

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: H1472 (Proposed Committee Substitute)

SHORT TITLE: Biological Agents Registry

SPONSOR(S): Representative Culpepper

FISCAL IMPACT					
	Yes (x)	No ()	No Estimate Available ()		
	<u>FY 2001-02</u>	<u>FY 2002-03</u>	<u>FY 2003-04</u>	<u>FY 2004-05</u>	<u>FY 2005-06</u>
REVENUES					
	*Cannot be estimated				
EXPENDITURES					
Division of Public Health					
LOW ESTIMATE	\$4,900*	\$7,395	\$7,617	\$7,786	\$8,081
POSITIONS:	.225	.15	.15	.15	.15
HIGH ESTIMATE	\$30,600*	\$61,918	\$63,775	\$65,688	\$67,659
POSITIONS:	1.05	1.05	1.05	1.05	1.05
*Figure represents six months of program expenditures					
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Division of Public Health					
EFFECTIVE DATE: January 1, 2002					

BILL SUMMARY: Amends GS 130A to require the Department of Health and Human Services to establish and administer a program for the registration of biological agents. The Commission for Health Services shall adopt rules for the implementation of the registry, which includes determining the agents to be reported, designating the specific information to be maintained, providing for the release of information in the registry to State and Federal law enforcement agencies, and establishing a system of safeguards to be followed by laboratories and other entities. The information collected shall be confidentially maintained and the Department shall only release information according to the rules adopted by the Commission. The Department shall impose a civil penalty for willful and knowing violation of this act, of \$1,000 per day for each day of violation.

ASSUMPTIONS AND METHODOLOGY:

Included is a high and low estimate for the budget. For the low estimation, it is anticipated that the development and subsequent maintenance of the registry may be completed by a portion of two positions: an Office Assistant V and a Medical Laboratory Supervisor II. It is estimated for the first three months that 20% of the Office Assistant V's time will be spent on the creation of the registry/database, contacting the laboratories and other persons who may possess biological agents, and developing internal procedures for the tracking of select agents. It is estimated that this staff person's time for maintenance of the registry will decrease to 15% for support and further refining the registry during the last three months of FY02. It is anticipated that a Medical Laboratory Supervisor II will spend 5% of their time managing the development of the registry. For the purpose of this fiscal analysis, the midpoints of the position pay grades were used for calculations. Beginning in FY03, it is estimated that the clerical staff time needed for maintenance of the registry will further reduce to 10% of an Office Assist V's time and will continue at 5% of a Medical Laboratory Supervisor II's time.

LOW						HIGH					
Expenses	FY01-02	FY02-03	FY03-04	FY04-05	FY05-06	Expenses	FY01-02	FY02-03	FY03-04	FY04-05	FY05-06
Pay Grade 61 Office Assistant V	3 months @ 20% and 3 months @ 15% \$2,925	\$3,445	\$3,549	\$3,655	\$3,765	Pay Grade 72 - Laboratory Specialist	\$28,125	\$57,938	\$59,676	\$61,466	\$63,310
Pay Grade 74 Medical Laboratory Supervisor II	5% of time for 6 months \$1,475	\$2,950	\$3,039	\$3,130	\$3,224	Pay Grade 74 Medical Laboratory Supervisor II	5% of time for 6 months \$1475	\$2,950	\$3,039	\$3,130	\$3,224
Supplies/ Miscellaneous	\$500	\$1,000	\$1,030	\$1,061	\$1,093	Supplies	\$1,000	\$1,030	\$1,061	\$1,093	\$1,126
Total	\$4,900	\$7,395	\$7,617	\$7,846	\$8,081	Total	\$30,600	\$61,918	\$63,775	\$65,688	\$67,659

For the high estimate, it is proposed that it will take a full time position at a program manager level to develop the database, contact the laboratories and entities that will become subject to this legislation, create the internal policies for this registry and to fully develop a secure database (as prescribed by the legislation). For the purpose of fiscal analysis, a full time pay grade 72 position has been used. The 5% of a manager's time is consistent with the low estimate.

It is estimated that 50 – 75 laboratories and entities will be reporting. Language in the Proposed Committee Substitute has broadened the definition of those required to report; therefore, this range may be low. Estimates for the amount to be collected from laboratories/persons for noncompliance are unavailable at this time. In addition, the Department will utilize a computer and software for the registry which it has available. The

fiscal analysis includes office supplies and postage for the first fiscal year at \$500 and subsequent years at \$1000 in addition to the staffing needs. The legislation is effective January 1, 2002; therefore, the first year of the fiscal analysis is based on six months of operation and the additional years include 12 months. The calculations are based on a 3% inflationary increase.

The Department has indicated they can absorb these program expenses within existing budget.

TECHNICAL CONSIDERATIONS:

FISCAL RESEARCH DIVISION 733-4910

PREPARED BY: Lisa Hollowell

APPROVED BY: James D. Johnson

DATE: November 6, 2001



Signed Copy Located in the NCGA Principal Clerk's Offices