for activities of daily living. For example, a certified nurse assistant may turn off the electronic monitoring device before dressing a resident who has an electronic monitoring device pointed towards the resident because the resident checked the box on the resident's electronic monitoring device form electing to have the electronic monitoring device turned off when dressing.

Finally, the Department is not including costs to the facilities to post electronic monitoring notices as these notices can be done on paper that the facilities already have at their disposal.